

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Ch. I

[EPA-HQ-OA-2012-0077; FRL-9744-8]

### Fall 2012 Regulatory Agenda

**AGENCY:** Environmental Protection Agency.

**ACTION:** Semiannual regulatory flexibility agenda and semiannual regulatory agenda.

**SUMMARY:** The Environmental Protection Agency (EPA) publishes the semiannual regulatory agenda online (the e-Agenda) at <http://www.reginfo.gov> and at [www.regulations.gov](http://www.regulations.gov) to update the public about: regulations and major policies currently under development; reviews of existing regulations and major policies; and rules and major policy makings completed or canceled since the publication of the last agenda.

#### *Definitions:*

“E-Agenda,” “online regulatory agenda,” and “semiannual regulatory agenda” all refer to the same comprehensive collection of information that, until 2007, was published in the **Federal Register** but now is only available through an online database.

“Regulatory Flexibility Agenda” refers to a document that contains information about regulations that may have a significant impact on a substantial number of small entities. We continue to publish it in the **Federal Register** because it is required by the Regulatory Flexibility Act of 1980.

“Unified Regulatory Agenda” refers to the collection of all agencies’ agendas with an introduction prepared by the Regulatory Information Service Center.

“Regulatory Agenda Preamble” refers to the document you are reading now. It appears as part of the Regulatory Flexibility Agenda and introduces both the Regulatory Flexibility Agenda and the e-Agenda.

“Regulatory Development and Retrospective Review Tracker” refers to an online portal to EPA’s priority rules and retrospective reviews of existing regulations. More information about the Regulatory Development and Retrospective Review Tracker appears in section H of this preamble.

**FOR FURTHER INFORMATION CONTACT:** If you have questions or comments about a particular action, please get in touch with the agency contact listed in each agenda entry. If you have general questions about the semiannual regulatory agenda, please contact: Caryn Muellerleile (muellerleile.caryn@epa.gov; 202-564-2855) or Amy Cole (cole.amy@epa.gov; 202-564-6535).

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### **SUPPLEMENTARY INFORMATION:**

#### **A. Links to EPA’s Regulatory Information**

- Semiannual Regulatory Agenda: [www.reginfo.gov](http://www.reginfo.gov) and [www.regulations.gov](http://www.regulations.gov)
- Semiannual Regulatory Flexibility Agenda: <http://www.gpo.gov/fdsys/search/home.action>
- Regulatory Development and Retrospective Review Tracker: [www.epa.gov/regdarrt/](http://www.epa.gov/regdarrt/)

**B. What Key Statutes and Executive Orders Guide EPA's Rule and Policymaking Process?**

A number of environmental laws authorize EPA's actions, including but not limited to:

- Clean Air Act (CAA),
- Clean Water Act (CWA),
- Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund),
- Emergency Planning and Community Right-to-Know Act (EPCRA),
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA),
- Resource Conservation and Recovery Act (RCRA),
- Safe Drinking Water Act (SDWA), and
- Toxic Substances Control Act (TSCA).

Not only must EPA comply with environmental laws, but also administrative legal requirements that apply to the issuance of regulations, such as: the Administrative Procedure Act (APA), the Regulatory Flexibility Act (RFA) as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA), the Unfunded Mandates Reform Act (UMRA), the Paperwork Reduction Act (PRA), the National Technology Transfer and Advancement Act (NTTAA), and the Congressional Review Act (CRA).

EPA also meets a number of requirements contained in numerous Executive Orders: 12866, "Regulatory Planning and Review" (58 FR 51735, Oct. 4, 1993), as supplemented by Executive Order (EO) 13563, "Improving Regulation and Regulatory Review" (76 FR 3821, Jan. 21, 2011); 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations" (59 FR 7629, Feb. 16, 1994); 13045, "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, Apr. 23, 1997); 13132, "Federalism" (64 FR 43255, Aug. 10, 1999); 13175, "Consultation and Coordination with Indian Tribal Governments" (65 FR 67249, Nov. 9, 2000); 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001).

In addition to meeting its mission goals and priorities as described above, EPA is reviewing its existing regulations under EO 13563. This EO provides for periodic retrospective review of existing significant regulations and is intended to determine whether any such regulations should be modified, streamlined, expanded, or repealed, so as to make the Agency's regulatory program more effective or

less burdensome in achieving the regulatory objectives. More information about this review is described in EPA's Statement of Priorities in the Regulatory Plan.

### **C. How Can You Be Involved in EPA's Rule and Policymaking Process?**

You can make your voice heard by getting in touch with the contact person provided in each agenda entry. EPA encourages you to participate as early in the process as possible. You may also participate by commenting on proposed rules published in the **Federal Register** (FR).

Instructions on how to submit your comments are provided in each Advanced Notice of Proposed Rulemaking (ANPRM) and Notice of Proposed Rulemaking (NPRM). To be most effective, comments should contain information and data that support your position, and you also should explain why EPA should incorporate your suggestion in the rule or nonregulatory action. You can be particularly helpful and persuasive if you provide examples to illustrate your concerns and offer specific alternatives.

EPA believes its actions will be more cost effective and protective if the development process includes stakeholders working with us to help identify the most practical and effective solutions to problems. Democracy gives real power to individual citizens, but with that power comes responsibility. EPA encourages you to become involved in its rule and policymaking process. For more information about public involvement in EPA activities, please visit [www.epa.gov/open](http://www.epa.gov/open).

### **D. What Actions Are Included in the E-Agenda and the Regulatory Flexibility Agenda?**

EPA includes regulations and certain major policy documents in the e-Agenda. However, there is no legal significance to the omission of an item from the agenda, and EPA generally does not include the following categories of actions:

- Administrative actions such as delegations of authority, changes of address, or phone numbers;
- Under the CAA: Revisions to State implementation plans; equivalent methods for ambient air quality monitoring; deletions from the new source performance standards source categories list; delegations of authority to states; area designations for air quality planning purposes;
- Under FIFRA: Registration-related decisions, actions affecting the status of currently registered pesticides, and data call-ins;
- Under the Federal Food, Drug, and Cosmetic Act: Actions regarding pesticide tolerances and food additive regulations;

- Under RCRA: Authorization of State solid waste management plans; hazardous waste delisting petitions;
- Under the CWA: State Water Quality Standards; deletions from the section 307(a) list of toxic pollutants; suspensions of toxic testing requirements under the National Pollutant Discharge Elimination System (NPDES); delegations of NPDES authority to States;
- Under SDWA: Actions on State underground injection control programs;
- Under TSCA: New chemical-related decisions; actions implementing the TSCA Interagency Testing Committee decisions; actions affecting extensions for submitting test data.

The Regulatory Flexibility Agenda includes:

- Actions likely to have a significant economic impact on a substantial number of small entities.

## **E. How Is the E-Agenda Organized?**

You can now choose how both the [www.reginfo.gov](http://www.reginfo.gov) and [www.regulations.gov](http://www.regulations.gov) versions of the e-Agenda are organized. Current choices include: EPA subagency; stage of rulemaking, which is explained below; alphabetically by title; and by the Regulation Identifier Number (RIN), which is assigned sequentially when an action is added to the agenda.

Stages of rulemaking include:

1. **Active**—Actions may be in the Prerule, Proposed Rule, or Final Rule stage of the “Active” rules section. Prerule actions are generally intended to determine whether EPA should initiate rulemaking. They may include anything that influences or leads to rulemaking, such as Advance Notices of Proposed Rulemaking (ANPRMs), studies or analyses of the possible need for regulatory action, requests for public comment on the need for regulatory action, or important preregulatory policy proposals. Proposed Rules are EPA rulemaking actions that are within a year of proposal, or the publication of Notices of Proposed Rulemakings (NPRMs), in the **Federal Register**. Final Rules are those rules that will be issued as a final rule within a year.
2. **Long-Term Actions**—This section includes rulemakings for which the next scheduled regulatory action is after December 2013. We urge you to explore becoming involved even if an action is listed in the Long-Term category. By the time an action is listed in the Proposed Rules category you may have missed the opportunity to participate in certain public meetings or policy dialogues.

3. Completed Actions—This section contains actions that have been promulgated and published in the **Federal Register** since publication of the previous Semiannual Agenda. It also includes actions that EPA is no longer considering and has elected to “withdraw.”

#### **F. What Information Is in the Regulatory Flexibility Agenda and the E-Agenda?**

The Regulatory Flexibility Agenda entries include only the nine categories of information that are required by the Regulatory Flexibility Act of 1980 and by Federal Register Agenda printing requirements: Sequence Number, RIN, Title, Description, Statutory Authority, Section 610 Review, if applicable, Regulatory Flexibility Analysis Required, Schedule, and Contact Person. Note that the electronic version of the Agenda (E-Agenda) has more extensive information on each of these actions.

E-Agenda entries include:

*Title:* Titles for new entries (those that have not appeared in previous agendas) are preceded by a bullet (●) The notation “Section 610 Review” follows the title if we are reviewing the rule as part of our periodic review of existing rules under section 610 of the RFA (5 U.S.C. 610).

*Priority:* Entries are placed into one of five categories described below. OMB reviews all significant rules including both of the first two categories, “economically significant” and “other significant.”

a. Economically Significant: Under Executive Order 12866, a rulemaking that may have an annual effect on the economy of \$100 million or more, or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities.

b. Other Significant: A rulemaking that is not economically significant but is considered significant for other reasons. This category includes rules that may:

1. Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
2. Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients; or
3. Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles in Executive Order 12866.

c. Substantive, Nonsignificant: A rulemaking that has substantive impacts but is not Significant, Routine and Frequent, or Informational/Administrative/Other.

d. Routine and Frequent: A rulemaking that is a specific case of a recurring application of a regulatory program in the Code of Federal Regulations (e.g., certain State Implementation Plans, National Priority List updates, Significant New Use Rules, State Hazardous Waste Management Program actions, and Tolerance Exemptions). If an action that would normally be classified Routine and Frequent is reviewed by the Office of Management and Budget under EO 12866, then we would classify the action as either “Economically Significant” or “Other Significant.”

e. Informational/Administrative/Other: An action that is primarily informational or pertains to an action outside the scope of EO 12866.

Also, if a rule may be “Major” as defined in the Congressional Review Act (5 U.S.C. 801, *et seq.*) because it is likely to result in an annual effect on the economy of \$100 million or more or meets other criteria specified in this law, it appears under the “Priority” heading with the statement “Major under 5 U.S.C. 801.”

*Legal Authority:* The sections of the United States Code (U.S.C.), Public Law (Pub. L.), Executive Order (EO), or common name of the law that authorizes the regulatory action.

*CFR Citation:* The sections of the Code of Federal Regulations that would be affected by the action.

*Legal Deadline:* An indication of whether the rule is subject to a statutory or judicial deadline, the date of that deadline, and whether the deadline pertains to a Notice of Proposed Rulemaking, a Final Action, or some other action.

*Abstract:* A brief description of the problem the action will address.

*Timetable:* The dates (and citations) that documents for this action were published in the **Federal Register** and, where possible, a projected date for the next step. Projected publication dates frequently change during the course of developing an action. The projections in the agenda are best estimates as of the date we submit the agenda for publication. For some entries, the timetable indicates that the date of the next action is “to be determined.”

*Regulatory Flexibility Analysis Required:* Indicates whether EPA has prepared or anticipates that it will be preparing a regulatory flexibility analysis under section 603 or 604 of the RFA. Generally, such an

analysis is required for proposed or final rules subject to the RFA that EPA believes may have a significant economic impact on a substantial number of small entities.

*Small Entities Affected:* Indicates whether the rule is anticipated to have any effect on small businesses, small governments, or small nonprofit organizations.

*Government Levels Affected:* Indicates whether the rule may have any effect on levels of Government and, if so, whether the Governments are State, local, tribal, or Federal.

*Federalism Implications:* Indicates whether the action is expected to have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of Government.

*Unfunded Mandates:* Section 202 of UMRA generally requires an assessment of anticipated costs and benefits if a rule includes a mandate that may result in expenditures of more than \$100 million in any one year by State, local, and tribal governments, in the aggregate, or by the private sector. If it is anticipated to exceed this \$100 million threshold, we note it in this section.

*Energy Impacts:* Indicates whether the action is a significant energy action under EO 13211.

*Sectors Affected:* Indicates the main economic sectors regulated by the action. The regulated parties are identified by their North American Industry Classification System (NAICS) codes. These codes were created by the Census Bureau for collecting, analyzing, and publishing statistical data on the U.S. economy. There are more than 1,000 NAICS codes for sectors in agriculture, mining, manufacturing, services, and public administration.

*International Trade Impacts:* Indicates whether the action is likely to have international trade or investment effects, or otherwise be of international interest.

*Agency Contact:* The name, address, phone number, and email address, if available, of a person who is knowledgeable about the regulation.

*Additional Information:* Other information about the action including docket information.

*URLs:* For some actions, the Internet addresses are included for reading copies of rulemaking documents, submitting comments on proposals, and getting more information about the rulemaking and the program of which it is a part. (Note: To submit comments on proposals, you can go to the associated electronic docket, which is housed at [www.regulations.gov](http://www.regulations.gov). Once there, follow the online instructions to



access the docket in question and submit comments. A docket identification [ID] number will assist in the search for materials.)

*RIN:* The Regulation Identifier Number is used by OMB to identify and track rulemakings. The first four digits of the RIN identify the EPA office with lead responsibility for developing the action.

### **G. How Can You Find Out About Rulemakings That Start Up After the Regulatory Agenda Is Signed?**

EPA posts monthly information of new rulemakings that the Agency's senior managers have decided to develop. This list is also distributed via email. You can find the current list, known as the Action Initiation List (AIL), at <http://www.epa.gov/lawsregs/regulations/ail.html> where you will also find information about how to get an email notification when a new list is posted. If you would like to regularly receive information about the rules newly approved for development, sign up for our monthly Action Initiation List by going to <http://www.epa.gov/lawsregs/regulations/ail.html#notification> and completing the steps listed there.

### **H. What Tools Are Available for Mining Regulatory Agenda Data and for Finding More About EPA Rules and Policies?**

#### **1. The <http://www.reginfo.gov/> Searchable Database**

The Regulatory Information Service Center and Office of Information and Regulatory Affairs have a Federal regulatory dashboard that allows users to view the Regulatory Agenda database (<http://www.reginfo.gov/public/do/eAgendaMain>), which includes powerful search, display, and data transmission options. At that site you can:

- a. *See the preamble.* At the URL listed above for the Unified Agenda and Regulatory Plan, find "Current Agenda Agency Preambles." Environmental Protection Agency is listed alphabetically under "Other Executive Agencies."
- b. *Get a complete list of EPA's entries in the current edition of the Agenda.* Use the drop-down menu in the "Select Agency" box to find Environmental Protection Agency and "Submit."
- c. *View the contents of all of EPA's entries in the current edition of the Agenda.* Choose "Search" from the "Unified Agenda" selection in the toolbar at the top of the page. Within the "Search of Agenda/Regulatory Plan" screen, open "Advanced Search," then "Continue." Select

“Environmental Protection Agency” and “Continue.” Select “Search,” then “View All RIN Data (Max 350).”

- d. *Get a listing of entries with specified characteristics.* Follow the procedure described immediately above for viewing the contents of all entries, but on the screen entitled “Advanced Search – Select Additional Fields,” choose the characteristics you are seeking before “Search.” For example, if you wish to see a listing of all economically significant actions that may have a significant economic impact on a substantial number of small businesses, you would check “Economically Significant” under “Priority” and “Business” under “Regulatory Flexibility Analysis Required.”
- e. *Download the results of your searches in XML format.*

## 2. Subject Matter EPA Websites

Some actions listed in the Agenda include a URL that provides additional information.

## 3. Public Dockets

When EPA publishes either an ANPRM or a NPRM in the **Federal Register**, the Agency typically establishes a docket to accumulate materials throughout the development process for that rulemaking. The docket serves as the repository for the collection of documents or information related to a particular Agency action or activity. EPA most commonly uses dockets for rulemaking actions, but dockets may also be used for RFA section 610 reviews of rules with significant economic impacts on a substantial number of small entities and for various non-rulemaking activities, such as **Federal Register** documents seeking public comments on draft guidance, policy statements, information collection requests under the PRA, and other non-rule activities. Docket information should be in that action’s agenda entry. All of EPA’s public dockets can be located at [www.regulations.gov](http://www.regulations.gov).

## 4. EPA’s Regulatory Development and Retrospective Review Tracker

EPA’s Regulatory Development and Retrospective Review Tracker ([www.epa.gov/regdarrt/](http://www.epa.gov/regdarrt/)) serves as a portal to EPA’s priority rules, providing you with earlier and more frequently updated information about Agency regulations than is provided by the Regulatory Agenda. It also provides information about retrospective reviews of existing regulations. Not all of EPA’s Regulatory Agenda entries appear on Reg DaRRt; only priority rulemakings can be found on this website. You can track progress on various

aspects of EPA's priority rulemakings by signing up for RSS feeds from the Regulatory Development and Retrospective Review Tracker at

<http://yosemite.epa.gov/opei/RuleGate.nsf/content/getalerts.html?opendocument>.

#### **I. Reviews of Rules with Significant Impacts on a Substantial Number of Small Entities**

Section 610 of the RFA requires that an agency review, within 10 years of promulgation, each rule that has or will have a significant economic impact on a substantial number of small entities. On October 31, 2012, EPA published in the **Federal Register** a notice announcing the review of three past rulemakings:

- Heavy-Duty Engine and Vehicle Standards and Highway Diesel Fuel Sulfur Control Requirements
- National Pollutant Discharge Elimination System Permit Regulation and Effluent Limitations Guidelines Standards for Concentrated Animal Feeding Operations
- Review of National Emissions Standards for Hazardous Air Pollutants (NESHAP): Reinforced Plastic Composites Production

To comment or learn more about these retrospective reviews of agency rulemakings under section 610 of the RFA, see: <http://www.epa.gov/sbrefa/section-610.html>.

#### **J. What Other Special Attention Does EPA Give to the Impacts of Rules on Small Businesses, Small Governments, and Small Nonprofit Organizations?**

For each of EPA's rulemakings, consideration is given whether there will be any adverse impact on any small entity. EPA attempts to fit the regulatory requirements, to the extent feasible, to the scale of the businesses, organizations, and governmental jurisdictions subject to the regulation.

Under RFA as amended by SBREFA, the Agency must prepare a formal analysis of the potential negative impacts on small entities, convene a Small Business Advocacy Review Panel (proposed rule stage), and prepare a Small Entity Compliance Guide (final rule stage) unless the Agency certifies a rule will not have a significant economic impact on a substantial number of small entities. For more detailed information about the Agency's policy and practice with respect to implementing RFA/SBREFA, please visit the RFA/SBREFA website at <http://www.epa.gov/sbrefa/>.

#### **K. Thank You for Collaborating With Us**

Finally, we would like to thank those of you who choose to join with us in making progress on the complex issues involved in protecting human health and the environment. Collaborative efforts such as EPA's open rulemaking process are a valuable tool for addressing the problems we face, and the regulatory agenda is an important part of that process.

**DATED:** October 22, 2012.

**NAME:** Shannon Kenny,

*Acting Principal Deputy Associate Administrator, Office of Policy.*

## The 222 Regulatory Agendas

**Regional Office Chicago - Proposed Rule**

Title	Regulation Identifier Number
Withdrawal of Federal Water Quality Guidance for the Great Lakes System for Michigan	<a href="#">2005-AA02</a>

**Regional Office San Francisco - Completed Action**

Title	Regulation Identifier Number
Regulation to Establish No Discharge Zone in California State Waters Under CWA 312(f)(4)(A)	<a href="#">2009-AA04</a>

**Office of Enforcement and Compliance Assurance - Proposed Rule**

Title	Regulation Identifier Number
NPDES Electronic Reporting Rule	<a href="#">2020-AA47</a>

**Office of Enforcement and Compliance Assurance - Final Rule**

Title	Regulation Identifier Number
Amendments to the Civil Monetary Penalty Inflation Adjustment Rule	<a href="#">2020-AA49</a>

**Office of Environmental Information - Final Rule**

Title	Regulation Identifier Number
Electronic Reporting of Toxics Release Inventory Data Under the Emergency Planning and Community Right-to-Know Act (EPCRA) Section 313	<a href="#">2025-AA30</a>
Updating the Toxics Release Inventory (TRI) Reporting North American Industry Classification System (NAICS) Codes to 2012 NAICS	<a href="#">2025-AA36</a>

**Office of Environmental Information - Long-term Action**

Title	Regulation Identifier Number
Environmental Protection Agency Freedom of Information Act Regulations Update	<a href="#">2025-AA38</a>

**Office of Environmental Information - Completed Action**

Title	Regulation Identifier Number
Toxic Release Inventory (TRI) Reporting for Facilities Located on Indian Country	<a href="#">2025-AA31</a>

**Water - PreRule**

Title	Regulation Identifier Number
NPDES Regulations to Address Water Quality Impacts From Forest Road Discharges	<a href="#">2040-AF43</a>

**Water - Proposed Rule**

Title	Regulation Identifier Number
Stormwater Regulations Revision to Address Discharges From Developed Sites	<a href="#">2040-AF13</a>
Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category	<a href="#">2040-AF14</a>

National Primary Drinking Water Regulations for Lead and Copper: Regulatory Revisions	<a href="#">2040-AF15</a>
Water Quality Standards Regulatory Clarifications	<a href="#">2040-AF16</a>
Concentrated Animal Feeding Operations Regulations Revision Rule	<a href="#">2040-AF20</a>
Water Quality Standards for the State of Florida's Estuaries and Coastal Waters	<a href="#">2040-AF21</a>
National Pollutant Discharge Elimination System (NPDES) Application and Program Updates Rule	<a href="#">2040-AF25</a>
National Primary Drinking Water Regulations: Group Regulation of Carcinogenic Volatile Organic Compounds (VOCs)	<a href="#">2040-AF29</a>
Clean Water Protection Rule	<a href="#">2040-AF30</a>
Water Quality Standards for the State of Florida's Streams and Downstream Protection of Lakes: Remanded Provisions	<a href="#">2040-AF39</a>
Effluent Limitations Guidelines and Standards for the Construction and Development Point Source Category	<a href="#">2040-AF44</a>

**Water - Final Rule**

Title	Regulation Identifier Number
National Primary Drinking Water Regulations: Revisions to the Total Coliform Rule	<a href="#">2040-AD94</a>
Criteria and Standards for Cooling Water Intake Structures	<a href="#">2040-AE95</a>
Withdrawal of Federal Water Quality Criteria for Certain States Covered Under EPA's 1992 National Toxics Rule (NTR)	<a href="#">2040-AF33</a>
Revisions to Stormwater Regulations to Clarify That an NPDES Permit Is not Required for Stormwater Discharges From Logging Roads	<a href="#">2040-AF42</a>

**Water - Long-term Action**

Title	Regulation Identifier Number
Uniform National Discharge Standards for Vessels of the Armed Forces--Phase II	<a href="#">2040-AD39</a>
Underground Injection Control: Update of State Programs	<a href="#">2040-AD40</a>
Oil and Gas Construction Stormwater Rule	<a href="#">2040-AF05</a>
Effluent Guidelines and Standards for the Construction and Development Industry--Revision	<a href="#">2040-AF27</a>
National Primary Drinking Water Regulations: Regulation of Perchlorate	<a href="#">2040-AF28</a>
Effluent Guidelines and Standards for Unconventional Oil and Gas Extraction Including Coalbed Methane and Shale Gas Extraction	<a href="#">2040-AF35</a>

**Water - Completed Action**

Title	Regulation Identifier Number
Effluent Limitations Guidelines and Standards for Airport Deicing Operations	<a href="#">2040-AE69</a>
Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act; Analysis and Sampling Procedures	<a href="#">2040-AF09</a>
Revisions to the Unregulated Contaminant Monitoring Regulation (UCMR 3) for Public Water Systems	<a href="#">2040-AF10</a>
National Pollutant Discharge Elimination System (NPDES) Concentrated Animal Feeding Operation (CAFO) Reporting Rule	<a href="#">2040-AF22</a>
Water Quality Standards (Numeric Nutrient Criteria) for Florida's Lakes and Flowing Waters Delay of Effective Date	<a href="#">2040-AF36</a>
Modifications to Florida's Phosphorus Rule and Everglades Forever Act	<a href="#">2040-AF38</a>
Removal of the Vacated Elements of the 2008 Concentrated Animal Feeding Operation Rule	<a href="#">2040-AF40</a>
Revised Effective Date for the Water Quality Standards for the State of Florida's Lakes and Flowing Waters	<a href="#">2040-AF41</a>

**Solid Waste and Emergency Response - PreRule**

Title	Regulation Identifier Number
Hazardous Waste Requirements for Retail Products; Clarifying and Making the Program More Effective	<a href="#">2050-AG72</a>

**Solid Waste and Emergency Response - Proposed Rule**

Title	Regulation Identifier Number
Revisions to the National Oil and Hazardous Substances Pollution Contingency Plan; Subpart J Product Schedule Listing Requirements	<a href="#">2050-AE87</a>
Management Standards for Hazardous Waste Pharmaceuticals	<a href="#">2050-AG39</a>
Addition of Subsurface Component to the Hazard Ranking System (HRS)	<a href="#">2050-AG67</a>

**Solid Waste and Emergency Response - Final Rule**

Title	Regulation Identifier Number
Modifications to RCRA Rules Associated With Solvent-Contaminated Industrial Wipes	<a href="#">2050-AE51</a>
Revising Underground Storage Tank Regulations--Revisions to Existing Requirements and New Requirements for Secondary Containment and Operator Training	<a href="#">2050-AG46</a>
Hazardous Waste Management Systems: Identification and Listing of Hazardous Waste: Carbon Dioxide (CO2) Streams in Geological Sequestration Activities	<a href="#">2050-AG60</a>
Rulemaking on the Definition of Solid Waste	<a href="#">2050-AG62</a>
Revisions to the Export Requirements of the Cathode Ray Tube (CRT) Rule	<a href="#">2050-AG68</a>

**Solid Waste and Emergency Response - Long-term Action**

Title	Regulation Identifier Number
Standards for the Management of Coal Combustion Residuals Generated by Commercial Electric Power Producers	<a href="#">2050-AE81</a>
RCRA Smarter Waste Reporting	<a href="#">2050-AF01</a>
Hazardous Waste Manifest Revisions--Standards and Procedures for Electronic Manifests	<a href="#">2050-AG20</a>
Revisions to Land Disposal Restrictions Treatment Standards and Amendments to Recycling Requirements for Spent Petroleum Refining Hydrotreating and Hydrorefining Catalysts	<a href="#">2050-AG34</a>
Financial Responsibility Requirements Under CERCLA Section 108(b) for Classes of Facilities in the Hard Rock Mining Industry	<a href="#">2050-AG61</a>
CERCLA/EPCRA Reporting Requirements for Air Releases of Hazardous Substances From Animal Waste at Farms	<a href="#">2050-AG66</a>

**Solid Waste and Emergency Response - Completed Action**

Title	Regulation Identifier Number
Emergency Planning and Community Right-to-Know Act: Modification to the Threshold Planning Quantity Methodology for the Extremely Hazardous Substances That are Solids in Solution	<a href="#">2050-AF08</a>
Hazardous Waste Technical Corrections and Clarifications Rule	<a href="#">2050-AG52</a>
Hazardous Chemical Reporting; Community Right-to-Know: Revisions to the Emergency and Hazardous Chemical Inventory Forms (Tier I and Tier II)	<a href="#">2050-AG64</a>
Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure (SPCC) Rule--Compliance Date Amendment for Farms	<a href="#">2050-AG69</a>
Polychlorinated Biphenyls (PCBs): Revisions to Manifesting Regulations	<a href="#">2050-AG71</a>
National Oil and Hazardous Substances Pollution Contingency Plan; Revision to Increase Public Availability of the Administrative Record File	<a href="#">2050-AG73</a>

**Air and Radiation - PreRule**

Title	Regulation Identifier Number
Protection of Stratospheric Ozone: Adjustments to the Allowance System for Controlling HCFC Production, Import, and Export for 2015-2019	<a href="#">2060-AR04</a>
Revised Regulation for Environmental Radiation Protection Standard for Nuclear Power Operations	<a href="#">2060-AR12</a>

**Air and Radiation - Proposed Rule**

Title	Regulation Identifier Number
Review of New Source Performance Standards (NSPS) and Amendments to Emissions Guidelines (EG) for Municipal Solid Waste Landfills (WWW and Cc)	<a href="#">2060-AM08</a>
Protection of Stratospheric Ozone: Revision to the Venting Prohibition for Specific Substitute Refrigerants	<a href="#">2060-AM49</a>
New Source Performance Standards (NSPS) Review	<a href="#">2060-AO60</a>
New Source Performance Standards for Grain Elevators--Amendments	<a href="#">2060-AP06</a>
Review of the National Ambient Air Quality Standards for Ozone	<a href="#">2060-AP38</a>
Compliance and Emissions Data Reporting Rule	<a href="#">2060-AP63</a>
Federal Reference Method for Lead in Total Suspended Particulate Matter	<a href="#">2060-AP89</a>
Revision of New Source Performance Standards for New Residential Wood Heaters	<a href="#">2060-AP93</a>
National Emission Standards for Hazardous Air Pollutants: Startup, Shutdown, and Malfunction Amendments to Part 63 Standards	<a href="#">2060-AP96</a>
Amendment to Restore Credible Evidence Language in the Compliance Certification Provisions of the Operating Permits Rules	<a href="#">2060-AQ71</a>
Petroleum Refinery Sector Risk and Technology Review and NSPS	<a href="#">2060-AQ75</a>
Control of Air Pollution From Motor Vehicles: Tier 3 Motor Vehicle Emission and Fuel Standards	<a href="#">2060-AQ86</a>

General Permits and Permits by Rule for the Tribal Minor New Source Review Program	<a href="#">2060-AQ95</a>
Amendments to the Renewable Fuel Standard (RFS) and Identification of New Pathways II	<a href="#">2060-AR21</a>
Review of New Sources and Modifications in Indian Country; Definitions and Exempted Units and Activities	<a href="#">2060-AR25</a>
Amendments--Electric Arc Furnace Area Source Standard	<a href="#">2060-AR27</a>
Implementation of the 2008 National Ambient Air Quality Standards for Ozone: State Implementation Plan Requirements	<a href="#">2060-AR34</a>
Protection of Stratospheric Ozone: The 2013 Critical Use Exemption from the Phaseout of Methyl Bromide	<a href="#">2060-AR41</a>
Renewable Fuel Standard (RFS) Volume Standards for 2013	<a href="#">2060-AR43</a>
Heavy-Duty On-Highway and Non-Road Engine and Vehicle Regulation Streamlining and Technical Amendments	<a href="#">2060-AR48</a>
Identification of Additional Qualifying Renewable Fuel Pathways III and Modification to the Renewable Fuels Program	<a href="#">2060-AR50</a>
2013 Technical Corrections and Other Amendments for the Greenhouse Gas Reporting Rule	<a href="#">2060-AR52</a>
National Emission Standards for Hazardous Air Pollutants Residual Risk and Technology Review for Flexible Polyurethane Foam Production	<a href="#">2060-AR58</a>
Criteria for the Certification and Recertification of the Waste Isolation Pilot Plant's Compliance With the Disposal Regulations; Panel Closure Redesign	<a href="#">2060-AR60</a>
Greenhouse Gas Reporting Program--Change to Calculation Methodologies for Subpart I	<a href="#">2060-AR61</a>
National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units	<a href="#">2060-AR62</a>
Renewable Fuel Standard (RFS) Volume Standards for 2014	<a href="#">2060-AR63</a>
Kraft Pulp Mills NSPS Review	<a href="#">2060-AR64</a>
Air Quality: Definition of Volatile Organic Compounds--Amendment to Definition With Respect to t-Butyl Acetate	<a href="#">2060-AR65</a>
Air Quality: Revision to Definition of Volatile Organic Compounds--Exclusion of trans 1-chloro-3,3,3-trifluoroprop-1-ene	<a href="#">2060-AR67</a>
State Implementation Plans: Call to Amend Provisions Applying to Source Emissions From Startup, Shutdown, and Malfunction	<a href="#">2060-AR68</a>
Petroleum Refinery Sector Amendment for Flares	<a href="#">2060-AR69</a>
RFS Renewable Identification Number (RIN) Quality Assurance Program	<a href="#">2060-AR72</a>
Reconsideration of the Polyvinyl Chloride and Copolymers National Emission Standards for Hazardous Air Pollutants	<a href="#">2060-AR73</a>

**Air and Radiation - Final Rule**

Title	Regulation Identifier Number
Procedure 3--Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources	<a href="#">2060-AH23</a>
Requirements for Reformulated Gasoline (RFG) Under the 8-Hour Ozone Standard for Bump-up Areas Designated Attainment for the 1-Hour Ozone Standard Prior to Revocation	<a href="#">2060-AN63</a>
Air Quality: Revision to Definition of Volatile Organic Compounds--Exclusion of a Group of Four Hydrofluoropolyethers (HFPEs)	<a href="#">2060-AQ17</a>
Amendment of Definitions for National Emissions Standards for Hazardous Pollutants for Radionuclides	<a href="#">2060-AQ31</a>
Revisions to Test Method for Determining Stack Gas Velocity Taking Into Account Velocity Decay Near the Stack Walls	<a href="#">2060-AP08</a>
National Emission Standards for Hazardous Air Pollutants (NESHAP) for Petroleum Refineries--Heat Exchanger Reconsideration	<a href="#">2060-AP84</a>
Revisions to Test Methods and Testing Regulations	<a href="#">2060-AQ01</a>
Supplemental Determinations for Renewable Fuels Produced Under the Final RFS2 Program From Palm Oil	<a href="#">2060-AQ36</a>
Amendments to Tribal Delegation of Authority Provisions in the Prevention of Significant Deterioration Program	<a href="#">2060-AQ55</a>
Reconsideration of Final National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines	<a href="#">2060-AQ58</a>
Protection of Stratospheric Ozone: Listing of Substitutes for Ozone-Depleting Substances--Fire Protection	<a href="#">2060-AQ84</a>
Reconsideration of National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources; Amendments	<a href="#">2060-AQ89</a>
Greenhouse Gas New Source Performance Standard for Electric Generating Units for New Sources	<a href="#">2060-AQ91</a>
Protection of Stratospheric Ozone: Adjustments to the Allowance System for Controlling HCFC Production, Import, and Export for 2012-2014	<a href="#">2060-AQ98</a>
National Uniform Standards for Storage Vessel and Transfer Operations, Equipment Leaks, Closed Vent Systems, and Control Devices	<a href="#">2060-AR00</a>
Addition of New Fuel Pathways I Under the Renewable Fuel Standard (RFS2) Program	<a href="#">2060-AR07</a>
Federal Plan Requirements for Hospital/Medical/Infectious Waste Incinerators Constructed On or Before December 1, 2008 and NSPS: Hospital/Medical/Infectious Waste Incinerators	<a href="#">2060-AR11</a>
Air Quality Designations for the 2010 Sulfur Dioxide Primary National Ambient Air Quality Standard	<a href="#">2060-AR18</a>
Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers: Amendment to the Definition "Regulated NSR Pollutant" Concerning Condensable Particulate Matter	<a href="#">2060-AR30</a>
Modifications to Renewable Fuel Standard and Diesel Sulfur Programs	<a href="#">2060-AR44</a>
Heavy-Duty Highway Program: Revisions for Emergency Vehicles and SCR Maintenance	<a href="#">2060-AR46</a>
Revision to Ambient Nitrogen Dioxide Monitoring Requirements	<a href="#">2060-AR59</a>
National Emission Standards for Hazardous Air Pollutants for Secondary Lead Smelters; Amendments	<a href="#">2060-AR66</a>
Air Quality: Revision to Definition of Volatile Organic Compounds--Exclusion of 2,3,3,3-tetrafluoropropene	<a href="#">2060-AR70</a>



**Air and Radiation - Long-term Action**

<b>Title</b>	<b>Regulation Identifier Number</b>
Improving Implementation of the Operating Permit Rules in Response to the Clean Air Act Advisory Committee Recommendations	<a href="#">2060-AN93</a>
National Emission Standards for Hazardous Air Pollutants (NESHAP): Mercury Cell Chlor-Alkali Plants--Amendments	<a href="#">2060-AN99</a>
New Source Performance Standards (NSPS) and Emission Guidelines (EG) for Large Municipal Waste Combustors (MWCs).	<a href="#">2060-AQ18</a>
Revision of Hearing-Protector Regulations	<a href="#">2060-AQ25</a>
Ambient Ozone Monitoring Regulations: Revisions to Network Design Requirements	<a href="#">2060-AP15</a>
NSPS Equipment Leaks (Subpart VV SOCMI and GGG Petroleum Refineries); Amendments	<a href="#">2060-AP34</a>
Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Reasonable Possibility in Recordkeeping; Reconsideration	<a href="#">2060-AP71</a>
Withdr.of the Prior Deter. or Presump. That Compl. w/CAIR or the NOx SIP Call Const. RACT or RACM for the 97 8-Hr Ozone & 97Fine Part. NAAQS; & Rev. to RACT Guid. & RFP Req. for the 97Fine Part. NAAQS	<a href="#">2060-AQ07</a>
Risk and Technology Review for Ferroalloys Production	<a href="#">2060-AQ11</a>
Residual Risk and Technology Review Amendments to the Phosphoric Acid and Phosphate Fertilizer Production National Emissions Standards for Hazardous Air Pollutants (NESHAP)	<a href="#">2060-AQ20</a>
Stationary Combustion Turbine NSPS Amendments to Address UARG Reconsideration Petition	<a href="#">2060-AQ29</a>
Residual Risk and Technology Review Amendments to the Secondary Aluminum Production National Emission Standards for Hazardous Air Pollutants (NESHAP)	<a href="#">2060-AQ40</a>
Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Reconsideration of Inclusion of Fugitive Emissions; Reconsideration	<a href="#">2060-AQ47</a>
National Emission Standards for Hazardous Air Pollutants (NESHAP) Risk and Technology Review (RTR) for the Mineral Wool and Wool Fiberglass Industries	<a href="#">2060-AQ90</a>
Residual Risk and Technology Review Amendments to the Primary Aluminum Reduction National Emission Standard for Hazardous Air Pollutants (NESHAP)	<a href="#">2060-AQ92</a>
National Emission Standards for Aerospace Manufacturing and Rework Facilities Risk and Technology Review	<a href="#">2060-AQ99</a>
National Emission Standards for Hazardous Air Pollutants (NESHAP): Group IV Polymers and Resins, Pesticide Active Ingredient Production, and Polyether Polyols Production Risk and Technology Review	<a href="#">2060-AR02</a>
Data Requirements for Determining Attainment for the 1-Hour SO2 NAAQS.	<a href="#">2060-AR19</a>
National Emission Standards for Hazardous Air Pollutants (NESHAP) From Offsite Waste and Recovery Operations RTR	<a href="#">2060-AR47</a>
National Emission Standards for Hazardous Air Pollutants (NESHAP): Manufacture of Amino/Phenolic Resins, Acrylic and Modacrylic Fibers Production, and Polycarbonate Production Rise & Technology Review	<a href="#">2060-AR49</a>
National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing	<a href="#">2060-AR71</a>

**Air and Radiation - Completed Action**

<b>Title</b>	<b>Regulation Identifier Number</b>
Anti-Dumping Baseline Recalculation for Downstream Oxygenate Addition	<a href="#">2060-AK69</a>
Protection of Stratospheric Ozone: Alternative for the Motor Vehicle Air Conditioning Sector Under the Significant New Alternatives Policy (SNAP) Program	<a href="#">2060-AM54</a>
National Emission Standards for Hazardous Air Pollutants (NESHAP): Polyvinyl Chloride and Copolymers Production, Amendments	<a href="#">2060-AN33</a>
Petroleum Refineries--New Source Performance Standards (NSPS)--Subparts J and JA	<a href="#">2060-AN72</a>
Review of the National Ambient Air Quality Standards for Particulate Matter	<a href="#">2060-AQ47</a>
Adoption of International NOx Standard for Aircraft Engines	<a href="#">2060-AQ70</a>
Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur	<a href="#">2060-AQ72</a>
Implementation of the 1997 8-Hr Ozone NAAQS: Classification of Subpart 1 Areas and Revision to AntiBacksliding Provisions; Deletion of Obsolete 1-Hr Ozone Standard Provisions	<a href="#">2060-AQ96</a>
Air Quality Designations for the 2008 Ozone National Ambient Air Quality Standards	<a href="#">2060-AP37</a>
National Emission Standards for Hazardous Air Pollutants From Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Electric Utility Steam Generating Units	<a href="#">2060-AP52</a>
Protection of Stratospheric Ozone: Listing of Substitutes for Ozone-Depleting Substances-Hydrocarbon Refrigerants	<a href="#">2060-AP54</a>
Transportation Conformity Rule Restructuring Amendments	<a href="#">2060-AP57</a>
Oil and Natural Gas Sector--New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants	<a href="#">2060-AP76</a>
National Emission Standards for Hazardous Air Pollutants for Elemental Phosphorous Production	<a href="#">2060-AP97</a>
Review of New Source Performance Standards for Nitric Acid Plants--Subpart G	<a href="#">2060-AQ10</a>
Method 16C for the Determination of Total Reduced Sulfur Emissions From Stationary Sources	<a href="#">2060-AQ23</a>
Air Quality: Revision to Definition of Volatile Organic Compounds--Exclusion of trans-1,3,3,3-tetrafluoropropene	<a href="#">2060-AQ38</a>
Protection of Stratospheric Ozone: Extension of Global Laboratory and Analytical Use Exemption for Essential Class I Ozone Depleting Substances	<a href="#">2060-AQ39</a>

Risk and Technology Review for National Emission Standards for Hazardous Air Pollutants From the Pulp and Paper Industry	<a href="#">2060-AQ41</a>
Joint Rulemaking to Establish 2017 and Later Model Year Light Duty Vehicle GHG Emissions and CAFE Standards	<a href="#">2060-AQ54</a>
National Emission Standards for Hazardous Air Pollutants for Hard and Decorative Chromium Electroplating, Chromium Anodizing, and Steel Pickling Residual Risk and Technology Review	<a href="#">2060-AQ60</a>
Supplemental Determination for Renewable Fuels Produced Under the Final RFS2 Program From Sorghum	<a href="#">2060-AQ64</a>
Reasonable Further Progress Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards	<a href="#">2060-AQ65</a>
Final Confidentiality Determinations for 9 Subparts and Amendments to Subpart A and I Under the Mandatory Reporting of Greenhouse Gases Rule	<a href="#">2060-AQ70</a>
Protection of Stratospheric Ozone: The 2012 Critical Use Exemption From the Phaseout of Methyl Bromide	<a href="#">2060-AQ83</a>
Portland Cement Manufacturing National Emission Standard for Hazardous Air Pollutants (NESHAP) and New Source Performance Standard (NSPS)--Proposed Amendments as a Result of Reconsideration	<a href="#">2060-AQ93</a>
Air Quality: Widespread Use for Onboard Refueling Vapor Recovery and Stage II Waiver	<a href="#">2060-AQ97</a>
Transportation Conformity Rule: MOVES Regional Grace Period Extension	<a href="#">2060-AR03</a>
Revisions to Provisions Governing Alternative to Source-Specific Best Available Retrofit Technology (BART) Determinations, Limited SIP Disapprovals, and Federal Implementation Plans	<a href="#">2060-AR05</a>
Air Quality Designations for the 2010 Nitrogen Dioxide National Ambient Air Quality Standards	<a href="#">2060-AR06</a>
Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule Step 3 and GHG Plantwide Applicability Limits	<a href="#">2060-AR10</a>
National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters; Reconsideration	<a href="#">2060-AR13</a>
National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers; Reconsideration and Final Rule Amendments	<a href="#">2060-AR14</a>
NSPS and EG: Commercial and Industrial Solid Waste Incineration Units: Reconsideration and Proposed Amendments; Non-Hazardous Secondary Materials That Are Solid Waste: Final Rule	<a href="#">2060-AR15</a>
National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Prepared Feeds Manufacturing--Amendments	<a href="#">2060-AR16</a>
Protection of Stratospheric Ozone: Amendment to HFO-1234yf SNAP Rule for Motor Vehicle Air Conditioning Sector	<a href="#">2060-AR20</a>
Revisions to Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone	<a href="#">2060-AR22</a>
NESHAP From Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Electric Utility Steam Generating Units--Appropriate and Necessary Finding	<a href="#">2060-AR31</a>
Implementation of the 2008 NAAQS for Ozone: Nonattainment Area Classifications Approach, Attainment Deadlines and Revocation of the 1997 Ozone Standards for Transportation Conformity Purposes	<a href="#">2060-AR32</a>
Revisions to Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone: Part II	<a href="#">2060-AR35</a>
Great Lakes Steamship Repower Incentive Program	<a href="#">2060-AR36</a>
National Volatile Organic Compound Emission Standards for Aerosol Coatings--Addition of Dimethyl Carbonate, Benzotrifluoride, and Hexamethyldisiloxane to Table of Reactivity Factors	<a href="#">2060-AR37</a>
Greenhouse Gas Reporting Program: Electronics Manufacturing (Subpart I: Revisions to Heat Transfer Fluid Provisions)	<a href="#">2060-AR40</a>
Revisions to Final Response to Petition From New Jersey Regarding SO2 Emissions From the Portland Generating Station	<a href="#">2060-AR42</a>
Special Rules Governing Certain Information Obtained Under the Clean Air Act: Technical Correction	<a href="#">2060-AR45</a>
Nonconformance Penalties for On-Highway Heavy-Duty Diesel Engines	<a href="#">2060-AR51</a>
Technical Corrections, Clarifying and Other Amendments to Greenhouse Gas Reporting Rule	<a href="#">2060-AR53</a>
Heavy-Duty Highway Program: Direct Final Rulemaking on Revisions for Emergency Vehicles	<a href="#">2060-AR54</a>
Regulation of Fuels and Fuel Additives: 2013 Biomass-Based Diesel Renewable Fuel Volume	<a href="#">2060-AR55</a>
Air Quality Designations for the 2008 Ozone National Ambient Air Quality Standards for Several Counties in Illinois, Indiana, and Wisconsin; Corrections to Inadvertent Errors in Prior Designations	<a href="#">2060-AR56</a>

## Office of Prevention, Pesticides and Toxic Substances - PreRule

Title	Regulation Identifier Number
Lead; Renovation, Repair, and Painting Program for Public and Commercial Buildings	<a href="#">2070-AJ56</a>
Hydraulic Fracturing Chemicals; Chemical Information Reporting Under TSCA Section 8(a) and Health and Safety Data Reporting Under TSCA Section 8(d)	<a href="#">2070-AJ93</a>

## Office of Prevention, Pesticides and Toxic Substances - Proposed Rule

Title	Regulation Identifier Number
Pesticides; Expansion of Crop Grouping Program	<a href="#">2070-AJ28</a>
Formaldehyde; Third-Party Certification Framework for the Formaldehyde Standards for Composite Wood Products	<a href="#">2070-AJ44</a>
Nanoscale Materials; Chemical Substances When Manufactured, Imported, or Processed as Nanoscale Materials; Reporting and Recordkeeping Requirements; Significant New Use Rule	<a href="#">2070-AJ54</a>
Pesticides; Revisions to Minimum Risk Exemptions	<a href="#">2070-AJ79</a>
Cadmium; Health and Safety Data Reporting Under the Toxic Substances Control Act (TSCA) Section 8(d)	<a href="#">2070-AJ89</a>

Formaldehyde Emissions Standards for Composite Wood Products	<a href="#">2070-AJ92</a>
Certain Nonylphenols and Nonylphenol Ethoxylates; Significant New Use Rule	<a href="#">2070-AJ96</a>

**Office of Prevention, Pesticides and Toxic Substances - Final Rule**

Title	Regulation Identifier Number
Groundwater and Pesticide Management Plan Rule	<a href="#">2070-AC46</a>
Pesticides; Registration Requirements for Antimicrobial Pesticide Products	<a href="#">2070-AD14</a>
Pesticides; Data Requirements for Antimicrobials	<a href="#">2070-AD30</a>
Plant Incorporated Protectants (PIPs); Exemption for Those Derived Through Genetic Engineering From Sexually Compatible Plants	<a href="#">2070-AD55</a>
Plant Incorporated Protectants (PIPs); Exemption for PIPs That Act by Primarily Affecting the Plant	<a href="#">2070-AD56</a>
Certain Polybrominated Diphenylethers; Significant New Use Rule (SNUR) and Test Rule	<a href="#">2070-AJ08</a>
Prions; Amendment of EPA's Regulatory Definition of Pests to Include Prion	<a href="#">2070-AJ26</a>
Significant New Use Rule for Glymes	<a href="#">2070-AJ52</a>
Pesticides; Regulation to Clarify Labeling of Pesticides for Export	<a href="#">2070-AJ53</a>
Pesticides; Satisfaction of Data Requirements; Minor Revisions to the Procedures to Ensure Protection of Data Submitters' Rights	<a href="#">2070-AJ58</a>
Microorganisms: General Exemptions From Reporting Requirements; Revisions of Recipient Organisms Eligible for Tier I and Tier II Exemptions	<a href="#">2070-AJ65</a>
Significant New Use Rule (SNUR); Benzidine-Based Dyes; Di-n-pentyl phthalate (DnPP); and Alkanes, C12-13, Chloro	<a href="#">2070-AJ73</a>
Electronic Reporting Under the Toxic Substances Control Act (TSCA)	<a href="#">2070-AJ75</a>
Protections for Subjects in Human Research Involving Pesticides	<a href="#">2070-AJ76</a>
Significant New Use Rule (SNUR); HBCD (Hexabromocyclododecane) Used in Textiles	<a href="#">2070-AJ88</a>
Significant New Use Rule for Perfluoroalkyl Sulfonates and Long-Chain Perfluoroalkyl Carboxylates Used as Part of Carpets	<a href="#">2070-AJ95</a>
MDI and TDI; Health and Safety Data Reporting Under TSCA 8(d)	<a href="#">2070-AJ97</a>

**Office of Prevention, Pesticides and Toxic Substances - Long-term Action**

Title	Regulation Identifier Number
Testing of Bisphenol A (BPA)	<a href="#">2070-AJ83</a>

**Office of Prevention, Pesticides and Toxic Substances - Completed Action**

Title	Regulation Identifier Number
Mercury; Incorporation of Revised ASTM Standards Into EPA Regulations That Provide Flexibility in the Use of Alternatives to Mercury-Containing Thermometers	<a href="#">2070-AJ51</a>
Mercury; Significant New Use Rule; Elemental Mercury Used in Barometers, Manometers, and Hygrometers/Psychrometers	<a href="#">2070-AJ71</a>
Synchronizing the Expiration Dates of the Pesticide Applicator Certificate With the Underlying State or Tribal Applicator Certificate	<a href="#">2070-AJ77</a>
Pesticides; Microbial Pesticide Definitions and Applicability; Clarification and Availability of Test Guideline	<a href="#">2070-AJ80</a>

**Office of the Administrator - Proposed Rule**

Title	Regulation Identifier Number
Part 7--Nondiscrimination in Programs or Activities Receiving Federal Assistance From the Environmental Protection Agency	<a href="#">2090-AA39</a>

**Environmental Protection Agency (EPA)**  
**Regional Office Chicago ( ROCHICAGO )**

RIN: 2005-AA02

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**Title:** Withdrawal of Federal Water Quality Guidance for the Great Lakes System for Michigan

**Abstract:** On August 4, 2000, EPA specified at 40 CFR 132.6(c) that certain requirements set forth in the Water Quality Guidance for the Great Lakes System (Guidance) at 40 CFR part 132 apply to discharges within the Great Lakes System in the States of Indiana, Michigan, and Ohio because those States had not adopted requirements pertaining to whole effluent toxicity (WET) consistent with the Guidance. On September 19, 2005, Michigan submitted to EPA revisions to the rules that addressed WET requirements. By letter dated December 27, 2005, EPA found that Michigan's revised regulations were consistent with the Guidance, and therefore, approved the WET rule revisions. Michigan adopted the WET regulations into state rule on January 13, 2006. As a result, EPA is proposing to amend 40 CFR 132.6(c) to remove the reference to Michigan.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 132.6(c) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Not Yet Determined**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	05/00/2013	
Direct Final Rule	05/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Robert Pepin Environmental Protection Agency

Regional Office Chicago

WT-15J, Chicago, IL 60604

Chicago , IL 60604

Phone: 312 886-1505

FAX: 312 886-0168

E-Mail: [pepin.robert@epa.gov](mailto:pepin.robert@epa.gov)**Agency Contact:** Laura J Phillips Environmental Protection Agency

Regional Office Chicago

Washington, DC 20460

Washington , DC 20460

Phone: 202 260-9522

E-Mail: [phillips.laura@epa.gov](mailto:phillips.laura@epa.gov)**Environmental Protection Agency (EPA)**  
**Regional Office San Francisco ( ROSANFRAN )****RIN:** 2009-AA04 [View Related Documents](#)**Title:** Regulation to Establish No Discharge Zone in California State Waters Under CWA 312(f)(4)(A)

**Abstract:** In response to a 2005 California law, the State Water Resources Control Board asked EPA to designate all California marine waters as a No Discharge Zone (NDZ) for all sewage from all large passenger vessels, and all large ocean-going vessels with adequate holding capacity. The State, local environmental groups, and California delegation all strongly support establishment of such an NDZ, as it would offer additional water quality protection to the California coast. EPA and the State found that even treated sewage can have elevated concentrations of pollutants. All prior NDZs prohibit all sewage from all vessels; however, the California request applied to only a subset of all vessels, targeting the highest volume generators. No existing NDZ established under 312(f)(4)(A) applies to all state marine waters either. Only two other NDZs have been established under 312(f)(4)(A): Minnesota Boundary Waters Canoe Area and Florida Keys National Marine Sanctuary. EPA established the California NDZ on February 27, 2012.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 140 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** CWA 312(f)(4)(A)**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:**

**Risks:****Timetable:**

Action	Date	FR Cite
NPRM	09/02/2010	75 FR 53914
Final Rule	02/27/2012	77 FR 11401
Final Rule Effective	03/28/2012	

**Additional Information:** Docket #:EPA-R09-OW-2010-0438**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.epa.gov/region09/water/no-discharge/index.html>**Agency Contact:** Paul Amato Environmental Protection Agency

Regional Office San Francisco

USEPA REGION 9, 75 Hawthorne Street, Mail Code: WTR-1, San Francisco, CA 94105

San Francisco, CA 94105

Phone: 415 972-3847

FAX: 415 947-3537

E-Mail: [amato.paul@epa.gov](mailto:amato.paul@epa.gov)**Environmental Protection Agency (EPA)****Office of Enforcement and Compliance Assurance (OECA)****RIN:** 2020-AA47 [View Related Documents](#)**Title:** NPDES Electronic Reporting Rule

**Abstract:** The EPA has responsibility to ensure that the Clean Water Act's (CWA) National Pollutant Discharge Elimination System (NPDES) program is effectively and consistently implemented across the country. This regulation would mandate electronic reporting of NPDES data. Through this regulation, EPA seeks to ensure that such facility-specific information would be accurate, timely, and nationally consistent on the facilities that are regulated by the NPDES program. In the past, EPA primarily obtained this information from the Permit Compliance System (PCS). However, the evolution of the NPDES program since the inception of PCS has created an increasing need to better reflect a more complete picture of the NPDES program and the diverse universe of regulated sources. In addition, information technology has advanced significantly so that PCS no longer meets EPA's national needs to manage the full scope of the NPDES program or the needs of individual states that use PCS to implement and enforce the NPDES program.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 123; 40 CFR 403; 40 CFR 501 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 33 USC 1314(i) and 1361(a); CWA sections 304(i) and 501(a)**Legal Deadline:** None**Regulatory Plan:**

**Statement of Need:** EPA views the draft proposed rule as a key means to transform the NPDES program, and provide significant savings and flexibilities to States and the NPDES-regulated universe. The electronic availability of the information would enable States and EPA to better ensure the protection of public health and the environment, effectively manage the national NPDES permitting and enforcement program, monitor compliance, redirect resources, and identify and address environmental problems.

**Legal Basis:** The Clean Water Act establishes a comprehensive program for protecting and restoring our Nation's waters. The Clean Water Act established the NPDES permit program to authorize and regulate the discharges of pollutants to waters of the United States. Section 402(a). EPA is proposing this rule under CWA sections 101(f), 304(i), 308, 402, and 501. This proposed rule, which is intended to reduce resource burdens associated with the paper-based system and increase the speed, quality and scope of information echoes the goals of CWA section 101(f). CWA section 304(i)(2) authorizes EPA to promulgate guidelines establishing the minimum procedural and other elements of state programs under section 402, including reporting requirements and procedures to make information available to the public. In addition, EPA is proposing this rule under section 308, which authorizes EPA to require information to carry out the objectives of the CWA, including section 402, which establishes the NPDES permit program. EPA is proposing this rule under CWA sections 402(b) and (c), which require each authorized state, tribe, or territory to ensure that permits meet certain substantive requirements, and provide EPA information from point sources, industrial users, and the authorized program in order to ensure proper oversight. Finally, EPA is issuing this rule under CWA section 501, which authorizes EPA to prescribe such regulations as are necessary to carry out provisions of the Act.

**Alternatives:** Within the rulemaking process itself, various alternatives are being considered. One alternative would be status quo, where most States are moving toward electronic reporting of some NPDES information. However, unless electronic reporting is made mandatory, participation is not high and States are essentially operating two different reporting systems (i.e., one electronic-based and one paper-based). States also find that they must implement a costly public relations effort to recruit new users and train new users. State development of their own electronic reporting tools is an additional cost of the status quo. As another alternative, in the absence

of electronically available information, EPA could seek this NPDES information from each State, as each State should currently be receiving this information in hard-copy format from regulated facilities. Another alternative that EPA could consider in rule implementation is whether third-party vendors may be better equipped to develop and modify such electronic reporting tools than EPA or States.

**Costs and Benefits:** The economic analysis for the draft proposed rule indicates that significant savings should be anticipated after full implementation. Savings of approximately \$30.3 million annually should be realized within three years after the final rule. Most of these savings (approximately \$28.5 million) would accrue to the States, largely because of the elimination of data entry by States of paper-based discharge monitoring reports (DMRs) and program reports. The regulated universe would also receive some annual savings and would benefit from reduced incidence of data errors in transcription of the data from hard-copy submissions to electronic form. Some States (e.g., Ohio) have been able to quantify savings realized through mandatory electronic reporting. Additional benefits of this rule will include improved transparency of information regarding the NPDES program, improved information regarding the national NPDES program, improved targeting of resources based on identified program needs and noncompliance problems, and ultimately improved protection of public health and the environment. Some NPDES information associated with NPDES program implementation activities (e.g., permit issuance, inspections, violations, enforcement actions) will also be reported by States to EPA. There will be some upfront initial investment costs needed to realize these savings. EPA will have initial implementation costs to revise the data systems and to develop tools for electronic reporting by permittees, as well as annual operation and maintenance costs associated with those tools (in addition to ongoing ICIS-NPDES operation and maintenance costs). States would have initial investment costs associated with data system upgrades (if not already done) and initial data entry for facilities not currently tracked electronically.

**Risks:** EPA does not receive sufficient facility-specific NPDES information from the states to be able to fully assess the full scope of compliance with the national NPDES program. This lack of complete information on compliance may adversely impact the states' and EPA's ability to better ensure the protection of public health and the environment, nationally and locally.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2013	
Final Rule	01/00/2014	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State

**Small Entities Affected:** No

**Federalism:** Yes

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.regulations.gov/exchange/topic/npdes>

**Agency Contact:** Andrew Hudock Environmental Protection Agency

Office of Enforcement and Compliance Assurance

2222A, Washington, DC 20460

Washington, DC 20460

Phone: 202 564-6032

E-Mail: [Hudock.Andrew@epamail.epa.gov](mailto:Hudock.Andrew@epamail.epa.gov)

**Agency Contact:** John Dombrowski Environmental Protection Agency

Office of Enforcement and Compliance Assurance

2222A, Washington, DC 20460

Washington, DC 20460

Phone: 202 566-0742

E-Mail: [Dombrowski.John@epamail.epa.gov](mailto:Dombrowski.John@epamail.epa.gov)

**Environmental Protection Agency (EPA)**

**Office of Enforcement and Compliance Assurance (OECA)**

**RIN:** 2020-AA49

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**Title:** Amendments to the Civil Monetary Penalty Inflation Adjustment Rule

**Abstract:** The Debt Collection Improvement Act of 1996 (DCIA) requires each Federal agency to adjust its statutory civil penalties for inflation at least once every four years. Since EPA last adjusted its statutory civil penalties for inflation in 2008, 73 FR 75340 (December 11, 2008), in 2013, EPA will publish amendments to parts 19 and 27 to adjust statutory maximum and minimum penalties under its jurisdiction, as necessary, to account for inflation. This rulemaking will also include technical corrections to Title 40 to ensure that all regulatory references to specific civil penalty amounts refer to the operative effective statutory maximum penalty amount reflected in 40 CFR 19.4.

**Priority:** Info./Admin./Other

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 19.4 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 31 USC 3701

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Final Rule	04/00/2013	

**Additional Information:** SAN No. 5325.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Caroline Hermann Environmental Protection Agency

Office of Enforcement and Compliance Assurance

2248A, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-2876

E-Mail: hermann.caroline@epa.gov

**Agency Contact:** Susan O'Keefe Environmental Protection Agency

Office of Enforcement and Compliance Assurance

2248A, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-4021

E-Mail: OKeefe.Susan@epamail.epa.gov

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**Environmental Protection Agency (EPA)**  
**Office of Environmental Information ( OEI )**

**RIN:** 2025-AA30

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**Title:** Electronic Reporting of Toxics Release Inventory Data Under the Emergency Planning and Community Right-to-Know Act (EPCRA) Section 313

**Abstract:** Currently, facilities must report to the Toxics Release Inventory (TRI) program electronically via the Toxics Release Inventory-Made Easy Web application (TRI-MEweb) or by paper. The Environmental Protection Agency (EPA) proposed to require facilities to report non-confidential information via TRI-MEweb. Facilities reporting trade secrets would continue to file paper forms. The use of TRI-MEweb will help ensure data accuracy, while also enabling the Agency to more effectively provide the public with access to the latest TRI data on toxic chemical releases and other waste management within communities. This rule promotes EPA efforts to eliminate paper-based submissions in favor of electronic reporting following the direction providing by the Government Paperwork Elimination Act, which requires Federal agencies to provide for electronic reporting when practicable. For over a decade, EPA has promoted the use of electronic reporting for TRI data, with 95% of TRI facilities reporting TRI data electronically for RY 2010. This rule is a continuation of this policy to promote electronic reporting.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 40 CFR 372.85 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** EPCRA section 313

**Legal Deadline:** None

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	03/05/2012	77 FR 13061
NPRM Comment Period End	05/04/2012	
Final Rule	08/00/2013	



**Additional Information:** Facilities included in the following NAICS manufacturing codes (corresponding to SIC codes 20 through 39): 311\*,312\*, 313\*, 314\*, 315\*, 316, 321, 322, 323\*, 324, 325\*, 326\*, 327, 331, 332, 333, 334\*, 335\*, 336, 337\*, 339\*,111998\*, 211112\*, 212234\*, 212235\*, 212393\*, 212399\*, 488390\*, 511110, 511120, 511130, 511140\*, 511191,511199, 511220, 512230\*, 516110\*, 541710\*, or 811490\*. \*Exceptions and/or limitations exist for these NAICS codes. Facilities included in the following NAICS codes (corresponding to SIC codes other than SIC codes 20 through 39): 212111, 212112, 212113 (correspond to SIC 12, Coal Mining (except 1241)); or 212221, 212222, 212231, 212234, 212299 (correspond to SIC 10, Metal Mining (except 1011, 1081, and 1094)); or 221111, 221112, 221113, 221119, 221121, 221122 (Limited to facilities that combust coal and/or oil for the purpose of generating power for distribution in commerce) (correspond to SIC 4911, 4931, and 4939, Electric Utilities); or 424690, 425110, 425120 (Limited to facilities previously classified in SIC 5169, Chemicals and Allied Products, Not Elsewhere Classified); or 424710 (corresponds to SIC 5171, Petroleum Bulk Terminals and Plants); or 562112 (Limited to facilities primarily engaged in solvent recovery services on a contract or fee basis (previously classified under SIC 7389, Business Services, NEC)); or 562211, 562212, 562213, 562219, 562920 (Limited to facilities regulated under the Resource Conservation and Recovery Act, subtitle C, 42 U.S.C. 6921 et seq.) (correspond to SIC 4953, Refuse Systems)

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 316

**Agency Contact:** David Turk Environmental Protection Agency

Office of Environmental Information

2844T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1527

E-Mail: Turk.David@epa.gov

**Environmental Protection Agency (EPA)**  
**Office of Environmental Information ( OEI )**

RIN: 2025-AA36

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**Title:** Updating the Toxics Release Inventory (TRI) Reporting North American Industry Classification System (NAICS) Codes to 2012 NAICS

**Abstract:** The Toxics Release Inventory (TRI) Program plans to issue a direct final rule to incorporate the 2012 North American Industry Classification System (NAICS) codes for TRI reporting purposes. The Office of Management and Budget (OMB) updates the NAICS codes every 5 years. OMB approved the 2012 NAICS codes on August 17, 2011 (76 FR 51240), and the new NAICS codes are effective for calendar year 2012. The TRI Program currently uses 2007 codes and through this rulemaking, plans to finalize this rule immediately in order to implement the 2012 codes for TRI Reporting Year 2012 for reports due for submission to the Agency by July 1, 2013. The actual data required by a TRI form will not change as a result of this rulemaking, nor will the rule affect the universe of TRI reporting facilities that are required to submit reports to the Agency under EPCRA section 313.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 372 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** EPCRA 313

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	09/00/2013	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Judith Kendall Environmental Protection Agency

Office of Environmental Information

1200 Pennsylvania Avenue NW., Washington, DC 20460

Washington , DC 20460

Phone: 202 566-0750



FAX: 202 566-0741  
E-Mail: [kendall.judith@epamail.epa.gov](mailto:kendall.judith@epamail.epa.gov)

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**Environmental Protection Agency (EPA)**  
**Office of Environmental Information ( OEI )**

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RIN: 2025-AA38

 [View Related Documents](#)

**Title:** Environmental Protection Agency Freedom of Information Act Regulations Update

**Abstract:** The Environmental Protection Agency is revising its Freedom of Information Act (FOIA) regulations, 40 CFR Part 2, Subpart A, which were last updated in 2002 in order to comply with the 2007 Open Government Act, reflect EPA's business process, and correct obsolete information.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 2 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** subpart A

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2013	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Kelly Greene Environmental Protection Agency

Office of Environmental Information

6143G, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-2996

FAX: 202 566-1648

E-Mail: [greene.kelly@epa.gov](mailto:greene.kelly@epa.gov)

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**Environmental Protection Agency (EPA)**  
**Office of Environmental Information ( OEI )**

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RIN: 2025-AA31

 [View Related Documents](#)

**Title:** Toxic Release Inventory (TRI) Reporting for Facilities Located on Indian Country

**Abstract:** This action corrects one error in 40 CFR section 372.30(a) of the Code of Federal Regulations, by reinstating the previously promulgated amendment from 1990 which named tribes as the implementing authority for title III within their jurisdiction. This portion of the amendment, part 372.30(a) from July 26, 1990, specifically addresses the "whom" to where facilities located in Indian Country are to report, i.e., facilities on Indian Country need to submit their information to the tribal official rather than the State. This amendment did not officially become codified in the Federal Register, due to a transcription oversight. In the Federal Register of July 26, 1990 (55 FR 144), for 40 CFR part 355.20 and 372.30, EPA has appointed the Indian Tribe as the implementing authority for title III on land on which it presides. This geographic area, defined as "Indian Country," is managed by the chief executive officer of the Tribe with the same responsibilities as a governor, as outlined by SARA section 301. Since the 1990 amendment, EPA has delegated such oversight authority to Tribes for title III within their jurisdiction. Given this, 40 CFR part 372.30(a) needs to be revised to include guidance for facilities located in Indian Country; EPA's Form R and Form R Schedule 1 must therefore be submitted to the official designated by the Chief Executive Officer of the tribe, as well as to EPA.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 372.30(a) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 11013; 42 USC 11028

**Legal Deadline: None****Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	09/30/2011	76 FR 60781
Final Rule	04/19/2012	77 FR 23409

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Louise Camalier Environmental Protection Agency

Office of Environmental Information

2842T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-0503

FAX: 202 566-0677

E-Mail: Camalier.Louise@epamail.epa.gov

**Agency Contact:** Elizabeth Jackson Environmental Protection Agency

Office of Environmental Information

2842T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-0626

FAX: 202 566-0677

E-Mail: Jackson.Elizabeth@epamail.epa.gov

**Environmental Protection Agency (EPA)****Water ( WATER )****RIN:** 2040-AF43 [View Related Documents](#)**Title:** NPDES Regulations to Address Water Quality Impacts From Forest Road Discharges**Abstract:** The EPA will propose to use flexible non-permitting approaches under the Clean Water Act to regulate certain discharges of stormwater from forest roads, including logging roads, in order to address water quality impacts from those discharges. The EPA recognizes that effective best management practices (BMPs) exist that protect receiving waters and minimize impacts. The EPA plans to propose approaches that leverage effective BMP programs.**Priority:** Other Significant**Agenda Stage of Rulemaking:** PreRule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 122.26 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 33 USC 1251(a)**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
ANPRM	06/00/2013	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No

**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 2040-AF42**Agency Contact:** Jeremy Bauer Environmental Protection Agency  
Water

1200 Pennsylvania Ave NW, Washington, DC 20460

Washington, DC 20460

Phone: 202 564-2775

E-Mail: [bauer.jeremy@epa.gov](mailto:bauer.jeremy@epa.gov)**Agency Contact:** Connie Bosma Environmental Protection Agency  
Water

4203M, Washington, DC 20460

Washington, DC 20460

Phone: 202 564-6773

FAX: 202 564-6431

E-Mail: [bosma.connie@epa.gov](mailto:bosma.connie@epa.gov)**Environmental Protection Agency (EPA)****Water ( WATER )****RIN:** 2040-AF13 [View Related Documents](#)**Title:** Stormwater Regulations Revision to Address Discharges From Developed Sites

**Abstract:** : Stormwater discharges from developed areas are a major cause of degradation of surface waters due to the conveyance of pollutants and the erosive power of increased stormwater flow rates and volumes. Current stormwater regulations were promulgated in 1990 and 1999. In 2006, the Office of Water asked the National Research Council (NRC) to review the stormwater program and recommend ways to strengthen it. The NRC Report, which was finalized in October 2008, found that the current stormwater program "... is not likely to adequately control stormwater's contribution to waterbody impairment" and recommended that EPA take action to address the harmful effects of stormwater flow. This proposed action would establish requirements for, at minimum, managing stormwater discharges from newly developed and re-developed sites, to reduce the amount of pollutants in stormwater discharges entering receiving waters by reducing the discharge of excess stormwater, and may take other actions to implement improved control of stormwater pollution and more efficient rainwater use. This action could promote the use of green infrastructure approaches to manage stormwater.

**Priority:** Economically Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Yes**Unfunded Mandates:** Undetermined**CFR Citation:** 40 CFR 122.26 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 33 USC 1251 et seq**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	6/10/2013 - Settlement Agreement deadline for NPRM - Fowler, et al. v. EPA; # 09-0005; D. D.C.; as per 6/28/2012 modification	06/10/2013
Other	Judicial	12/10/2014 - Settlement Agreement deadline for Final Action - Fowler, et al. v. EPA; # 09-0005; D. D.C.; as per 6/28/2012 modification	12/10/2014

**Regulatory Plan:**

**Statement of Need:** Stormwater discharge from developed areas is a major cause of degradation of surface waters. This is true for both conveyance of pollutants and the erosive power of increased stormwater flow rates and volumes. Current stormwater regulations were promulgated in 1990 and 1999. In 2006, the Office of Water asked the National Research Council (NRC) to review the stormwater program and recommend ways to strengthen it. The NRC Report, which was finalized in October 2008, found that the current stormwater program "...is not likely to adequately control stormwater's contribution to waterbody impairment" and recommended that EPA take action to address the harmful effects of stormwater flow. This proposed action would establish requirements for, at minimum, managing stormwater discharges from newly developed and re-developed sites, to reduce the amount of pollutants in stormwater discharges entering receiving waters by reducing the discharge of excess stormwater, and may take other actions to implement improved control of stormwater pollution and more efficient rainwater use. The Phase 1 and Phase II MS4 regulations might also be combined and amended, and may include provisions for better managing existing discharges.

**Legal Basis:** Section 402(p) of the Clean Water Act requires EPA to regulate certain discharges from stormwater in order to protect water quality.

**Alternatives:** To be determined.**Costs and Benefits:** To be determined.**Risks:** To be determined.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2013	
Final Rule	12/00/2014	

**Additional Information:** EPA Docket information: EPA-HQ-OW-2009-0817.

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal; Local; State

**Small Entities Affected:** Business; Governmental Jurisdictions

**Federalism:** Yes

**Energy Affected:** Undetermined

**RIN Information URL:** [www.epa.gov/npdes/stormwater/rulemaking](http://www.epa.gov/npdes/stormwater/rulemaking)

**Agency Contact:** Connie Bosma Environmental Protection Agency

Water

4203M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-6773

FAX: 202 564-6431

E-Mail: [bosma.connie@epa.gov](mailto:bosma.connie@epa.gov)

**Agency Contact:** Janet Goodwin Environmental Protection Agency

Water

4303T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1060

E-Mail: [Goodwin.Janet@epamail.epa.gov](mailto:Goodwin.Janet@epamail.epa.gov)

## Environmental Protection Agency (EPA)

### Water ( WATER )

RIN: 2040-AF14

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**Title:** Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category

**Abstract:** EPA establishes national technology-based regulations, called effluent limitations guidelines and standards, to reduce discharges of pollutants from industries to waters of the U.S. These requirements are incorporated into National Pollutant Discharge Elimination System (NPDES) discharge permits issued by EPA and States and through the national pretreatment program. The steam electric effluent guidelines apply to steam electric power plants using nuclear or fossil fuels, such as coal, oil, and natural gas. There are about 1,200 nuclear- and fossil-fueled steam electric power plants nationwide; approximately 500 of these power plants are coal-fired. In a study completed in 2009, EPA found that the current regulations, which were last updated in 1982, do not adequately address the pollutants being discharged and have not kept pace with changes that have occurred in the electric power industry over the last three decades. Power plant discharges can have impacts on water quality, including reduced organism abundance and species diversity and contamination of drinking water sources. Pollutants of concern include metals (e.g., mercury, arsenic, and selenium), nutrients, and total dissolved solids.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Yes

**Unfunded Mandates:** Undetermined

**CFR Citation:** 40 CFR 423 (revision) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 33 USC 1311; 33 USC 1314; 33 USC 1316; 33 USC 1317; 33 USC 1318; 33 USC 1342; 33 USC 1361

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Consent Decree	12/14/2012
Other	Judicial	4/19/2013 - Consent Decree deadline for Final Action - Defenders of Wildlife v. Jackson, 10-1915, D. D.C.	04/19/2013

### Regulatory Plan:

**Statement of Need:** As described, EPA determined the existing regulations do not adequately address the pollutants being discharged and that revisions are appropriate.

**Legal Basis:** Section 301(b)(2) of the Clean Water Act requires EPA to promulgate effluent limitations for categories of point sources, using technology-based standards, that govern the sources' discharge of certain pollutants. 33 USC Section 1311(b). Section 304(b) of the Act directs EPA to develop effluent limitations guidelines (ELGs) that identify certain technologies and control measures available to achieve effluent reductions for each point source category, specifying factors to be taken into account in identifying those technologies and control measures. 33 U.S.C. Section 1314(b). Since the 1970s, EPA has formulated effluent limitations and ELGs in tandem through a single administrative process. *Am. Frozen Food Inst. v. Train*, 539 F.2d 107 (D.C. Cir. 1976). The CWA also requires EPA to perform an annual review of existing ELGs and to revise them, if appropriate. 33 U.S.C. Section 1314(b); see also 33 U.S.C. Section 1314(m)(1)(A). EPA originally established effluent limitations and guidelines for the steam electric generating industry in 1974 and last updated them in 1982. 47 Fed. Reg. 52,290 (Nov. 19, 1982).

**Alternatives:** To be determined.

**Costs and Benefits:** To be determined.

**Risks:** To be determined.

**Timetable:**

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Action	Date	FR Cite
NPRM	04/00/2013	
Final Rule	04/00/2014	

**Additional Information:** Docket #:EPA-HQ-OW-2009-0819

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Energy Affected:** Undetermined

**RIN Information**

**URL:** [http://water.epa.gov/scitech/wastetech/guide/steam\\_index.cfm](http://water.epa.gov/scitech/wastetech/guide/steam_index.cfm)

**Sectors Affected:** 221112; 221113

**Agency Contact:** Ronald Jordan Environmental Protection Agency  
Water

4303T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1003

FAX: 202 566-1053

E-Mail: [Jordan.Ronald@epamail.epa.gov](mailto:Jordan.Ronald@epamail.epa.gov)

**Agency Contact:** Jezebele Alicea Environmental Protection Agency

Water

4303T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1755

FAX: 202 566-1053

E-Mail: [alicea.jezebele@epamail.epa.gov](mailto:alicea.jezebele@epamail.epa.gov)

**Environmental Protection Agency (EPA)**

**Water ( WATER )**

**RIN:** 2040-AF15

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**Title:** National Primary Drinking Water Regulations for Lead and Copper: Regulatory Revisions

**Abstract:** Beginning in 2004, EPA conducted a wide-ranging review of implementation of the Lead and Copper Rule (LCR) to determine if there is a national problem related to elevated lead levels. EPA's comprehensive review consisted of several elements, including a series of workshops designed to solicit issues, comments, and suggestions from stakeholders on particular issues; a review of monitoring data to evaluate the effectiveness of the LCR; and a review of the LCR implementation by States and water utilities. As a result of this multi-part review, EPA identified seven targeted rules changes and EPA promulgated a set of short-term regulatory revisions and clarifications on October 10, 2007, to strengthen implementation of the existing Lead and Copper Rule. In developing the short-term revisions, EPA identified several regulatory changes to be considered as part of identifying more comprehensive changes to the rule. These considerations are longer-term in nature as they require additional data collection, research, analysis, and stakeholder involvement to support decisions. This action addresses the remaining regulatory revisions to be completed in the 2013/2014 time frame. Changes will be made to make the rule more cost effective and more protective of public health.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Yes

**Unfunded Mandates:** Undetermined

**CFR Citation:** 40 CFR 141; 40 CFR 142 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 300f et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:** EPA identified several regulatory changes to be considered as part of identifying more comprehensive changes to the rule. These considerations are longer-term in nature as they require additional data collection, research, analysis, and stakeholder involvement to support decisions. Changes will be made to make the rule more cost effective and more protective of public health.

**Legal Basis:** The Safe Drinking Water Act (SDWA) (42 U.S.C. 300f et seq.) requires EPA to establish maximum contaminant level goals (MCLGs) and National Primary Drinking Water Regulations (NPDWRs) for contaminants that may have an adverse effect on the health of persons, may occur in public water systems at a frequency and level of public concern, and in the sole judgment of the Administrator, regulation of the contaminant would present a meaningful opportunity for health risk reduction for persons served by public water systems (section 1412(b)(1)(A)). The 1986 amendments to SDWA established a list of 83 contaminants for which EPA is to develop MCLGs and NPDWRs, which included lead and copper. The 1991 NPDWR for Lead and Copper (56 FR 26460, U.S. EPA, 1991a) fulfilled the requirements of the 1986 SDWA amendments with respect to lead and copper." EPA promulgated a set of short-term regulatory revisions and clarifications on October 10, 2007, to strengthen implementation of the existing Lead and Copper Rule. In developing the short-term revisions, EPA identified several regulatory changes to be considered as part of identifying more comprehensive changes to the rule. These considerations are longer-term in nature as they require additional data collection, research, analysis, and stakeholder involvement to support decisions. Changes will be made to make the rule more cost effective and more protective of public health.

**Alternatives:** To be determined.

**Costs and Benefits:** To be determined.

**Risks:** To be determined.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/2013	
Final Rule	05/00/2014	

**Additional Information:** This action includes retrospective review under EO 13563; see: <http://www.epa.gov/regdarrt/retrospective/history.html>.

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Energy Affected:** No

**RIN Information**

**URL:** <http://water.epa.gov/lawsregs/rulesregs/sdwa/lcr/index.cfm>

**Agency Contact:** Jeffrey Kempic Environmental Protection Agency

Water

4607M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-4880

FAX: 202 564-3760

E-Mail: [Kempic.Jeffrey@epamail.epa.gov](mailto:Kempic.Jeffrey@epamail.epa.gov)

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## Environmental Protection Agency (EPA)

### Water ( WATER )

RIN: 2040-AF16

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**Title:** Water Quality Standards Regulatory Clarifications

**Abstract:** EPA is proposing changes to the water quality standards (WQS) regulation to improve its effectiveness in helping restore and maintain the Nation's Waters. The core of the current WQS regulation has been in place since 1983. Since then, a number of issues have been raised by stakeholders or identified by EPA in the implementation process that will benefit from clarification and greater specificity. The proposed rule addresses the following six key areas: 1) Administrator's determination that new or revised WQS are necessary, 2) designated uses, 3) triennial review requirements, 4) antidegradation, 5) variances to water quality standards, and 6) compliance schedule authorizing provisions. These revisions will allow EPA, States and authorized tribes to better achieve program goals by providing clearer more streamlined requirements to facilitate enhanced water resource protection.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 131(Revision) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 33 USC 1251 et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
Notice	07/30/2010	75 FR 44930
NPRM	10/00/2013	

**Additional Information:** Docket #:EPA-HQ-OW-2010-0606. This action includes retrospective review under EO 13563; see: <http://www.epa.gov/regdarrt/retrospective/history.html>.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; State; Tribal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information URL:** <http://epa.gov/waterscience/standards>

**Agency Contact:** Shari Barash Environmental Protection Agency

Water

4305T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-0996

FAX: 202 566-1053

E-Mail: [barash.shari@epa.gov](mailto:barash.shari@epa.gov)

**Agency Contact:** Janita Aguirre Environmental Protection Agency

Water

4305T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1149

FAX: 202 566-0409

E-Mail: [aguirre.janita@epa.gov](mailto:aguirre.janita@epa.gov)

## Environmental Protection Agency (EPA)

### Water ( WATER )

RIN: 2040-AF20

 [View Related Documents](#)

**Title:** Concentrated Animal Feeding Operations Regulations Revision Rule

**Abstract:** EPA and authorized states administer the National Pollutant Discharge Elimination System (NPDES) program for concentrated animal feeding operations (CAFOs), as revised by nationally applicable rules in 2003 and 2008. USDA Agricultural Census data shows that there are approximately 900,000 farms that raise livestock or poultry, and EPA estimates that about 238,000 of these farms are considered animal feeding operations (AFOs). The NPDES CAFO Regulations Revision Rule is being developed to ensure Regional and State Water NPDES Permitting Authorities have sufficient tools to reduce discharges of manure from these facilities. The scope of the proposed rule may consider options nationally that would expand the universe of regulated CAFOs and provide more stringent permitting requirements for land application of manure, litter, and process wastewater.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Not Yet Determined

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Settlement Agreement - Fowler, et al. v. EPA; 09-0005, D. D.C.; as per 6/28/2012 modification	04/30/2013
Other	Judicial	Settlement Agreement - Fowler, et al. v. EPA # 09-CV -00005-CKK D. D.C.; as per 6/28/2012 modification	04/30/2014

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/2013	
Final Rule	04/00/2014	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal; State

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Shanika Whitehurst Environmental Protection Agency

Water

Washington, DC 20460

Washington , DC 20460

Phone: 202 564-8235

E-Mail: [whitehurst.shanika@epamail.epa.gov](mailto:whitehurst.shanika@epamail.epa.gov)

**Agency Contact:** George Utting Environmental Protection Agency

Water

4203M, Washington, DC 20460

Washington , DC 20460  
 Phone: 202 564-0744  
 E-Mail: Utting.George@epamail.epa.gov

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**Environmental Protection Agency (EPA)**  
**Water ( WATER )**

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RIN: 2040-AF21

 [View Related Documents](#)

**Title:** Water Quality Standards for the State of Florida's Estuaries and Coastal Waters

**Abstract:** EPA is under a Consent Decree deadline to promulgate numeric nutrient water quality criteria (which are elements of water quality standards) for the State of Florida's estuaries and coastal waters, flowing waters in south Florida (including canals), and the downstream protection values for flowing waters into estuaries by September 30, 2013. The Consent Decree states that EPA will sign for publication in the Federal Register proposed criteria for these three categories by November 30, 2012, and will sign for publication in the Federal Register a final rule by September 30, 2013. EPA made a determination on January 14, 2009, that numeric nutrient water quality criteria are necessary for the state to meet the requirements of the Clean Water Act (CWA).

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 131 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 33 USC 1251 et seq

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Consent Decree (As per extension approved 7/16/2012 (Florida Wildlife Federation v. EPA #08-324 USDC Northern District of Florida). Original Deadline was 11/14/2011	11/30/2012
Other	Judicial	Consent Decree: (As per extension approved 7/16/2012 (Florida Wildlife Federation v. EPA#08-324 USDC Northern District of Florida)	09/30/2013

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2012	
Final Rule	09/00/2013	

**Additional Information:** Docket #:EPA-HQ-OW-2010-0222

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Erica Fleisig Environmental Protection Agency

Water

4305T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1057

E-Mail: Fleisig.Erica@epamail.epa.gov

**Agency Contact:** Corey Buffo Environmental Protection Agency

Water

4305T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1279

E-Mail: Buffo.Corey@epamail.epa.gov

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**Environmental Protection Agency (EPA)**  
**Water ( WATER )**

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RIN: 2040-AF25

 [View Related Documents](#)



**Title:** National Pollutant Discharge Elimination System (NPDES) Application and Program Updates Rule

**Abstract:** EPA plans to propose regulations that would update specific elements of the existing National Pollutant Discharge Elimination System (NPDES) in order to better harmonize regulations and application forms, improve permit documentation and transparency, and provide clarifications to the existing regulations. In this effort EPA plans to address application, permitting, monitoring and reporting requirements that have become obsolete or outdated due to programmatic, technical or other changes that have occurred over the past 35 years. Specifically, EPA plans to focus on revising the NPDES permit application forms to specifically include all final agency data standards, improving the consistency between the application forms, updating the applications to better reflect current program practices, and specifically incorporate new program areas into the forms (e.g., Clean Water Act section 316(b) requirements for cooling water intake structures). EPA also plans to address other program elements including permit documentation, EPA state permit objection, and public participation procedures to improve the quality and transparency of permit development. As an example of a regulation which could be proposed to change to reduce burden, as well as improve transparency and public access to information, EPA is considering whether to revise the public notice requirements to allow a State to post notices of draft NPDES permits and other permit actions under the Clean Water Act on their State agency Web sites in lieu of traditional newspaper posting.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 122; 40 CFR 125; 40 CFR 123; 40 CFR 124 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 33 USC 1251 et seq**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	09/00/2013	
Final Rule	06/00/2014	

**Additional Information:** This action includes retrospective review under EO 13563; see: <http://www.epa.gov/regdarrt/retrospective/history.html>.

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Federal; Local; State; Tribal**Federalism:** No**Energy Affected:** No**Agency Contact:** Kathryn Kelley Environmental Protection Agency

Water

4203M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-7004

FAX: 202 564-9544

E-Mail: [Kelley.Kathryn@epamail.epa.gov](mailto:Kelley.Kathryn@epamail.epa.gov)**Agency Contact:** David Hair Environmental Protection Agency

Water

4203M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-2287

FAX: 202 564-9544

E-Mail: [Hair.David@epamail.epa.gov](mailto:Hair.David@epamail.epa.gov)

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**Environmental Protection Agency (EPA)****Water ( WATER )****RIN:** 2040-AF29 [View Related Documents](#)**Title:** National Primary Drinking Water Regulations: Group Regulation of Carcinogenic Volatile Organic Compounds (VOCs)

**Abstract:** EPA announced in February 2011 that it plans to develop one national primary drinking water regulation (NPDWR) covering up to 16 carcinogenic volatile organic compounds (VOCs). EPA will propose a regulation to address carcinogenic VOC contaminants as a group rather than individually in order to provide public health protections more quickly and also allow utilities to more effectively and efficiently plan for improvements. PCE and TCE, which the Agency determined were candidates for regulatory revision under the second six year review of the existing NPDWRs, will be included in the VOC drinking water standard. Besides PCE and TCE, the group may

include up to six additional regulated VOCs; and up to eight unregulated VOCs from the EPA's Contaminant Candidate List 3. SDWA section 1412(b)(1)-(6) describes EPA's requirements for regulating contaminants. In accordance with these requirements, the Agency will evaluate the health effects of carcinogenic VOCs, the feasibility of treatment, the affordability of treatment for small systems, the costs and the benefits (as part of the Health Risk Reduction Cost Analysis), and implementation of a carcinogenic standard. EPA has reached out to stakeholders via multiple meetings and the Web before deciding to develop the carcinogenic VOC group rule. EPA also plans to seek input from the Science Advisory Board, the National Drinking Water Advisory Council, the Department of Health and Human Services, and State and tribal drinking water programs prior to issuing a proposed rule.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 40 CFR 141; 40 CFR 142 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 300f et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/2013	
Final Rule	06/00/2015	

**Additional Information:** This action includes retrospective review under EO 13563; see: <http://www.epa.gov/regdarrt/retrospective/history.html>.

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://water.epa.gov/lawsregs/rulesregs/sdwa/dwstrategy/index.cfm>

**Agency Contact:** Keshia Forrest Environmental Protection Agency

Water

4607M, Washington, DC 20460

Washington, DC 20460

Phone: 202 564-3632

FAX: 202 564-3760

E-Mail: [forrest.kesha@epa.gov](mailto:forrest.kesha@epa.gov)

**Agency Contact:** Rajiv Khara Environmental Protection Agency

Water

4607M, Washington, DC 20460

Washington, DC 20460

Phone: 202 564-4881

E-Mail: [Khara.Rajiv@epamail.epa.gov](mailto:Khara.Rajiv@epamail.epa.gov)

## Environmental Protection Agency (EPA)

### Water ( WATER )

RIN: 2040-AF30

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**Title:** Clean Water Protection Rule

**Abstract:** After U.S. Supreme Court decisions in SWANCC and Rapanos, the scope of "waters of the US" protected under all CWA programs has been an issue of considerable debate and uncertainty. The Act has a single definition for "waters of the United States." As a result, these decisions affect the geographic scope of all CWA programs. SWANCC and Rapanos did not invalidate the current regulatory definition of "waters of the United States." However, the decisions established important considerations for how those regulations should be interpreted, and experience implementing the regulations has identified several areas that could benefit from additional clarification through rulemaking. U.S. EPA and the U.S. Army Corps of Engineers are developing a proposed rule for determining whether a water is protected by the Clean Water Act. This rule would clarify which water bodies are protected under the Clean Water Act.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Yes

**Unfunded Mandates:** Undetermined

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 33 USC 1251

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:** After U.S. Supreme Court decisions in SWANCC and Rapanos, the scope of "waters of the US" protected under all CWA programs has been an issue of considerable debate and uncertainty. The Act has a single definition for "waters of the United States." As a result, these decisions affect the geographic scope of all CWA programs. SWANCC and Rapanos did not invalidate the current regulatory definition of "waters of the United States." However, the decisions established important considerations for how those regulations should be interpreted, and experience implementing the regulations has identified several areas that could benefit from additional clarification through rulemaking. U.S. EPA and the U.S. Army Corps of Engineers are developing a proposed rule for determining whether a water is protected by the Clean Water Act. This rule would clarify which water bodies are protected under the Clean Water Act.

**Legal Basis:** To be determined.

**Alternatives:** To be determined.

**Costs and Benefits:** To be determined.

**Risks:** To be determined.

**Timetable:**

Action	Date	FR Cite
NPRM		

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Energy Affected:** No

**Agency Contact:** Donna Downing Environmental Protection Agency

Water

4502T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1367

E-Mail: Downing.Donna@epamail.epa.gov

**Agency Contact:** Rachel Fertik Environmental Protection Agency

Water

4502T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1452

E-Mail: Fertik.Rachel@epamail.epa.gov

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**Environmental Protection Agency (EPA)**

**Water ( WATER )**

**RIN:** 2040-AF39

 [View Related Documents](#)

**Title:** Water Quality Standards for the State of Florida's Streams and Downstream Protection of Lakes: Remanded Provisions

**Abstract:** This proposed rule addresses an order by the U.S. District Court for the Northern District of Florida from February 18, 2012, which remanded to the EPA two portions of its numeric water quality standards for nutrients in Florida that were promulgated and published on December 6, 2010. This proposed rule will provide additional explanation for the criteria derived using the reference condition approach for Florida streams and for the derivation of the downstream protective values (DPVs) for unimpaired lakes.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 131 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 33 USC 1251 et seq

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	11/30/2012 - Consent Decree deadline for NPRM - Florida Wildlife Federation v. EPA, #08-324, USDC Northern District of Florida	11/30/2012

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	12/00/2012	
Final Rule	08/00/2013	

**Additional Information:** Docket #:EPA-HQ-OW-2009-0596**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Mario Sengco Environmental Protection Agency

Water

4305T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-2676

FAX: 202 566-9981

E-Mail: sengco.mario@epa.gov

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**Environmental Protection Agency (EPA)****Water ( WATER )****RIN:** 2040-AF44 [View Related Documents](#)**Title:** Effluent Limitations Guidelines and Standards for the Construction and Development Point Source Category**Abstract:** This action will address revisions to the effluent guidelines and standards for the construction and development point source category 40 CFR 450. The C&D rule was issued on December 1, 2009 and became effective on February 1, 2010. This action would revise several of the non-numeric portions of the rule in response to litigation.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Not Yet Determined**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	04/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** No**Agency Contact:** Jesse Pritts Environmental Protection Agency

Water

4303T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1038

E-Mail: Pritts.Jesse@epamail.epa.gov

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**Environmental Protection Agency (EPA)****Water ( WATER )****RIN:** 2040-AD94 [View Related Documents](#)

**Title:** National Primary Drinking Water Regulations: Revisions to the Total Coliform Rule

**Abstract:** EPA is finalizing revisions to the Total Coliform Rule (TCR), which was published in 1989. The Revised Total Coliform Rule (RTCR) targets public water systems (PWSs) that have distribution system microbial monitoring results that indicate a potential pathway for fecal contamination to enter the distribution system. The occurrence of indicators of contamination in the distribution system is an indication that waterborne pathogens may also be present. The RTCR provisions require systems that reach specified levels of contaminant indicators in the distribution system to conduct an assessment to determine if sanitary defects exist and, if found, correct them. The final RTCR will maintain or improve public health protection, a requirement for all revisions to NPDWRs under SDWA. EPA convened a Federal advisory committee to give the Agency advice on how to revise the TCR. In September 2008 all advisory committee members agreed to and signed an Agreement in Principle (AIP) that documented their recommendations. As part of the advisory committee's AIP, EPA committed to write a proposed rule that has the same substance and effect as the AIP. On July 14, 2010, EPA published proposed revisions to the TCR (75 FR 40926) that were consistent with the letter and spirit of this commitment. The final RTCR reflects consideration of the AIP and public comments. In the preamble to the July 2010 proposed RTCR, EPA requested comment on the value and cost of storage facility inspection and cleaning. EPA received comments regarding unsanitary conditions and contamination that can be found in finished water storage facilities that are not routinely inspected and cleaned, including breaches and accumulation of sediment, animals, insects, and other contaminants. While EPA could finalize such requirements based on the comments received on RTCR, the Agency is considering a proposed rule in order to allow interested parties to comment and provide relevant information. Any potential requirements would apply to all public water systems.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 141; 40 CFR 142 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 300f et seq**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Notice	01/13/2009	74 FR 1683
NPRM	07/14/2010	75 FR 40926
Notice	08/16/2010	75 FR 49930
NPRM Comment Period Extended	08/31/2010	75 FR 53267
Final Rule	12/00/2012	

**Additional Information:** Docket #:EPA-HQ-OW-2008-0878**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; Local; State; Tribal**Small Entities Affected:** Business; Governmental Jurisdictions**Federalism:** No**Energy Affected:** No**RIN Information****Public Comment****URL:** [www.epa.gov/safewater/disinfection/tcr/regulation\\_revisions.html](http://www.epa.gov/safewater/disinfection/tcr/regulation_revisions.html)**URL:** [www.regulations.gov/#/documentDetail;D=EPA-HQ-OW-2008-0878-0001](http://www.regulations.gov/#/documentDetail;D=EPA-HQ-OW-2008-0878-0001)**Sectors Affected:** 2213**Agency Contact:** Sean Conley Environmental Protection Agency

Water

4607M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-1781

FAX: 202 564-3767

E-Mail: [Conley.Sean@epamail.epa.gov](mailto:Conley.Sean@epamail.epa.gov)**Agency Contact:** Thomas Grubbs Environmental Protection Agency

Water

4607M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-5262

FAX: 202 564-3767

E-Mail: [Grubbs.Thomas@epamail.epa.gov](mailto:Grubbs.Thomas@epamail.epa.gov)**Environmental Protection Agency (EPA)****Water ( WATER )****RIN:** 2040-AE95

 [View Related Documents](#)
**Title:** Criteria and Standards for Cooling Water Intake Structures

**Abstract:** Section 316(b) of the Clean Water Act (CWA) requires EPA to ensure that the location, design, construction, and capacity of cooling water intake structures reflect the best technology available (BTA) for minimizing adverse environmental impacts. Under a consent decree with environmental organizations, EPA divided the section 316(b) rulemaking into three phases. All new facilities except offshore oil and gas exploration facilities were addressed in Phase I in December 2001; in July, 2004, EPA promulgated Phase II which covered large existing electric generating plants; and all new offshore oil and gas exploration facilities were later addressed in June 2006 as part of Phase III. In July 2007, EPA suspended the Phase II rule following the Second Circuit decision. Several parties petitioned the U.S. Supreme Court to review that decision, and the Supreme Court granted the petitions, limited to the issue of whether the Clean Water Act authorized EPA to consider the relationship of costs and benefits in establishing section 316(b) standards. On April 1, 2009, the Supreme Court reversed and remanded the case to the Second Circuit. The Second Circuit subsequently granted a request from EPA that the case be returned to the Agency for further consideration. Petitions to review this rule were filed in the U.S. Court of Appeals for the Fifth Circuit. In July 2010, the U. S. Court of Appeals for the Fifth Circuit issued a decision upholding EPA's rule for new offshore oil and gas extraction facilities. Further, the court granted the request of EPA and environmental petitioners in the case to remand the existing facility portion of the rule back to the Agency for further rulemaking. EPA entered into a settlement agreement with the plaintiffs in two lawsuits related to Section 316(b) rulemakings. Under the settlement agreement, as twice modified, EPA agreed to sign a notice of a proposed rulemaking implementing section 316(b) of the CWA at existing facilities no later than March 28, 2011 and to sign a notice taking final action on the proposed rule no later than June 27, 2013. Plaintiffs agreed to seek dismissal of both their suits, subject to a request to reopen one of the lawsuits in the event EPA failed to meet the agreed deadlines. EPA's proposed regulation includes uniform controls at all existing facilities to prevent fish from being trapped against screens (impingement), site-specific controls for existing facilities other than new units to prevent fish from being drawn through cooling systems (entrainment), and uniform controls equivalent to closed cycle cooling for new units at existing facilities. Other regulatory options analyzed included similar uniform impingement controls, and progressively more stringent requirements for entrainment controls. Another option considered would imposed the uniform impingement controls only for facilities withdrawing 50 million or more gallons per day of cooling water, with site-specific impingement controls for facilities withdrawing less than 50 million gallons per day. EPA issued two Notices of Data Availability (NODA) in June 2012 that described flexibilities EPA is considering as part of the impingement mortality limitations and that described the preliminary results of surveys of households' willingness to pay for incremental reductions in fish mortality.

**Priority:** Economically Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** Yes**Unfunded Mandates:** Private Sector**CFR Citation:** 40 CFR 122; 40 CFR 125 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** CWA 101; CWA 301; CWA 304; CWA 308; CWA 316; CWA 401; CWA 402; CWA 501; CWA 510**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	NPRM: 3/28/2011 - Settlement Agreement - As per 14 day extension granted 3/10 (or 4 days if no CR). Riverkeeper v. EPA, 06-12987, SDNY (signed 11/22/2010).	03/28/2011
Other	Judicial	Settlement Agreement - Riverkeeper v. EPA, 06-12987, SDNY (signed 07/17/2012)	06/27/2013

**Regulatory Plan:**

**Statement of Need:** The Clean Water Act requires EPA to establish best technology available standards to minimize adverse environmental impacts from cooling water intake structures. On February 16, 2004, EPA took final action on regulations governing cooling water intake structures at certain existing power producing facilities under section 316(b) of the Clean Water Act (Phase II rule). 69 FR 41576 (July 9, 2004). These regulations were challenged, and the Second Circuit remanded several provisions of the Phase II rule on various grounds. *Riverkeeper, Inc. v. EPA*, 475F.3d83, (2d Cir., 2007). EPA suspended most of the rule in response to the remand. 72 FR 37107 (July 9, 2007). The remand of Phase III does not change permitting requirements for these facilities. Until the new rule is issued, permit directors continue to issue permits on a case-by-case, Best Professional Judgment basis for Phase II facilities.

**Legal Basis:** On February 16, 2004, EPA took final action on regulations governing cooling water intake structures at certain existing power producing facilities under section 316(b) of the Clean Water Act (Phase II rule). 69 FR 41576 (July 9, 2004). These regulations were challenged, and the Second Circuit remanded several provisions of the Phase II rule on various grounds. *Riverkeeper, Inc. v. EPA*, 475F.3d83, (2d Cir., 2007). EPA suspended most of the rule in response to the remand. 72 FR 37107 (July 9, 2007). The remand of Phase III does not change permitting requirements for these facilities. Until the new rule is issued, permit directors continue to issue permits on a case-by-case, Best Professional Judgment basis for Phase II facilities.

**Alternatives:** This analysis will cover various sizes and types of potentially regulated facilities, and control technologies. EPA is considering whether to regulate on a national basis, by subcategory, by broad water body category, on a site-specific basis, or some other basis.

**Costs and Benefits:** The technologies under consideration in this rulemaking are similar to the technologies considered for the original Phase II and Phase III rules, and costs have been updated to 2009. The annual social costs associated with EPA's proposed regulation are \$384 million, plus an additional \$15 million in costs associated with the new units provision. EPA monetized only a portion of the expected annual benefits of the rule, amounting to \$18 million.

**Risks:** Cooling water intake structures may pose significant risks for aquatic ecosystems.

**Timetable:**

Action	Date	FR Cite
NPRM	04/20/2011	76 FR 22174

NPRM Comment Period Extended	07/20/2011	76 FR 43230
Notice	06/11/2012	77 FR 34315
Notice	06/12/2012	77 FR 34927
Final Rule	05/00/2013	

**Additional Information:** Docket #:EPA-HQ-OW-2008-0667

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://water.epa.gov/lawsregs/lawsguidance/cwa/316b/index.cfm>

**Sectors Affected:** 336412; 332999; 321999; 324199; 326299; 331521; 331524; 331315; 311313; 313210; 311312; 327310; 611310; 333120; 333922; 331525; 339914; 211111; 321912; 332211; 312140; 221121; 221122; 331112; 313320; 333111; 311225; 221112; 332212; 332510; 221111; 212210; 331111; 221210; 211112; 221113; 332323; 221119; 332618; 332439; 332919; 321918; 312229; 333923; 322130; 324110; 325992; 333315; 212391; 332117; 331312; 331419; 333911; 336510; 321219; 326192; 331221; 322291; 321113; 331492; 337215; 321212; 311222; 221330; 331222; 111991; 111930; 311311; 326211; 312210; 311221

**Agency Contact:** Julie Hewitt Environmental Protection Agency

Water

4303T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1031

E-Mail: [hewitt.julie@epamail.epa.gov](mailto:hewitt.julie@epamail.epa.gov)

## Environmental Protection Agency (EPA)

### Water ( WATER )

**RIN:** 2040-AF33

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**Title:** Withdrawal of Federal Water Quality Criteria for Certain States Covered Under EPA's 1992 National Toxics Rule (NTR)

**Abstract:** The 1992 National Toxics Rule (NTR) promulgated for 12 States and two territories, the chemical-specific, numeric criteria for priority toxic pollutants necessary to bring all States into compliance with the requirements of section 303(c)(2)(B) of the Clean Water Act (CWA). States determined by EPA to fully comply with section 303(c)(2)(B) requirements were not affected by this rule. On May 18, 2000, EPA promulgated the California Toxics Rule (CTR) in order to establish numeric water quality criteria for priority pollutants for the State of California that were not previously in the NTR. At that time, criteria promulgated in the NTR for California were codified in the criteria tables of the CTR. As States adopt and EPA approves criteria for priority toxic pollutants, states may be removed from the NTR via a Federal Rule Withdrawal. EPA is withdrawing aquatic life cyanide (CN) criteria for San Francisco Bay and numerous numeric toxic criteria for New Jersey and Puerto Rico from the NTR and making conforming changes to the CTR.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 131.36 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 33 USC 1313(c); 5 USC 551 et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	04/05/2012	77 FR 20585
Final Rule	02/00/2013	

**Additional Information:** Docket #:EPA-HQ-OW-2012-0095

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Bryan Goodwin Environmental Protection Agency

Water

4305T, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 566-0793  
E-Mail: Goodwin.Bryan@epamail.epa.gov

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**Environmental Protection Agency (EPA)**  
**Water ( WATER )**

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RIN: 2040-AF42

 [View Related Documents](#)

**Title:** Revisions to Stormwater Regulations to Clarify That an NPDES Permit Is not Required for Stormwater Discharges From Logging Roads

**Abstract:** The EPA is revising its Phase I stormwater regulations (40 CFR 122.26) to specify that stormwater discharges from logging roads do not constitute stormwater discharges associated with industrial activity and that a National Pollutant Discharge Elimination System (NPDES) permit is not required for these stormwater discharges. EPA is taking this action in response to the 9th Circuit Court of Appeals decision in Northwest Environmental Defense Center (NEDC) v. Brown, which addressed the question of whether discharges from certain logging roads require National Pollutant Discharge Elimination System (NPDES) permits. The Agency is clarifying that a permit is not required for these discharges.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 122.26 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 33 USC 1251(a)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	09/04/2012	77 FR 53834
Final Rule	12/00/2012	

**Additional Information:** Docket #:EPA-HQ-OW-2012-0195

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Jeremy Bauer Environmental Protection Agency  
Water

1200 Pennsylvania Ave NW, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-2775

E-Mail: bauer.jeremy@epa.gov

**Agency Contact:** Connie Bosma Environmental Protection Agency  
Water

4203M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-6773

FAX: 202 564-6431

E-Mail: bosma.connie@epa.gov

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**Environmental Protection Agency (EPA)**  
**Water ( WATER )**

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RIN: 2040-AD39

 [View Related Documents](#)

**Title:** Uniform National Discharge Standards for Vessels of the Armed Forces--Phase II

**Abstract:** This action is Phase II of implementing regulations on Uniform National Discharge Standards for Vessels of the Armed



Forces. In 1996 the Clean Water Act was amended to create section 312(n), Uniform National Discharge Standards for Vessels of the Armed Forces. Section 312(n) directs EPA and DOD to work together to provide Armed Forces vessels with a nationally uniform set of discharge standards, which preempt State discharge standards for these vessels. The purpose of the statute is to allow DOD to plan, design, and build environmentally sound vessels, to encourage innovative pollution control technology, and to improve operational flexibility. EPA and DOD jointly promulgated Phase I of these regulations, 40 CFR part 1700, on May 10, 1999 (64 FR 25126). The Phase I rulemaking concluded that 25 discharges from Armed Forces vessels would require control devices. Some of these discharges (such as bilge water) have the potential to introduce oil or other organics into receiving waters; some (such as hull coating leachate) have the potential to introduce copper or other metals; and some (such as ballast water) have the potential to introduce nonindigenous invasive aquatic species. Phase II will establish performance standards for control devices for these 25 discharges. The Phase II performance standards will be promulgated in five "batches." Each batch will address several performance standards. Once DOD implements rules for achieving the standards set in Phase II, covered discharges from Armed Forces vessels will be required to meet these standards, and will not be subject to discharge standards established by States.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 1700 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 33 USC 1322; 33 USC 1361

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2014	
Final Rule	01/00/2015	

**Additional Information:** SAN No. 4357

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State

**Small Entities Affected:** No

**Federalism:** Yes

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/waterscience/rules/UNDS>

**Agency Contact:** Jonathan Amson Environmental Protection Agency  
Water

4504T, Washington, DC 20460

Washington, DC 20460

Phone: 202 566-1276

FAX: 202 566-1546

E-Mail: [Amson.Jonathan@epamail.epa.gov](mailto:Amson.Jonathan@epamail.epa.gov)

**Agency Contact:** Virginia Fox-Norse Environmental Protection Agency  
Water

4504T, Washington, DC 20460

Washington, DC 20460

Phone: 202 566-1266

FAX: 202 566-1546

E-Mail: [Fox-Norse.Virginia@epamail.epa.gov](mailto:Fox-Norse.Virginia@epamail.epa.gov)

**Environmental Protection Agency (EPA)**

**Water ( WATER )**

**RIN:** 2040-AD40

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**Title:** Underground Injection Control: Update of State Programs

**Abstract:** The regulations at 40 CFR part 147 codify each State's UIC program description and incorporates by reference the rules and regulations that the respective primacy State will implement. This includes codifying programs upon which EPA directly implements. The primary reason for part 147 is to incorporate by reference into the Code of Federal Regulations the State program authorities and regulations so EPA may bring a direct enforcement action if the State fails to comply with the State UIC program. This update is necessary to ensure that the CFR accurately reflects current approved State UIC programs and that requirements of those programs are federally enforceable. EPA Regional Offices will be submitting State revision packages as they are completed. Part 147 will then be

updated in several stages. This is the first stage. This effort should have no impact on the regulated community because EPA will merely be incorporating by reference elements of already approved State programs.

**Priority:** Info./Admin./Other

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 147 (Revision) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 300h-1 SDWA 1422; 42 USC 300h-4 SDWA 1425

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
Direct Final Rule		

**Additional Information:** SAN No. 4236

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Robert-Eu Smith Environmental Protection Agency

Water

4606M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-3895

FAX: 202 564-3756

E-Mail: Smith.Robert-Eu@epamail.epa.gov

**Agency Contact:** Jeff Jollie Environmental Protection Agency

Water

WTR9, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-3886

FAX: 415 947-3549

E-Mail: Jollie.Jeff@epamail.epa.gov

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## Environmental Protection Agency (EPA)

### Water ( WATER )

RIN: 2040-AF05

 [View Related Documents](#)

**Title:** Oil and Gas Construction Stormwater Rule

**Abstract:** On June 12, 2006, EPA published a final rule to address a new provision added by the Energy Policy Act of 2005. The 2006 regulation effectively exempted from National Pollutant Discharge Elimination System (NPDES) permit requirements stormwater discharges of sediment from construction activities associated with oil and gas exploration, production, processing, or treatment operations or transmission facilities unless the relevant facility had a discharge of stormwater resulting in a discharge of a reportable quantity of oil or hazardous substances. Shortly thereafter, the Natural Resources Defense Council (NRDC) petitioned the Ninth Circuit Court of Appeals (Ninth Circuit) for direct review of EPA's action. On May 23, 2008, the Ninth Circuit Court of Appeals issued an opinion in NRDC v. U.S. EPA, 526 F.3d 591 (9th Cir. 2008), vacating EPA's 2006 oil and gas construction stormwater regulation. On July 21, 2008, EPA filed a petition for rehearing in this case. On November 3, 2008, the Ninth Circuit issued its order denying EPA's request for rehearing of the Court's decision vacating EPA's 2006 oil and gas construction stormwater regulation. This action will be included as part of EPA's Stormwater Regulations Revision to Address Discharges from Developed Sites (RIN 2040-AD13). EPA will (1) remove the codified 2006 rule from the Code of Federal Regulations consistent with the court vacatur and (2) codify the revised 2005 Energy Policy Act definition of "oil and gas exploration, production, processing, treatment, and transmission operations" to clarify that certain uncontaminated discharges from oil and gas construction activities are exempt from permitting as identified in section 402(l)(2) of the Clean Water Act.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 122.26(a)(2)(ii) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 33 USC 1342(l) and 1362(24)

**Legal Deadline:**

Action	Source	Description	Date
None			

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM		

**Additional Information:** SAN No. 5330**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Bryan Rittenhouse Environmental Protection Agency

Water

4203M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-0577

FAX: 202 564-6431

E-Mail: Rittenhouse.Bryan@epa.gov

**Agency Contact:** Connie Bosma Environmental Protection Agency

Water

4203M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-6773

FAX: 202 564-6431

E-Mail: bosma.connie@epa.gov

**Environmental Protection Agency (EPA)****Water ( WATER )****RIN:** 2040-AF27 [View Related Documents](#)**Title:** Effluent Guidelines and Standards for the Construction and Development Industry--Revision

**Abstract:** This action will address an error that was identified in the Effluent Limitations Guidelines for the Construction & Development (C&D) Point Source Category. The C&D rule was issued on December 1, 2009 and became effective on February 1, 2010. The 2009 ELG rule contained a numeric effluent limit for turbidity, based on the application of passive treatment technology. Subsequent to promulgation, EPA received two petitions for reconsideration of the C&D rule. The petitions pointed out a potential error in the calculation of the numeric limit. Based on EPA's examination of the underlying dataset, the calculations in the existing administrative record are not adequate to support the numeric effluent limit. EPA issued a stay of the numeric limitation on January 4, 2011. The stay will be in place until a new limit is finalized or the limit is withdrawn through a rulemaking action. EPA has issued a Federal Register notice soliciting additional data. EPA intends to propose a correction rule for public comment and then take final action on a revised limitation in the future.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 450 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 33 USC 1251; 33 USC 1311; 33 USC 1314; 33 USC 1316; 33 USC 1318; 33 USC 1342; 33 USC 1361; 33 USC 1341; 33 USC 1370**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:**

**Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Notice	01/03/2012	77 FR 112
NPRM	12/00/2013	

**Additional Information:** Docket #:EPA-HQ-OW-2010-0884**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; Local; State**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information****URL:** <http://water.epa.gov/scitech/wastetech/guide/construction/index.cfm>**Sectors Affected:** 236; 237**Agency Contact:** Jesse Pritts Environmental Protection Agency

Water

4303T, Washington, DC 20460

Washington, DC 20460

Phone: 202 566-1038

E-Mail: [Pritts.Jesse@epamail.epa.gov](mailto:Pritts.Jesse@epamail.epa.gov)**Agency Contact:** Janet Goodwin Environmental Protection Agency

Water

4303T, Washington, DC 20460

Washington, DC 20460

Phone: 202 566-1060

E-Mail: [Goodwin.Janet@epamail.epa.gov](mailto:Goodwin.Janet@epamail.epa.gov)**Environmental Protection Agency (EPA)****Water ( WATER )****RIN:** 2040-AF28 [View Related Documents](#)**Title:** National Primary Drinking Water Regulations: Regulation of Perchlorate

**Abstract:** EPA announced in February 2011 that it is beginning development of a national drinking water regulation for perchlorate in drinking water. The Safe Drinking Water Act (SDWA) describes EPA's requirements for regulating contaminants. In accordance with these requirements, the Agency will evaluate the health effects of perchlorate, the feasibility of treatment, the affordability of treatment for small systems, the costs and the benefits of a regulation, and how a standard would be implemented (e.g., monitoring requirements). EPA also plans to seek input through informal and formal processes from the Science Advisory Board, the National Drinking Water Advisory Council, the Department of Health and Human Services, State and Tribal drinking water programs, the regulated community (public water systems), public health organizations, academia, environmental and public interest groups, and other interested stakeholders on a number of issues relating to the regulation.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 40 CFR 141; 40 CFR 142 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 300f et seq**Legal Deadline:**

Action	Source	Description	Date
NPRM	Statutory	SDWA requires NPRM not later than 24 months after determination to regulate.	02/11/2013
Other	Statutory	SDWA requires Final Action within 18 months of NPRM; may be extended up to 9 months.	08/11/2014

**Regulatory Plan:**

**Statement of Need:** Perchlorate can interfere with the normal functioning of the thyroid gland by inhibiting the transport of iodide into the thyroid, resulting in a deficiency of iodide in the thyroid. Perchlorate inhibits (or blocks) iodide transport into the thyroid by chemically competing with iodide, which has a similar shape and electric charge. The transfer of iodide from the blood into the thyroid is an essential step in the synthesis of thyroid hormones. The thyroid hormones play an important role in the regulation of metabolic processes throughout the body and are also critical to developing fetuses and infants, especially with respect to brain development. Because the developing fetus depends on an adequate supply of maternal thyroid hormone for its central nervous system development during the first and second trimester of pregnancy, iodide uptake inhibition from low-level perchlorate exposure has been identified as a concern in connection with increasing risk of neurodevelopmental impairment in fetuses of hypothyroid mothers. Poor iodide uptake and subsequent impairment of the thyroid function in pregnant and lactating women have been linked to delayed development and decreased learning capability in their infants and children (NRC, 2005). Additionally, deficiency during childhood reduces child growth and cognitive motor function (Zimmerman, 2009). Therefore, EPA finds that perchlorate may have an adverse effect on the health of persons.

**Legal Basis:** SDWA section 1412(b)(1)(A), as amended in 1996, requires EPA to make a determination whether to regulate at least five contaminants from its Contaminant Candidate List (CCL) every five years. To regulate a contaminant in drinking water, EPA must determine that it meets three criteria: 1) the contaminant may have an adverse effect on the health of persons; 2) the contaminant is known to occur or there is a substantial likelihood that the contaminant will occur in public water systems with a frequency and at levels of public health concern; and 3) in the sole judgment of the Administrator, regulation of such contaminant presents a meaningful opportunity for health risk reduction for persons served by public water systems. Once EPA makes a determination to regulate a contaminant in drinking water, SDWA requires that EPA issue a proposed national primary drinking water regulation (NPDWR) within 24 months and a final NPDWR within 18 months of proposal. In its final regulatory determination (published in the Federal Register on February 11, 2011 (76 FR 7762), EPA announced that it had found that perchlorate may have an adverse effect on human health, that there is a substantial likelihood that perchlorate will occur in public water systems with a frequency and at levels of public health concern, and that regulation of perchlorate presents a meaningful opportunity to reduce health risk for persons served by public water systems.

**Alternatives:** To be determined.

**Costs and Benefits:** To be determined.

**Risks:** To be determined.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2013	
Final Rule	08/00/2014	

**Additional Information:** Docket #:EPA-HQ-OW-2011-03331

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Small Entities Affected:** Business; Governmental Jurisdictions

**Federalism:** Undetermined

**Energy Affected:** No

**RIN Information**

**URL:** <http://water.epa.gov/drink/contaminants/unregulated/perchlorate.cfm>

**Agency Contact:** Daniel Olson Environmental Protection Agency

Water

4607M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-5239

E-Mail: Olson.Daniel@epamail.epa.gov

**Agency Contact:** Eric Burneson Environmental Protection Agency

Water

4607M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-5250

E-Mail: Burneson.Eric@epamail.epa.gov

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**Environmental Protection Agency (EPA)**

**Water ( WATER )**

**RIN:** 2040-AF35

 [View Related Documents](#)

**Title:** Effluent Guidelines and Standards for Unconventional Oil and Gas Extraction Including Coalbed Methane and Shale Gas Extraction

**Abstract:** In recent years there has been substantial growth in extraction and production of oil and gas resources including coalbed methane and shale gas using unconventional technologies. Part of this growth can be attributed to advances in directional drilling and hydraulic fracturing. This unconventional oil and gas production can generate substantial volumes of wastewater. These wastewaters have been found to contain elevated concentrations of some or all of the following pollutants: fracturing fluid additives, salt content (often expressed as total dissolved solids or TDS), conventional pollutants, organics, metals, and NORM (naturally occurring radioactive material) which, if discharged, can directly impact aquatic life and drinking water sources. The current state of regulations for discharges associated with these unconventional activities varies. This action will collect information, review existing technologies, and develop regulatory options to control discharges of pollutants from these sources.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** Undetermined

**Unfunded Mandates:** Undetermined

**CFR Citation:** 40 CFR 435 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 33 USC 1311; 33 USC 1314; 33 USC 1316; 33 USC 1317; 33 USC 1318; 33 USC 1342; 33 USC 1361

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	10/00/2014	
Final Rule	02/00/2016	

**Additional Information:** Docket #:EPA-HQ-OW-2011-0334**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** No**Energy Affected:** Undetermined**RIN Information****URL:** [http://water.epa.gov/scitech/wastetech/guide/cbm\\_index.cfm](http://water.epa.gov/scitech/wastetech/guide/cbm_index.cfm)**Sectors Affected:** 213111; 213112**Agency Contact:** Brian D'Amico Environmental Protection Agency

Water

4303T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1069

FAX: 202 566-1053

E-Mail: [damico.brian@epa.gov](mailto:damico.brian@epa.gov)**Agency Contact:** Jan Matuszko Environmental Protection Agency

Water

4303T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1035

FAX: 202 566-1053

E-Mail: [matuszko.jan@epa.gov](mailto:matuszko.jan@epa.gov)

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**Environmental Protection Agency (EPA)****Water ( WATER )****RIN:** 2040-AE69 [View Related Documents](#)**Title:** Effluent Limitations Guidelines and Standards for Airport Deicing Operations

**Abstract:** In April 2012, EPA's Administrator signed the technology-based effluent limitations guidelines and new source performance standards to control discharges of pollutants from airport deicing operations. The requirements generally apply to wastewater associated with the deicing of airfield pavement at primary airports. The rule also establishes new source performance standards for wastewater discharges associated with aircraft deicing for a subset of new airports. EPA expects this regulation to reduce pollutant discharges by at least 16 million pounds per year, at an annual cost of about \$3.5 million. The requirements generally apply to wastewater associated with the deicing of airfield pavement at primary airports. The rule also establishes new source performance standards for wastewater discharges associated with aircraft deicing for a subset of new airports. EPA expects this regulation to reduce pollutant discharges by at least 16 million pounds per year, at an annual cost of about \$3.5 million.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 449 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** CWA 301; CWA 304; CWA 306; CWA 307; CWA 308; CWA 402; CWA 501**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	08/28/2009	74 FR 44675
Final Rule	05/16/2012	77 FR 29168
Final Rule Effective	06/15/2012	

**Additional Information:** Docket #:EPA-HQ-OW-2004-0038

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://water.epa.gov/scitech/wastetech/guide/airport/index.cfm>

**Sectors Affected:** 488119

**Agency Contact:** Eric Strassler Environmental Protection Agency

Water

4303T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1026

FAX: 202 566-1053

E-Mail: [Strassler.Eric@epamail.epa.gov](mailto:Strassler.Eric@epamail.epa.gov)

**Agency Contact:** Brian D'Amico Environmental Protection Agency

Water

4303T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1069

FAX: 202 566-1053

E-Mail: [damico.brian@epa.gov](mailto:damico.brian@epa.gov)

**Government Levels Affected:** Federal; Local; State

**Federalism:** No

## Environmental Protection Agency (EPA)

### Water ( WATER )

**RIN:** 2040-AF09

 [View Related Documents](#)

**Title:** Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act; Analysis and Sampling Procedures

**Abstract:** This regulatory action would amend "Guidelines Establishing Test Procedures for the Analysis of Pollutants" at 40 CFR part 136 to approve test procedures (analytical methods) for use by testing laboratories for water monitoring. These test procedures are used to implement the NPDES program unless an alternate procedure is approved by a Regional Administrator. The regulation would also revise, clarify, and correct errors and ambiguities in existing methods and the water monitoring regulations.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 136; 40 CFR 423; 40 CFR 430; 40 CFR 435 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 33 USC 1251; 33 USC 1314(h); 33 USC 1361(a)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	09/23/2010	75 FR 58023
Notice	12/14/2011	76 FR 77742
Final Rule	05/18/2012	77 FR 29758
Final Rule Effective	06/18/2012	

**Additional Information:** Docket #:EPA-HQ-OW-2010-0192

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State; Tribal

**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**RIN Information****URL:** [http://water.epa.gov/scitech/swguidance/methods/update\\_index.cfm](http://water.epa.gov/scitech/swguidance/methods/update_index.cfm)**Agency Contact:** Jan Matuszko Environmental Protection Agency  
Water

4303T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1035

FAX: 202 566-1053

E-Mail: [matuszko.jan@epa.gov](mailto:matuszko.jan@epa.gov)**Agency Contact:** Lemuel Walker Environmental Protection Agency  
Water

4303T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1077

FAX: 202 566-1053

E-Mail: [Walker.Lemuel@epamail.epa.gov](mailto:Walker.Lemuel@epamail.epa.gov)**Environmental Protection Agency (EPA)****Water ( WATER )****RIN:** 2040-AF10 [View Related Documents](#)**Title:** Revisions to the Unregulated Contaminant Monitoring Regulation (UCMR 3) for Public Water Systems**Abstract:** The Safe Drinking Water Act (SDWA), as amended in 1996, requires the U.S. Environmental Protection Agency (EPA) to establish criteria for a program to monitor not more than 30 unregulated contaminants every five years. EPA published the first group of contaminants in the Unregulated Contaminant Monitoring Regulation (i.e., UCMR 1), which established a revised approach for UCMR implementation, in the Federal Register dated September 17, 1999 (64 FR 50556), and the second list of unregulated contaminants (UCMR 2) in the Federal Register dated January 4, 2007 (72 FR 367). The final regulation will meet the SDWA requirement for identifying new priority contaminants to be monitored during the third UCMR cycle (i.e., UCMR 3) of 2012-2015.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 141 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 42 USC 300f et seq**Legal Deadline:**

Action	Source	Description	Date
Other	Statutory	SDWA requires EPA to publish a UCMR every 5 years.	01/04/2012

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	03/03/2011	76 FR 11713
Final Rule	05/02/2012	77 FR 26072
Final Rule Effective	06/01/2012	

**Additional Information:** Docket #:EPA-HQ-OW-2009-0090**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Brenda Parris Environmental Protection Agency  
Water

USEPA, Cincinnati, OH 45268

Cincinnati , OH 45268

Phone: 513 569-7961

FAX: 513 569-7191

E-Mail: [Parris.Brenda@epamail.epa.gov](mailto:Parris.Brenda@epamail.epa.gov)



**Environmental Protection Agency (EPA)**  
**Water ( WATER )**

RIN: 2040-AF22

 [View Related Documents](#)**Title:** National Pollutant Discharge Elimination System (NPDES) Concentrated Animal Feeding Operation (CAFO) Reporting Rule

**Abstract:** On July 20, 2012, the EPA withdrew the proposal to collect concentrated animal feeding operation (CAFO) information by rule. Instead, the EPA, where appropriate, will collect CAFO information using existing sources of information, including State NPDES programs, other regulations, and other programs at the Federal, State, and local levels. The EPA believes, at this time, it is more appropriate to obtain CAFO information by working with Federal, State, and local partners instead of requiring CAFO information to be submitted pursuant to a rule. Today's withdrawal does not preclude the Agency from initiating the same or similar rulemaking at a future date. EPA's withdrawal of this proposal does not change any of the NPDES permit requirements for CAFOs.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 122 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 33 USC 1251(a); 33 USC 1311(a); 33 USC 1342; 33 USC 1362(14); 33 USC 1318(a); 33 USC 1319**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Settlement Agreement - Fowler, et al. v. EPA; # 09-CV -00005-CKK; D. D.C.	06/30/2011
Other	Judicial	Settlement Agreement deadline per 5/25/2011 revision to original settlement agreement in NRDC v. EPA, 5th Circuit Court of Appeals, 09-60510.	07/13/2012

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	10/21/2011	76 FR 65431
NPRM Comment Period Extended	12/19/2011	76 FR 78599
Notice	07/20/2012	77 FR 42679

**Additional Information:** Docket #:EPA-HQ-OW-2011-0188. Settlement Agreement for NPRM: 06/30/2011 - Fowler, et al. v. EPA; # 09-CV -00005-CKK; D. D.C. Settlement Agreement deadline for Final Action: 07/13/2012 - As per 5/25/2011 revision to original settlement agreement in NRDC v. EPA, 5th Circuit Court of Appeals, 09-60510.

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Becky Mitschele Environmental Protection Agency  
Water

4203M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-6418

E-Mail: Mitschele.Becky@epamail.epa.gov

**Agency Contact:** George Utting Environmental Protection Agency  
Water

4203M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-0744

E-Mail: Utting.George@epamail.epa.gov

**Environmental Protection Agency (EPA)**  
**Water ( WATER )**

RIN: 2040-AF36

 [View Related Documents](#)**Title:** Water Quality Standards (Numeric Nutrient Criteria) for Florida's Lakes and Flowing Waters Delay of Effective Date

**Abstract:** The Environmental Protection Agency (EPA) extended the March 6, 2012 effective date of 40 CFR part 131.43, "Water Quality Standards for the State of Florida's Lakes and Flowing Waters" [inland waters rule] to July 6, 2012 2013. The EPA's final regulation for 40 CFR part 131.43(f) set an effective date of March 6, 2012 for the entire regulation, except for the site-specific alternative criteria provision (40 CFR 131.43(e)), which had an effective date of February 4, 2011. EPA extended the effective date of this rule for 4 months to July 6, 2012.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 131 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 33 USC 1251 et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	12/22/2011	76 FR 79604
Final Rule	03/07/2012	77 FR 13496

**Additional Information:** Docket #:EPA-HQ-OW-2009-0596. Split from RIN 2040-AF11; related to RIN 2040-AF41.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/waterscience/standards/rules/florida>

**Agency Contact:** Sara Hilbrich Environmental Protection Agency  
Water

4203M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-0441

E-Mail: [Hilbrich.Sara@epamail.epa.gov](mailto:Hilbrich.Sara@epamail.epa.gov)

**Agency Contact:** Tracy Bone Environmental Protection Agency  
Water

4601M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-5257

FAX: 202 564-3753

E-Mail: [Bone.Tracy@epamail.epa.gov](mailto:Bone.Tracy@epamail.epa.gov)

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**Environmental Protection Agency (EPA)****Water ( WATER )****RIN:** 2040-AF38 [View Related Documents](#)

**Title:** Modifications to Florida's Phosphorus Rule and Everglades Forever Act

**Abstract:** EPA directed the Florida Department of Environmental Protection (FDEP) in its September 3, 2010 Amended Determination (AD), and consistent with an April 2010 Court order, to complete rulemaking to correct deficiencies in its Phosphorus Rule by January 1, 2011 and the Amended Everglades Forever Act by July 11, 2011. The required changes were included in the AD and consisted of line-by-line strike-outs of portions of the Phosphorus Rule that were rejected by the Court as inconsistent with the Clean Water Act (CWA) and disapproved by EPA on December 3, 2009. The deadline for the State to correct the deficiencies passed and FDEP failed to make the required changes. Therefore, EPA identified the disapproved provisions of the Phosphorus Rule and the Amended Everglades Forever Act that are not in effect for Clean Water Act purposes in this final rule.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 131 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 33 USC 1313(c)

**Legal Deadline:**

Action	Source	Description	Date
None			

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	07/01/2011	76 FR 38592
Final Rule	08/03/2012	77 FR 46298

**Additional Information:** Docket #:EPA-HQ-OW-2011-0515**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Mario Sengco Environmental Protection Agency

Water

4305T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-2676

FAX: 202 566-9981

E-Mail: sengco.mario@epa.gov

**Environmental Protection Agency (EPA)****Water ( WATER )****RIN:** 2040-AF40 [View Related Documents](#)**Title:** Removal of the Vacated Elements of the 2008 Concentrated Animal Feeding Operation Rule

**Abstract:** On November 20, 2008, EPA published a final rule (73 FR 70418) to revise its regulations to address when the operator of a Concentrated Animal Feeding Operation (CAFO) has a duty to apply for a National Pollutant Discharge Elimination System (NPDES) Permit. On March 15, 2011, the United States Court of Appeals for the Fifth Circuit issued an opinion in National Pork Producers Council v. EPA that vacated portions of the 2008 rule. On July 19, 2012, EPA issued a final rule (77 FR 44494) to revise its CAFO permit regulation to remove the requirement that CAFOs that "propose to discharge" must seek NPDES permit coverage. In addition, this action removed from the CAFO permit regulation the option to voluntarily certify that a CAFO does not discharge or propose to discharge. The voluntary certification provision is unnecessary because the "propose to discharge" requirement is being removed.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 122.23 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 33 USC 1251; 33 USC 1311; 33 USC 1314; 33 USC 1316; 33 USC 1317; 33 USC 1318; 33 USC 1342; 33 USC 1361**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Final Rule	07/30/2012	77 FR 44494

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No

**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** [www.epa.gov/npdes](http://www.epa.gov/npdes)**Agency Contact:** Louis Eby Environmental Protection Agency  
Water

4203M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-6599

E-Mail: [eby.louis@epamail.epa.gov](mailto:eby.louis@epamail.epa.gov)**Agency Contact:** Caitlin Conover Environmental Protection Agency  
Water

4204M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-8168

FAX: 202 564-6392

E-Mail: [conover.caitlin@epa.gov](mailto:conover.caitlin@epa.gov)**Environmental Protection Agency (EPA)****Water ( WATER )****RIN:** 2040-AF41 [View Related Documents](#)**Title:** Revised Effective Date for the Water Quality Standards for the State of Florida's Lakes and Flowing Waters**Abstract:** EPA extended a second time the effective date of 40 CFR Part 131.43, "Water Quality Standards for the State of Florida's Lakes and Flowing Waters" (inland waters rule) to January 6, 2013. The EPA's final regulation for 40 CFR Part 131.43(f) set an effective date of March 6, 2012 for the entire regulation, except for the site-specific alternative criteria provision (40 CFR 131.43(e)), which had an effective date of February 4, 2011. On March 5, 2012, EPA extended the effective date four months to July 6, 2012.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 131 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 33 USC 1251 et seq**Legal Deadline:**

Action	Source	Description	Date
None			

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	05/17/2012	77 FR 29271
Final Rule	07/06/2012	77 FR 39949

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 2040-AF11; Related to 2040-AF36**Agency Contact:** Tracy Bone Environmental Protection Agency  
Water

4601M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-5257

FAX: 202 564-3753

E-Mail: [Bone.Tracy@epamail.epa.gov](mailto:Bone.Tracy@epamail.epa.gov)**Agency Contact:** Claudia Fabiano Environmental Protection Agency  
Water

4305T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-0446

E-Mail: [Fabiano.Claudia@epamail.epa.gov](mailto:Fabiano.Claudia@epamail.epa.gov)**Environmental Protection Agency (EPA)**  
**Solid Waste and Emergency Response ( SWER )**

RIN: 2050-AG72

 [View Related Documents](#)**Title:** Hazardous Waste Requirements for Retail Products; Clarifying and Making the Program More Effective

**Abstract:** The Environmental Protection Agency (EPA) is exploring ways to clarify and make the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations more effective for managing waste retail products. Retailers face uncertainty in managing the wide range of retail products that may become wastes if unsold, returned, or removed from shelves for inventory changes. Because of the wide range of products that can become waste, retailers find it difficult to comply with the RCRA hazardous waste regulations that were designed for manufacturing and other types of industry wastes. In response to comments submitted for the periodic retrospective review of regulations under Executive Order 13563, EPA committed to analyzing relevant information to determine what the retail RCRA issues of concern are and what options may exist for addressing the issues. This Notice of Data Availability (NODA) will: 1) present data and information EPA has gathered thus far from stakeholders and other sources; 2) request additional relevant data and information from stakeholders and the public; and 3) request comment on issues of concern for managing retail product waste and options for addressing the issues. EPA will use the information gathered thus far and additional information submitted in response to the NODA to determine possible next steps to address retail product waste issues.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** PreRule**Major:** No**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 6901 et seq**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Notice	03/00/2013	

**Additional Information:** This action includes retrospective review under EO 13563; see:  
<http://www.epa.gov/regdarrt/retrospective/history.html>.

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Richard Huggins Environmental Protection Agency

Solid Waste and Emergency Response

Potomac Yards, Arlington, VA 22202

Arlington , VA 22202

Phone: 703 308-0017

E-Mail: [huggins.richard@epa.gov](mailto:huggins.richard@epa.gov)**Agency Contact:** Jessica Young Environmental Protection Agency

Solid Waste and Emergency Response

5304P, Washington, DC 20460

Washington , DC 20460

Phone: 703 308-0026

FAX: 703 308-0514

E-Mail: [Young.Jessica@epa.gov](mailto:Young.Jessica@epa.gov)**Environmental Protection Agency (EPA)**  
**Solid Waste and Emergency Response ( SWER )**

RIN: 2050-AE87

 [View Related Documents](#)**Title:** Revisions to the National Oil and Hazardous Substances Pollution Contingency Plan; Subpart J Product Schedule Listing

## Requirements

**Abstract:** The Clean Water Act requires EPA to prepare a schedule identifying dispersants, other chemicals, and other spill mitigating devices and substances, if any, that may be used in carrying out the National Contingency Plan (NCP); and the waters and quantities in which they may be used. EPA is considering revising subpart J of the NCP to address the efficacy, toxicity, and environmental monitoring of dispersants, other chemical and biological agents, and other spill mitigating substances, as well as public, State, local, and Federal officials concerns on their authorization and use. Specifically, the Agency is considering revisions to the technical product requirements under subpart J, including amendments to the effectiveness and toxicity testing protocols, and establishing new effectiveness and toxicity thresholds for listing certain products on the Schedule. Additionally, the Agency is considering amendments to area planning requirements for agent use authorization, and advanced monitoring techniques. The Agency is also considering revisions to harmonize 40 CFR part 110.4 with the definitions for chemical and biological agents proposed for subpart J. These changes, if finalized, will help ensure that chemical and biological agents have met rigorous efficacy and toxicity requirements, that product manufacturers provide important use and safety information, and that the planning and response community is equipped with the proper information to authorize and use the products in a judicious and effective manner.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 300; 40 CFR 110 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 33 USC 1321(d)(2); 33 USC 1321(b)(3); 33 USC 1321(j)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:** The use of dispersants in response to the Deepwater Horizon incident, both on surface slicks and injected directly into the oil from the well riser, raised many questions about efficacy, toxicity, environmental trade-offs, and monitoring challenges. The Agency is considering amendments to subpart J that would increase the overall scientific soundness of the data collected on mitigation agents, take into consideration not only the efficacy but also the toxicity, long-term environmental impacts, endangered species protection, and human health concerns raised during responses to oil discharges, including the Deepwater Horizon incident. The additional data requirements being considered would aid OSCs and RRTs when evaluating specific product information and when deciding whether and which products to use to mitigate hazards caused by discharges or threatened discharges of oil. Additionally, the Agency is considering amendments to area planning requirements for dispersant use authorization, toxicity thresholds, and advanced monitoring techniques. This action is a major component of EPA's effort to inform the use of dispersants and other chemical or biological agents when responding to oil discharges based on lessons learned from the Federal Government's experiences in responding to off-shore oil discharges, including the Deepwater Horizon incident, in the Gulf of Mexico and anticipation of the expansion of oil exploration and production activities in the Arctic.

**Legal Basis:** The Federal Water Pollution Control Act (FWPCA) requires the President to prepare and publish a National Contingency Plan (NCP) for the removal of oil and hazardous substances. In turn, the President delegated the authority to implement this section of the FWPCA to EPA through Executive Order 12777 (56 FR 54757; October 22, 1991). Section 311(d)(2)(G)(i) of the FWPCA (a.k.a., Clean Water Act), as amended by the OPA, requires that the NCP include a schedule identifying "dispersants, other chemicals, and other spill mitigating devices and substances, if any, that may be used in carrying out" the NCP. Currently, the use of dispersants, other chemicals, and other oil spill mitigating devices and substances (e.g., bioremediation agents) to respond to oil discharges in U.S. waters is governed by subpart J of the NCP (40 CFR part 300 series 900).

**Alternatives:** The Agency is not proposing to maintain the status quo, and will consider alternatives to the current regulation that address the efficacy, toxicity, and environmental monitoring of dispersants, and other chemical and biological agents, as well as public, State, local, and Federal officials' concerns regarding their use. Specifically, the alternative requirements to the current NCP Product Schedule (Schedule) consider new listing criteria, revisions to the efficacy and toxicity testing protocols, and clarifications to the evaluation criteria for removing products from the Schedule. EPA is also considering alternatives to the current requirements for the authorities, notifications, monitoring, and data reporting when using chemical or biological agents in response to oil discharges in waters of the U.S. The alternatives to the existing rule being considered are intended to encourage the development of safer and more effective spill mitigating products, to better target the use of these products in order to reduce the risks to human health and the environment, and to ensure that On-Scene Coordinators (OSCs), Regional Response Teams (RRTs), and Area Committees have sufficient information to support agent preauthorization or authorization of use decisions.

**Costs and Benefits:** Not yet determined.

**Risks:** Although major catastrophic oil discharges where chemical or biological agents may be used are relatively infrequent, this proposed rulemaking under subpart J may lead to the manufacture and use of less toxic, more effective oil spill mitigating products. The use of these products may reduce the potential for human and environmental impact, emergency response duration, and costs associated with any oil discharge. However, the impacts will vary greatly depending on factors that include the size, location, and duration of an oil discharge, as well as the type of oil being discharged. While the reduction in environmental impacts associated with the use of oil spill mitigating agents driven by this action are likely small for typical oil discharges, they could be significant in the event of a large oil discharge.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2013	

**Additional Information:** Includes Retrospective Review under Executive Order 13563.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State; Tribal

**Federalism:** No

**Energy Affected:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**RIN Information URL:** [www.epa.gov/oilspill](http://www.epa.gov/oilspill)

**Sectors Affected:** 325; 424; 211; 541; 562

**Agency Contact:** William Nichols Environmental Protection Agency

Solid Waste and Emergency Response

5104A, Washington, DC 20460

Washington, DC 20460

Phone: 202 564-1970

FAX: 202 564-2625

E-Mail: [nichols.nick@epa.gov](mailto:nichols.nick@epa.gov)

**Agency Contact:** Craig Matthiessen Environmental Protection Agency

Solid Waste and Emergency Response

5104A, Washington, DC 20460

Washington, DC 20460

Phone: 202 564-8016

FAX: 202 564-2625

E-Mail: [mattheissen.craig@epa.gov](mailto:mattheissen.craig@epa.gov)

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**Environmental Protection Agency (EPA)****Solid Waste and Emergency Response (SWER)****RIN:** 2050-AG39 [View Related Documents](#)

**Title:** Management Standards for Hazardous Waste Pharmaceuticals

**Abstract:** A small portion of pharmaceuticals are regulated as hazardous waste under the Resource Conservation and Recovery Act when discarded. Healthcare (and associated) facilities that generate hazardous waste pharmaceuticals have reported having difficulties complying with the manufacturing-oriented framework of the subtitle C hazardous waste regulations for a number of reasons. First, under the current hazardous waste regulatory scheme, healthcare workers, whose primary focus is to provide care for patients, are often involved in the implementation of the regulations. Second, a healthcare facility can have thousands of items in its formulary, making it difficult to ascertain which ones are hazardous wastes when disposed. Third, some active pharmaceutical ingredients are listed as acute hazardous wastes, which are stringently regulated even in small amounts. To facilitate compliance and to respond to these concerns, EPA is proposing to revise the regulations to improve management and disposal of hazardous waste pharmaceuticals. The revisions are also intended to clarify regulation of a major mechanism used by healthcare facilities for management of unused and/or expired pharmaceuticals, known as reverse distribution. In 2008, the Agency proposed to address pharmaceutical hazardous waste management issues by adding them to the Universal Waste rule. However, in order to address the adverse comments received on the 2008 proposal, EPA is now considering re-proposing healthcare facility-specific regulations for the management of hazardous waste pharmaceuticals in order to provide a regulatory scheme that is adapted to the unique issues that hospitals, pharmacies, and other healthcare-related facilities face.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 264; 40 CFR 265; 40 CFR 266; 40 CFR 268; 40 CFR 270 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 6912(a); 42 USC 6921-6939

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	12/02/2008	73 FR 73520
NPRM Comment Period Extended	01/30/2009	74 FR 5633
Second NPRM	08/00/2013	

**Additional Information:** Docket #:EPA-HQ-RCRA-2007-0932. NPRM: <http://www.epa.gov/fedrgstr/EPA-WASTE/2008/December/Day-02/f28161.pdf>; NPRM Extension of Comment Period: <http://www.epa.gov/fedrgstr/EPA-WASTE/2009/January/Day-30/f2035.pdf>; Docket: <http://www.regulations.gov/#!docketDetail;D=EPA-HQ-RCRA-2007-0932>. This action includes retrospective review under EO 13563; see: <http://www.epa.gov/regdarrt/retrospective/history.html>.

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** No**RIN Information****URL:** <http://www.epa.gov/wastes/hazard/wastetypes/universal/pharm.htm>**Sectors Affected:** 622110; 562112; 562211; 562219; 562119; 446110; 562111; 562213; 562212; 541940**Agency Contact:** Lisa Lauer Environmental Protection Agency

Solid Waste and Emergency Response

5304P, Washington, DC 20460

Washington, DC 20460

Phone: 703 308-7418

FAX: 703 308-0514

E-Mail: [Lauer.Lisa@epa.gov](mailto:Lauer.Lisa@epa.gov)**Agency Contact:** Jessica Young Environmental Protection Agency

Solid Waste and Emergency Response

5304P, Washington, DC 20460

Washington, DC 20460

Phone: 703 308-0026

FAX: 703 308-0514

E-Mail: [Young.Jessica@epa.gov](mailto:Young.Jessica@epa.gov)**Environmental Protection Agency (EPA)****Solid Waste and Emergency Response ( SWER )****RIN:** 2050-AG67 [View Related Documents](#)**Title:** Addition of Subsurface Component to the Hazard Ranking System (HRS)

**Abstract:** The Hazard Ranking System (HRS), required by the Superfund statute, is the primary mechanism used by EPA to assess the relative threat associated with actual or potential releases of hazardous substances. As a matter of Agency policy, those sites that score 28.50 or greater under the HRS are eligible for inclusion on the National Priorities List (NPL). The NPL is intended primarily to guide the EPA in determining which sites warrant further investigation. A score of 28.50 does not represent a specified level of risk but is a cutoff point that serves as a screening-level indicator of the highest priority releases or threatened releases. The HRS includes four scoring pathways: ground water, surface water, air, and soil exposure. Additional pathways have been identified as posing significant threats to human health and the environment that should be considered when evaluating sites for the NPL. One such pathway is subsurface intrusion. Subsurface intrusion occurs when contaminants are released, enter the subsurface environment and move into occupied structures (e.g., residences, workplaces, and other buildings) as a gas, vapor, or liquid. Over the past decade EPA and State environmental programs have significantly more information regarding the risk that this pathway poses to human health. Historically, EPA's Superfund program has responded to vapor intrusion contamination by two mechanisms: (1) through its emergency response program at sites not on the NPL; or (2) through sites placed on the NPL because of other pathway-related risks. In a May 2010 report, the Government Accountability Office (GAO) concluded that if vapor intrusion sites are not assessed and, if needed, listed on the NPL, some seriously contaminated hazardous waste sites with unacceptable human exposure may not otherwise be cleaned up. Thus, EPA is working toward a proposed rulemaking to add a new screening component to the HRS that would allow sites with vapor intrusion contamination to be evaluated for placement on the NPL. This addition would enable the HRS to directly consider the human exposure to contaminants that enter building structures through the subsurface environment.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 300 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 9601 et seq**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Notice	01/31/2011	76 FR 5370
NPRM	05/00/2013	

**Additional Information:** Docket #:EPA-HQ-SFUND-2010-1086



**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; Local; State; Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information****URL:** <http://www.epa.gov/superfund/sites/npl/hrsaddition.htm#addition>**Agency Contact:** Terry Jeng Environmental Protection Agency

Solid Waste and Emergency Response

5204P, Washington, DC 20460

Washington, DC 20460

Phone: 703 603-8852

E-Mail: [Jeng.Terry@epa.gov](mailto:Jeng.Terry@epa.gov)**Agency Contact:** David Yogi Environmental Protection Agency

Solid Waste and Emergency Response

5204P, Washington, DC 20460

Washington, DC 20460

Phone: 703 347-8835

E-Mail: [yogi.david@epa.gov](mailto:yogi.david@epa.gov)**Environmental Protection Agency (EPA)****Solid Waste and Emergency Response ( SWER )****RIN:** 2050-AE51 [View Related Documents](#)**Title:** Modifications to RCRA Rules Associated With Solvent-Contaminated Industrial Wipes

**Abstract:** In November, 2003, EPA proposed to modify the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations for management of solvent-contaminated industrial wipes. EPA proposed to conditionally exempt wipes that are disposed of from the definition of hazardous waste and to conditionally exclude laundered wipes from the definition of solid waste. Based on comments received on the proposal, EPA revised its risk analysis used to evaluate the risks to human health and the environment if solvent-contaminated wipes or laundry sludge are disposed of in a municipal solid waste landfill. A Notice of Data Availability was published in the Federal Register to allow the public the opportunity to comment on the revised risk analysis. If finalized, this regulation will impact the management of two types of solvent-contaminated wipes: (1) wipes disposed of in land disposal units or by combustion after use, and (2) wipes that are laundered after use to remove the solvent and then are used again.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 261 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 6921**Legal Deadline:**

Action	Source	Description	Date
None			

**Regulatory Plan:****Statement of Need:**

**Legal Basis:** EPA proposes these regulations under the authority of sections 2002, 3001 to 3010, and 7004 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), 42 U.S.C. 6912, 6921 to 6930, and 6974.

**Alternatives:** The alternatives presented consist of various spent wipes handling and management options pertaining to type of exclusion (i.e., from Definition of Solid Waste or from RCRA subtitle C), establishing an exclusion from the definition of hazardous waste for reused and disposed wipes, and common management conditions for disposed wipes going to a landfill or combustion facility.

**Costs and Benefits:** The anticipated national net effect of this rule, if promulgated as proposed in 2003, is to provide the U.S. economy with \$28 million to \$72 million in average annual net benefits, consisting of four impact components: (1) \$13 million to \$20 million in annualized incremental cost for compliance with the conditions of the exclusions (e.g., costs for purchasing accumulation and transportation containers for used industrial wipes); (2) \$40 million reduction in annual direct costs for RCRA regulatory compliance; (3) \$8 million to \$36 million per year in avoided air pollution from increase in capture of free liquid solvents from used industrial wipes; and (4) \$0.3 million to \$9 million per year in avoided fire damages to facilities from spontaneous combustion of solvent-contaminated industrial wipes. Compared to annualized implementation costs as a numerical ratio, the \$8 million to \$85 million in annualized total benefits represent a benefit-cost ratio of 2.4 to 6.5. The annualized net benefits consist of \$33 million to \$37 million to generators for managing spent disposable industrial wipes and an uncertainty range of \$35 million in annual benefits to \$4 million in annual cost to generators managing reusable industrial wipes (depending upon the extent these costs may be shared with industrial laundries and the extent of reuse of captured solvents).

**Risks:** A risk analysis is being developed to support the rule.**Timetable:**

Action	Date	FR Cite
NPRM	11/20/2003	68 FR 65586

Notice	10/27/2009	74 FR 55163
Comment Period Extended	12/15/2009	74 FR 66259
Final Rule	10/00/2013	

**Additional Information:** Docket #:EPA-HQ-RCRA-2003-0004

**Regulatory Flexibility Analysis Required:** Business; Governmental Jurisdictions

**Small Entities Affected:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/wastes/hazard/wastetypes/wasteid/solvents/wipes.htm>

**Sectors Affected:** 325; 334; 332; 337; 333; 441; 812; 323; 811; 336

**Agency Contact:** Amanda Kohler Environmental Protection Agency

Solid Waste and Emergency Response

Washington, DC 20460

Washington, DC 20460

Phone: 703 347-8975

E-Mail: [kohler.amanda@epa.gov](mailto:kohler.amanda@epa.gov)

**Agency Contact:** Tracy Atagi Environmental Protection Agency

Solid Waste and Emergency Response

5304-P, Washington, DC 20460

Washington, DC 20460

Phone: 703 308-8672

FAX: 703 308-0514

E-Mail: [atagi.tracy@epa.gov](mailto:atagi.tracy@epa.gov)

**Government Levels Affected:** Federal; Local; State; Tribal

**Federalism:** No

**Public Comment**

**URL:** <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-RCRA-2003-0004-0414>

**Environmental Protection Agency (EPA)**

**Solid Waste and Emergency Response ( SWER )**

**RIN:** 2050-AG46

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**Title:** Revising Underground Storage Tank Regulations--Revisions to Existing Requirements and New Requirements for Secondary Containment and Operator Training

**Abstract:** The Underground Storage Tank (UST) regulations were first promulgated in 1988 primarily to prevent releases from retail petroleum marketers (gas stations) and other facilities into the environment. These regulations have reduced the incidents of contamination. However, there is a need to revise the regulations to incorporate changes to the UST program from the Energy Policy Act of 2005, as well as to update outdated portions of the regulations due to changes in technology since the 1980s. On August 8, 2005, President Bush signed the Energy Policy Act of 2005 (EPA). Title XV, subtitle B of this act (entitled the Underground Storage Tank Compliance Act of 2005), amends subtitle I of the Solid Waste Disposal Act, the original legislation that created the UST program. There are key provisions of the EPA that apply to States receiving Federal UST funding but do not apply in Indian Country, including requirements for secondary containment and operator training. EPA will also use our knowledge of the program gained over the last 20 years to update and revise the regulations to make targeted changes to improve implementation and prevent UST releases. In the NPRM, EPA proposed: adding secondary containment requirements for new and replaced tanks and piping; adding operator training requirements; adding periodic operation and maintenance requirements for UST systems; removing certain deferrals; adding new release prevention and detection technologies; updating codes of practice; making editorial and technical corrections; and updating State program approval requirements to incorporate these new changes. On an annualized basis, the total estimated regulatory compliance costs for the proposed action are \$210 million. The estimated annual cost savings related to avoided costs associated with preventing releases and reducing the severity of releases are between \$300 and \$740 million per year under the proposed action.

**Priority:** Economically Significant

**Major:** Yes

**CFR Citation:** 40 CFR 280 to 281 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 6991

**Legal Deadline:** None

**Agenda Stage of Rulemaking:** Final Rule

**Unfunded Mandates:** Private Sector

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	11/18/2011	76 FR 71708
NPRM Comment Period Extended	02/15/2012	77 FR 8757
Final Rule	11/00/2013	

**Additional Information:** Docket #:EPA-HQ-UST-2011-0301

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Business; Governmental Jurisdictions

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/oust/fedlaws/proposedregs.html>

**Sectors Affected:** 72; 481; 48811; 112; 111; 2211; 447; 622; 31-33; 486; 44-45; 485; 484; 483; 42

**Agency Contact:** Elizabeth McDermott Environmental Protection Agency

Solid Waste and Emergency Response

5401P, Washington, DC 20460

Washington, DC 20460

Phone: 703 603-7175

FAX: 703 603-0175

E-Mail: [McDermott.Elizabeth@epamail.epa.gov](mailto:McDermott.Elizabeth@epamail.epa.gov)

**Agency Contact:** Paul Miller Environmental Protection Agency

Solid Waste and Emergency Response

5401P, Washington, DC 20460

Washington, DC 20460

Phone: 703 603-7165

FAX: 703 603-0175

E-Mail: [Miller.Paul@epamail.epa.gov](mailto:Miller.Paul@epamail.epa.gov)

**Government Levels Affected:** Federal; Local; State; Tribal

**Federalism:** No

**Public Comment**

**URL:** <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-UST-2011-0301-0001>

**Environmental Protection Agency (EPA)**

**Solid Waste and Emergency Response ( SWER )**

**RIN:** 2050-AG60

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**Title:** Hazardous Waste Management Systems: Identification and Listing of Hazardous Waste: Carbon Dioxide (CO<sub>2</sub>) Streams in Geological Sequestration Activities

**Abstract:** On July 25, 2008, EPA published a proposed rule under the Safe Drinking Water Act Underground Injection Control Program to create a new class of injection wells (Class VI) for geological sequestration (GS) of carbon dioxide (CO<sub>2</sub>). In response to that proposal, EPA received numerous comments asking for clarification on how the Resource Conservation and Recovery Act (RCRA) hazardous waste requirements apply to CO<sub>2</sub> streams. EPA is considering a rule that would conditionally exclude from the RCRA requirements CO<sub>2</sub> streams that otherwise meet the definition of hazardous waste, in order to facilitate implementation of GS, while protecting human health and the environment.

**Priority:** Other Significant

**Major:** No

**CFR Citation:** 40 CFR 260 to 261 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 6912; 42 USC 6921 to 29; 42 USC 6934

**Legal Deadline:** None

**Agenda Stage of Rulemaking:** Final Rule

**Unfunded Mandates:** No

**Regulatory Plan:**

**Statement of Need:** The development of the proposed rule was the result of numerous outside stakeholder comments seeking clarity on the applicability of the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations to carbon dioxide (CO<sub>2</sub>) streams to be geologically sequestered in Underground Injection Control (UIC) Class VI wells. These comments, received in response to a separate proposed rulemaking establishing new UIC Class VI permitting standards, were from industry, trade groups, State and local representatives, environmental interest groups, and concerned citizens. In addition, on February 3, 2010, President Obama established an Interagency Task Force on CCS composed of 14 Executive Departments and Federal Agencies. The Task Force, co-chaired by the Department of Energy and EPA, was charged with proposing a plan to overcome the barriers to the widespread, cost-effective deployment of Carbon Capture and Storage (CCS) within ten years, with a goal of bringing five to ten commercial demonstration projects online by 2016. One of the Task Force recommendations was that EPA propose and finalize a rulemaking to clarify the applicability of RCRA to CCS activities.

**Legal Basis:** 42 U.S.C. 6912, 42 U.S.C. 6921-29, and 42 U.S.C. 6934 provide the legal authority for this rule.

**Alternatives:**

**Costs and Benefits:** Due to the high level of uncertainty regarding the percent of CO<sub>2</sub> that may be generated as RCRA hazardous waste and the uncertainty regarding the actual number of facilities potentially affected over the projected 50 year period, EPA's best estimate for the impacts of the proposed rule ranges from a low-end annualized net savings of \$7.3 million (7% discount rate) to the

high-end annualized net savings of \$44.9 million (3% discount rate).

**Risks:** EPA stated in the proposal its belief that the management of CO2 streams in accordance with the proposed conditions and thus excluded from RCRA would not present a substantial risk to human health or the environment and, therefore, additional regulation pursuant to RCRA's hazardous waste regulations is unnecessary.

**Timetable:**

Action	Date	FR Cite
NPRM	08/08/2011	76 FR 48073
Notice	09/09/2011	76 FR 55846
Final Rule	04/00/2013	

**Additional Information:** Docket #:EPA-HQ-RCRA-2010-0695. NPRM - <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-RCRA-2010-0695-0001>; Notice - <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-RCRA-2010-0695-0054>

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; State; Tribal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/epawaste/nonhaz/industrial/geo-sequester/index.htm>

**Sectors Affected:** 211111

**Agency Contact:** Ross Elliott Environmental Protection Agency

Solid Waste and Emergency Response

5304P, Washington, DC 20460

Washington , DC 20460

Phone: 703 308-8748

FAX: 703 308-0514

E-Mail: [Elliott.Ross@epa.gov](mailto:Elliott.Ross@epa.gov)

**Agency Contact:** Melissa Kaps Environmental Protection Agency

Solid Waste and Emergency Response

5304P, Washington, DC 20460

Washington , DC 20460

Phone: 703 308-6787

E-Mail: [kaps.melissa@epa.gov](mailto:kaps.melissa@epa.gov)

**Environmental Protection Agency (EPA)**

**Solid Waste and Emergency Response ( SWER )**

**RIN:** 2050-AG62

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**Title:** Rulemaking on the Definition of Solid Waste

**Abstract:** EPA's reexamination of the 2008 definition of solid waste final rule identified areas that could be improved to better protect public health and the environment with a particular focus on adjacent communities. Potential regulatory changes should improve accountability and oversight of hazardous materials recycling, while allowing flexibility to promote economic and environmental benefits. Facilities affected include those that send hazardous waste offsite to be recycled and those that recycle hazardous waste onsite.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 261.2 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 42 USC 6903; RCRA sec 1004

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	The settlement agreement requires signature of the proposed rule by June 30, 2011.	06/30/2011
Other	Judicial	The settlement agreement requires signature of the final rule by December 31, 2012.	12/31/2012

**Regulatory Plan:**

**Statement of Need:** The new DSW rulemaking may address concerns raised about potential adverse impacts to human health and the environment from the 2008 DSW final rule, including potential disproportionate impacts to minority and low income communities.

**Legal Basis:** These regulations are promulgated under the authority of sections 2002, 3001, 3002, 3003, 3004, 3007, 3010 and 3017 of the Solid Waste Disposal Act of 1970, as amended by the Resource Conservation and Recovery Act of 1976 (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), 42 U.S.C. 6921, 6922, 6923 and 6924. This statute is commonly referred to as "RCRA."

**Alternatives:** Alternatives considered include (1) no action (retain the 2008 DSW rule), and (2) additional regulatory requirements for hazardous secondary materials recycling.

**Costs and Benefits:** The Regulatory Impact Analysis (RIA) for the 2011 DSW proposed rule estimates the future average annualized costs to industry to comply with the proposed revisions at between \$7.2 million and \$47.5 million per year. However, in many cases these costs are not direct costs, but rather are reduced savings from what a company might have otherwise experienced under the 2008 DSW rule. In other words, companies that are currently operating under full Subtitle C hazardous waste regulations would still experience cost savings under the 2011 DSW proposal, but not as much cost savings as they would under the 2008 DSW final rule. The RIA identifies three categories of expected future benefits for the final action consisting of: (1) reduction in future environmental damages from industrial recycling of hazardous secondary materials; (2) improved industry environmental compliance; and (3) indirect legal and financial benefits to industry consisting of reduced liability, less uncertainty for regulated facilities, and lower legal and financial credit costs. However, the RIA does not quantify or monetize these benefit categories.

**Risks:** The 2012 DSW rule is expected to reduce overall risks to human health and the environment as compared to the 2008 DSW rule.

**Timetable:**

Action	Date	FR Cite
NPRM	07/22/2011	76 FR 44094
Notice	08/26/2011	76 FR 53376
Final Rule	04/00/2013	

**Additional Information:** Docket #:EPA-HQ-RCRA-2010-0742

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; State

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/epawaste/hazard/dsw/rulemaking.htm>

**Public Comment**

**URL:** <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-RCRA-2010-0742-0001>

**Sectors Affected:** 61; 31-33; 54; 92

**Agency Contact:** Marilyn Goode Environmental Protection Agency  
Solid Waste and Emergency Response  
5304P, Washington, DC 20460  
Washington, DC 20460  
Phone: 703 308-8800  
FAX: 703 308-0514  
E-Mail: [Goode.Marilyn@epa.gov](mailto:Goode.Marilyn@epa.gov)

**Agency Contact:** Tracy Atagi Environmental Protection Agency  
Solid Waste and Emergency Response  
5304-P, Washington, DC 20460  
Washington, DC 20460  
Phone: 703 308-8672  
FAX: 703 308-0514  
E-Mail: [atagi.tracy@epa.gov](mailto:atagi.tracy@epa.gov)

**Environmental Protection Agency (EPA)**  
**Solid Waste and Emergency Response ( SWER )**

**RIN:** 2050-AG68

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**Title:** Revisions to the Export Requirements of the Cathode Ray Tube (CRT) Rule

**Abstract:** The Agency is considering revising the cathode ray tube (CRT) final rule published on July 28, 2006 (71 FR 42927), to address certain implementation concerns. We are considering adding a definition of "exporter," which will clarify the liabilities of intermediaries, such as brokers, in fulfilling the export-related requirements of the rule. We are also considering including additional items to the notification required for CRTs exported for reuse. These requirements will make it easier to implement the export requirements of the rule and will enable the Agency to obtain additional information on the export of this class of used electronics.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 261 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 6912(a); 42 USC 6921 to 6925

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	03/15/2012	77 FR 15336
Final Rule	07/00/2013	

**Additional Information:** Docket #:EPA-HQ-RCRA-2011-1014**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information****URL:** <http://www.epa.gov/osw/hazard/international/crts/index.htm>**Public Comment****URL:** <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-RCRA-2011-1014-0001>**Agency Contact:** Marilyn Goode Environmental Protection Agency

Solid Waste and Emergency Response

5304P, Washington, DC 20460

Washington , DC 20460

Phone: 703 308-8800

FAX: 703 308-0514

E-Mail: [Goode.Marilyn@epa.gov](mailto:Goode.Marilyn@epa.gov)**Agency Contact:** Charlotte Mooney Environmental Protection Agency

Solid Waste and Emergency Response

5304P, Washington, DC 20460

Washington , DC 20460

Phone: 703 308-7025

FAX: 703 308-0514

E-Mail: [Mooney.Charlotte@epa.gov](mailto:Mooney.Charlotte@epa.gov)**Environmental Protection Agency (EPA)****Solid Waste and Emergency Response ( SWER )****RIN:** 2050-AE81 [View Related Documents](#)**Title:** Standards for the Management of Coal Combustion Residuals Generated by Commercial Electric Power Producers

**Abstract:** This action is for the development of regulations for coal combustion residuals (also referred to as coal combustion waste). The regulations will apply to the management of coal combustion residuals that are generated by steam electric power generators, i.e., electric utilities and independent power producers, and are disposed of in landfills and surface impoundments. The intended benefits of this action will be to prevent contamination or damage to ground waters and surface waters, thereby avoiding risk to human health and the environment, including ecological risks. The Agency issued on August 29, 2007, a Notice of Data Availability announcing the availability for public inspection and comment new information and data on the management of coal combustion residuals. The Agency considered these comments in developing the proposed rule regarding the regulation of coal combustion residuals under the Resource Conservation and Recovery Act (RCRA). EPA issued a proposed rule on June 21, 2010, in which the Agency co-proposed two approaches--one which would regulate coal combustion residuals under Subtitle C of RCRA as a "special waste" and one under Subtitle D of RCRA as a non-hazardous waste. Under both approaches, coal combustion residuals that are beneficially used would remain Bevill exempt.

**Priority:** Economically Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Yes**Unfunded Mandates:** State, Local, Or Tribal Governments;  
Private Sector**CFR Citation:** 40 CFR 257; 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 268; 40 CFR 271; 40 CFR 302 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 6905; 42 USC 6906; 42 USC 6907(a)(3); 42 USC 6912; 42 USC 6912(a); 42 USC 6912(a)(1); 42 USC 6921; 42 USC 6922; 42 USC 6923; 42 USC 6924; 42 USC 6925; 42 USC 6925(j); 42 USC 6935; 42 USC 6936; 42 USC 6937; 42 USC 6944(a); 42 USC 6949a(c); 33 USC 1345(d); 33 USC 1345(e)**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:** Resource Conservation and Recovery Act**Alternatives:** To be determined.**Costs and Benefits:** To be determined.

**Risks:** To be determined.

**Timetable:**

Action	Date	FR Cite
Final Rule		
Notice	08/29/2007	72 FR 49714
NPRM	06/21/2010	75 FR 35128
Notice	07/15/2010	75 FR 41121
Notice	08/20/2010	75 FR 51434
Notice	10/21/2010	75 FR 64974
Notice	10/12/2011	76 FR 63252

**Additional Information:** Docket #:EPA-HQ-RCRA-2009-0640, EPA-HQ-RCRA-2011-0392. NODA - <http://www.epa.gov/fedrgstr/EPA-WASTE/2007/August/Day-29/f17138.pdf>; NPRM-<http://www.regulations.gov/search/Regs/home.html#documentDetail?R=0900006480b06eac>; Notice - Additions to Docket - <http://www.regulations.gov/search/Regs/home.html#documentDetail?R=0900006480b73af3>

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State; Tribal

**Small Entities Affected:** Business; Governmental Jurisdictions

**Federalism:** Yes

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/epawaste/nonhaz/industrial/special/fossil/ccr-rule/index.htm>

**Sectors Affected:** 221112

**Agency Contact:** Alexander Livnat Environmental Protection Agency

Solid Waste and Emergency Response

5304P, Washington, DC 20460

Washington , DC 20460

Phone: 703 308-7251

FAX: 703 605-0595

E-Mail: [Livnat.Alexander@epa.gov](mailto:Livnat.Alexander@epa.gov)

**Agency Contact:** Steve Souders Environmental Protection Agency

Solid Waste and Emergency Response

5304P, Washington, DC 20460

Washington , DC 20460

Phone: 703 308-8431

FAX: 703 605-0595

E-Mail: [souders.steve@epa.gov](mailto:souders.steve@epa.gov)

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**Environmental Protection Agency (EPA)**

**Solid Waste and Emergency Response ( SWER )**

**RIN:** 2050-AF01

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**Title:** RCRA Smarter Waste Reporting

**Abstract:** By implementing the Smarter Waste Reporting initiative, EPA hopes to decrease the regulatory burden on respondents completing the Biennial Report (BR) by eliminating the form for waste shipped offsite. We plan to do this by proposing to: (1) substitute the BR data with the more-timely data from the eManifest system and (2) improve the information we currently receive from respondents who manage their waste onsite, in an effort to improve the quality of BR data.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 262.41 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 6922(a)(6)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM		



**Additional Information:** Includes Retrospective Review under Executive Order 13563.

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal; State; Tribal

**Small Entities Affected:** Business; Governmental Jurisdictions

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 325; 2211; 332; 2122; 2111; 326; 331; 323; 3221; 482; 484; 5621; 5622; 483

**Agency Contact:** Peggy Vyas Environmental Protection Agency

Solid Waste and Emergency Response

5303P, Washington, DC 20460

Washington, DC 20460

Phone: 703 308-5477

FAX: 703 308-8433

E-Mail: [vyas.peggy@epa.gov](mailto:vyas.peggy@epa.gov)

**Agency Contact:** Lori Furr Environmental Protection Agency

Solid Waste and Emergency Response

5303P, Washington, DC 20460

Washington, DC 20460

Phone: 703 603-0596

FAX: 703 308-8433

E-Mail: [furr.lori@epa.gov](mailto:furr.lori@epa.gov)

## Environmental Protection Agency (EPA)

### Solid Waste and Emergency Response ( SWER )

RIN: 2050-AG20

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**Title:** Hazardous Waste Manifest Revisions--Standards and Procedures for Electronic Manifests

**Abstract:** This action is aimed at finalizing the development of EPA's Resource Conservation and Recovery Act (RCRA) regulatory standards and procedures that will govern the initiation, signing, transmittal, and retention of hazardous waste manifests using electronic documents and systems. There are a total of 5.1 million manifests processed each year, including State-defined hazardous waste paper manifests. EPA proposed electronic manifest standards in May 2001 as part of a more general manifest revision action that also addressed standardizing the paper manifest form's data elements and procedures (EPA Form 8700-22). The manifest form revisions were decoupled from action on the electronic manifest, and the Final Form Revisions Rule was published in the Federal Register on March 4, 2005. The May 2001 electronic manifest proposed rule was a standards-based decentralized approach under which EPA would establish and maintain the standards that would guide the development of electronic manifest systems by private sector entities that chose to participate in the system. However, since publication of the May 2001 proposed rule, EPA found that there is a broad consensus in favor of a single national "eManifest" system sponsored by EPA, rather than assorted de-centralized commercial systems. Based on public comment on the 2001 proposed electronic standards and stakeholder feedback at the May 2004 meeting, EPA published a Notice of Data Availability (NODA) on 18 April 2006 announcing EPA's preferred approach to develop a centralized web-based eManifest system to be hosted on EPA's Central Data Exchange (CDX) computer hub.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 260; 40 CFR 262; 40 CFR 263; 40 CFR 264; 40 CFR 265; 40 CFR 271 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 6922; 42 USC 6923; 42 USC 6924; 42 USC 6926; PL 105-277

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
Final Rule		
NPRM	05/22/2001	66 FR 28240
Notice	04/01/2004	69 FR 17145
Notice	04/18/2006	71 FR 19842
Notice	02/26/2008	73 FR 10204

**Additional Information:** Docket #:EPA-HQ-RCRA-2001-0032. Split from RIN 2050-AE21. NPRM Original -



<http://frwebgate2.access.gpo.gov/cgi-bin/PDFgate.cgi?WAISdocID=yLwpRg/13/2/0&WAISAction=retrieve>; NODA -  
<http://www.regulations.gov/search/Regs/home.html#documentDetail?R=090000648015f9dd>; NODA #2 -  
<http://www.epa.gov/fedrgstr/EPA-WASTE/2008/February/Day-26/f3615.pdf>. This action includes retrospective review under EO 13563;  
see: <http://www.epa.gov/regdarrt/retrospective/history.html>.

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; Local; State; Tribal**Small Entities Affected:** Business; Governmental Jurisdictions**Federalism:** No**Energy Affected:** No**RIN Information****URL:** [www.epa.gov/epaoswer/hazwaste/gener/manifest/](http://www.epa.gov/epaoswer/hazwaste/gener/manifest/)**Sectors Affected:** 325; 2211; 332; 2122; 2111; 326; 331; 323; 3221; 482; 484; 5621; 5622; 483**Agency Contact:** Rich LaShier Environmental Protection Agency

Solid Waste and Emergency Response

5304P, Washington, DC 20460

Washington, DC 20460

Phone: 703 308-8796

FAX: 703 308-0514

E-Mail: [LaShier.Rich@epa.gov](mailto:LaShier.Rich@epa.gov)**Agency Contact:** Bryan Groce Environmental Protection Agency

Solid Waste and Emergency Response

5304P, Washington, DC 20460

Washington, DC 20460

Phone: 703 308-8750

FAX: 703 308-0514

E-Mail: [Groce.Bryan@epa.gov](mailto:Groce.Bryan@epa.gov)**Environmental Protection Agency (EPA)****Solid Waste and Emergency Response ( SWER )****RIN:** 2050-AG34 [View Related Documents](#)

**Title:** Revisions to Land Disposal Restrictions Treatment Standards and Amendments to Recycling Requirements for Spent Petroleum Refining Hydrotreating and Hydrorefining Catalysts

**Abstract:** In response to a rulemaking petition, the Environmental Protection Agency is considering amending the Land Disposal Restriction (LDR) treatment requirements for EPA Waste Codes K172 and F037. EPA is also responding to other elements of the rulemaking petition in the notice. Finally, in response to separate comments received from petroleum industry representatives, EPA is considering proposing a rule to help encourage consistent levels of recycling of spent hydrotreating and hydrorefining catalysts, in a manner that protects human health and the environment.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 261; 40 CFR 268; 40 CFR 271 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 1006; 42 USC 2002(a); 42 USC 3001-3009; 42 USC 3014; 42 USC 6905; 42 USC 6906; 42 CFR 6912; 42 USC 6921; 42 USC 6922; 42 USC 6924-6927; 42 USC 6934; 42 USC 6937; 42 USC 6938**Legal Deadline:**

Action	Source	Description	Date
None			

**Regulatory Plan:****Statement of Need:****Legal Basis:** There is no court order requiring this action.

**Alternatives:** EPA decided that the alternative of not proposing this rule was not the option of choice. Further evaluation of alternatives may occur during the development of this action; currently in the early stages of development.

**Costs and Benefits:** No formal cost/benefit analysis has been performed to date.

**Risks:** This rule is responding to a petition that alleges EPA's current rules do not adequately address the risk to human health and the environment associated with the disposal of spent refinery catalysts. EPA is currently trying to better understand the risk issues. At this time, this is undetermined.

**Timetable:**

Action	Date	FR Cite
NPRM		
Notice	10/20/2003	68 FR 59935

**Additional Information:** Docket #:Legacy Docket No. RCRA-2003-0023 for 10/20/03 NODA

**Regulatory Flexibility Analysis Required:** Undetermined  
**Small Entities Affected:** No  
**Energy Affected:** No  
**Sectors Affected:** 324110; 562211  
**Agency Contact:** Ross Elliott Environmental Protection Agency  
Solid Waste and Emergency Response  
5304P, Washington, DC 20460  
Washington , DC 20460  
Phone: 703 308-8748  
FAX: 703 308-0514  
E-Mail: Elliott.Ross@epa.gov

**Government Levels Affected:** Federal; State  
**Federalism:** No

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**Environmental Protection Agency (EPA)**  
**Solid Waste and Emergency Response ( SWER )**

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**RIN:** 2050-AG61

 [View Related Documents](#)

**Title:** Financial Responsibility Requirements Under CERCLA Section 108(b) for Classes of Facilities in the Hard Rock Mining Industry  
**Abstract:** Section 108(b) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, establishes certain authorities concerning financial responsibility requirements. This provision authorizes regulation to require business operators to have some financial mechanisms in place--such as a bond or insurance policy--that can provide funds to clean or avert spills of hazardous substances without burdening taxpayers. The Agency has identified classes of facilities within the Hard Rock mining industry as those for which financial responsibility requirements will be first developed. EPA intends to include requirements for financial responsibility, as well as notification and implementation.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** Yes

**Unfunded Mandates:** Undetermined

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 9601 et seq; 42 USC 9608 (b)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
Notice	07/28/2009	74 FR 37213
NPRM	05/00/2014	

**Additional Information:** Docket #:EPA-HQ-SFUND-2009-0265. Split from RIN 2050-AG56.

**Regulatory Flexibility Analysis Required:** Business

**Government Levels Affected:** Federal

**Federalism:** Undetermined

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/superfund/policy/financialresponsibility/>

**Public Comment**

**URL:** <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-SFUND-2009-0265-0001>

**Sectors Affected:** 212; 331

**Agency Contact:** Ben Lesser Environmental Protection Agency  
Solid Waste and Emergency Response  
5302P, Washington, DC 20460  
Washington , DC 20460  
Phone: 703 308-0314  
E-Mail: Lesser.Ben@epa.gov

**Agency Contact:** David Hockey Environmental Protection Agency  
Solid Waste and Emergency Response  
5303P, Washington, DC 20460  
Washington , DC 20460  
Phone: 703 308-8846  
E-Mail: Hockey.David@epa.gov

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**Environmental Protection Agency (EPA)**  
**Solid Waste and Emergency Response ( SWER )**

RIN: 2050-AG66

 [View Related Documents](#)**Title:** CERCLA/EPCRA Reporting Requirements for Air Releases of Hazardous Substances From Animal Waste at Farms

**Abstract:** On December 18, 2008, EPA published a Final Rule, "CERCLA/EPCRA Administrative Reporting Exemption for Air Releases of Hazardous Substances from Animal Waste at Farms (73 FR 76948) ("the Final Rule"). The Final Rule established exemptions from certain reporting requirements under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and the Emergency Planning and Community Right to Know Act (EPCRA). On January 15, 2009, Waterkeeper Alliance, Sierra Club, the Humane Society of the United States, Environmental Integrity Project, the Center for Food Safety, and Citizens for Pennsylvania's Future (collectively, "Waterkeeper") filed a Petition for Review of the Final Rule. The petition challenged the exemptions under both CERCLA and EPCRA. On March 17, 2009, the National Pork Producers Council filed its Petition for Review challenging a portion of the Final Rule that amended the EPCRA regulations. The two cases were consolidated. On February 11, 2009, the National Chicken Council, National Turkey Federation, and U.S. Poultry & Egg Association moved to intervene on behalf of EPA to assert their interests in the Final Rule. The case was held in abeyance so that the Parties could participate in the D.C. Circuit Mediation Program. While the mediation process did not resolve the issues raised by all of the Parties, it did raise issues warranting reconsideration of the final rule by EPA. As such, EPA sought and received a voluntary remand, without vacatur of the Final Rule during the re-evaluation period. In this action, EPA is reconsidering the Final Rule based on (1) policy choices that were initially made in the promulgation of the Final Rule; (2) views that were articulated by the Parties during the mediation process; and (3) additional data that is now available. The additional data includes data that was collected as part of the National Air Emissions Monitoring Study (NAEMS). EPA's Science Advisory Board (SAB) is currently evaluating draft emissions estimating methodologies (EEMs) based on the NAEMS data. Because EPA intends to use final EEMs as part of the proposed rule, the schedule for the publication of the proposed rule is dependent on a timely finalization of those EEMs.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 40 CFR 302; 40 CFR 355 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 9603; 42 USC 11004**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	12/00/2013	

**Additional Information:** Docket #:EPA-HQ-SFUND-2007-0469**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Federal; Local; State**Federalism:** No**Energy Affected:** No**Sectors Affected:** 112**Agency Contact:** Lynn Beasley Environmental Protection Agency

Solid Waste and Emergency Response

5104A, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-1965

FAX: 202 564-2625

E-Mail: [beasley.lynn@epa.gov](mailto:beasley.lynn@epa.gov)

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**Environmental Protection Agency (EPA)**  
**Solid Waste and Emergency Response ( SWER )**

RIN: 2050-AF08

 [View Related Documents](#)

**Title:** Emergency Planning and Community Right-to-Know Act: Modification to the Threshold Planning Quantity Methodology for the Extremely Hazardous Substances That are Solids in Solution

**Abstract:** In March 2012, EPA finalized an alternative approach for applying the threshold planning quantity (TPQ) for chemicals on the Extremely Hazardous Substances (EHSs) List that are handled as non-reactive solids in solution. Previously, the TPQs for solids in solution were based on the assumption that the entire quantity of the solid chemical at a facility could potentially be released to air in the event of an accident. The final rule allows facilities to multiply the amount of non-reactive solid EHS in solution on-site by 0.2 before comparing it to its TPQ, based on experimental data indicating that only 20% of aerosols from accidental releases of solids in solution would disperse beyond a facility's fence line.

**Priority:** Other Significant

**Major:** No

**CFR Citation:** 40 CFR 355 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 1102

**Legal Deadline:** None

**Agenda Stage of Rulemaking:** Completed Action

**Unfunded Mandates:** No

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	04/15/2011	76 FR 21299
Final Rule	03/22/2012	77 FR 16679

**Additional Information:** Docket #:EPA-HQ-SFUND-2010-0586. This action includes retrospective review under EO 13563; see: <http://www.epa.gov/regdarrt/retrospective/history.html>.

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Business

**Energy Affected:** No

**Government Levels Affected:** No

**Federalism:** No

**RIN Information URL:** [www.epa.gov/oem](http://www.epa.gov/oem)

**Public Comment URL:** NPRM -

<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-SFUND-2010-0586-0001>

**Agency Contact:** Kathy Franklin Environmental Protection Agency  
Solid Waste and Emergency Response  
5104A, Washington, DC 20460  
Washington, DC 20460  
Phone: 202 564-7987  
FAX: 202 564-2625  
E-Mail: [Franklin.Kathy@epa.gov](mailto:Franklin.Kathy@epa.gov)

**Agency Contact:** Sicy Jacob Environmental Protection Agency  
Solid Waste and Emergency Response  
5104A, Washington, DC 20460  
Washington, DC 20460  
Phone: 202 564-8019  
FAX: 202 564-2625  
E-Mail: [Jacob.Sicy@epamail.epa.gov](mailto:Jacob.Sicy@epamail.epa.gov)

**Environmental Protection Agency (EPA)**  
**Solid Waste and Emergency Response ( SWER )**

**RIN:** 2050-AG52

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**Title:** Hazardous Waste Technical Corrections and Clarifications Rule

**Abstract:** On March 18, 2010, EPA published a Direct Final rule, and parallel Proposed rule that made a number of specific technical changes to correct or clarify several parts of the Resource Conservation and Recovery Act hazardous waste regulations. Because the Agency received adverse comments on a number of the amendments, the Agency withdrew them. This final rule addresses two of the amendments that were withdrawn; the four remaining amendments that were withdrawn will remain withdrawn unless and until EPA determines action is warranted in the future.

**Priority:** Substantive, Nonsignificant

**Major:** No

**CFR Citation:** 40 CFR 261 40 CFR 262 40 CFR 266 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 6905 to 6906 42 USC 6912 42 USC 6921 to 6927 42 USC 6930 42 USC 6933 to 6939 42 USC 6974

**Agenda Stage of Rulemaking:** Completed Action

**Unfunded Mandates:** No

**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	03/18/2010	75 FR 13066
Notice	06/04/2010	75 FR 31716
Final Rule	04/13/2012	77 FR 22229

**Additional Information:** EPA publication information: NPRM - <http://www.regulations.gov/search/Regs/home.html#documentDetail?R=0900006480ac0398>; EPA Docket information: EPA-HQ--RCRA-2008-0678

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jim OLeary Environmental Protection Agency

Solid Waste and Emergency Response

5304P, Washington, DC 20460

Washington , DC 20460

Phone: 703 308-8827

FAX: 703 308-0514

E-Mail: [OLeary.Jim@epa.gov](mailto:OLeary.Jim@epa.gov)**Agency Contact:** Jessica Young Environmental Protection Agency

Solid Waste and Emergency Response

5304P, Washington, DC 20460

Washington , DC 20460

Phone: 703 308-0026

FAX: 703 308-0514

E-Mail: [Young.Jessica@epa.gov](mailto:Young.Jessica@epa.gov)

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**Environmental Protection Agency (EPA)****Solid Waste and Emergency Response ( SWER )****RIN:** 2050-AG64 [View Related Documents](#)

**Title:** Hazardous Chemical Reporting; Community Right-to-Know: Revisions to the Emergency and Hazardous Chemical Inventory Forms (Tier I and Tier II)

**Abstract:** The Agency revised the Emergency and Hazardous Chemical Inventory Forms (Tier I and II) rule under Section 312 of the Emergency Planning and Community Right-to-Know Act (EPCRA) to require additional data elements and revise some existing data elements. State and local implementing agencies requested that EPA add the new data elements since the additional information would be useful to develop or modify their community emergency response plans. EPA also revised some existing data elements in the chemical reporting section of the Tier II inventory form to make reporting easier for facilities and make the form more user-friendly for state and local officials.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 47 CFR 370 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 11022**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:**

**Risks:****Timetable:**

Action	Date	FR Cite
NPRM	08/08/2011	76 FR 48093
Final Rule	07/13/2012	77 FR 41300
Final Rule Effective	01/01/2014	

**Additional Information:** Docket #:EPA-HQ-SFUND-2010-0763-0001. <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-SFUND-2010-0763-0031>

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Business

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/oem/content/epcra/index.htm>

**Sectors Affected:** 51; 31-33; 44-45; 48-49; 22; 42

**Agency Contact:** Sicy Jacob Environmental Protection Agency

Solid Waste and Emergency Response

5104A, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-8019

FAX: 202 564-2625

E-Mail: [Jacob.Sicy@epamail.epa.gov](mailto:Jacob.Sicy@epamail.epa.gov)

**Government Levels Affected:** Federal; Local; State; Tribal

**Federalism:** No

**Public Comment URL:** NPRM -

<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-SFUND-2010-0763-0001>

**Environmental Protection Agency (EPA)****Solid Waste and Emergency Response ( SWER )**

**RIN:** 2050-AG69

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**Title:** Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure (SPCC) Rule--Compliance Date Amendment for Farms

**Abstract:** In a rule signed on November 10, 2011, EPA amended the date by which certain farms must prepare or amend, and implement their Spill Prevention, Control, and Countermeasure Plans from November 10, 2011 to May 10, 2013.

**Priority:** Substantive, Nonsignificant

**Major:** No

**CFR Citation:** 40 CFR 112 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 33 USC 1321

**Legal Deadline:** None

**Agenda Stage of Rulemaking:** Completed Action

**Unfunded Mandates:** No

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	10/18/2011	76 FR 64296
Direct Final Rule	10/18/2011	76 FR 64245

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Business; Governmental Jurisdictions; Organizations

**Energy Affected:** No

**Agency Contact:** Lynn Beasley Environmental Protection Agency

Solid Waste and Emergency Response

5104A, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-1965

FAX: 202 564-2625

E-Mail: [beasley.lynn@epa.gov](mailto:beasley.lynn@epa.gov)

**Government Levels Affected:** Federal; Local; State; Tribal

**Federalism:** No

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**Environmental Protection Agency (EPA)**  
**Solid Waste and Emergency Response ( SWER )**

RIN: 2050-AG71

 [View Related Documents](#)**Title:** Polychlorinated Biphenyls (PCBs): Revisions to Manifesting Regulations

**Abstract:** The EPA issued a direct final rule to update and clarify several sections of the Polychlorinated Biphenyl (PCB) regulations associated with the manifesting requirements, which uses the Resource Conservation and Recovery Act (RCRA) Uniform Hazardous Waste Manifest, under the Toxic Substances Control Act (TSCA). These changes match, as much as possible, the manifesting requirements for PCBs under TSCA to the manifesting requirements for hazardous waste under RCRA, of which the regulatory changes to implement the Uniform Hazardous Waste Manifest form were promulgated on March, 4, 2005.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 761 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 15 USC 2605, 2607, 2611, 2614, 2616**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	09/06/2012	77 FR 54863
Direct Final Rule	09/06/2012	77 FR 54818

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** William Noggle Environmental Protection Agency

Solid Waste and Emergency Response

5304P, Washington, DC 20460

Washington , DC 20460

Phone: 703 347-8769

FAX: 703 308-0514

E-Mail: [Noggle.William@epamail.epa.gov](mailto:Noggle.William@epamail.epa.gov)

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**Environmental Protection Agency (EPA)**  
**Solid Waste and Emergency Response ( SWER )**

RIN: 2050-AG73

 [View Related Documents](#)**Title:** National Oil and Hazardous Substances Pollution Contingency Plan; Revision to Increase Public Availability of the Administrative Record File

**Abstract:** EPA is considering amending Section 300.805(c)-Location of the Administrative Record File in Subpart I-Administrative Record for Selection of Response Action, of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) to acknowledge advancements in technologies used to manage and convey information to the public. Specifically, EPA is considering adding language to broaden the technology, to include computer telecommunications or other electronic means, which the lead agency is permitted to use to make the administrative record file available to the public regarding documents that form the basis for the selection of a response action. By updating language used to describe permitted technology, the lead agency will be able to serve the information needs of a broader population while maintaining the ability to provide traditional means of public access to the administrative record file, such as paper copies and microform. This amendment does not limit the lead agency's ability to make the administrative record file available to the public in traditional forms, such as paper and microform. The lead agency should assess the capacity and resources of the public to utilize and maintain an electronic- or computer telecommunications-based repository to make a decision on which approach suits a specific site. Based on the preferences of the community and the lead agency's assessment of the site-specific situation, the lead agency will determine whether to provide 1) traditional forms (e.g. paper copies; microform); 2) electronic resources; or 3) both traditional forms and electronic resources.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 300 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 33 USC 1321(c)(2); 42 USC 9601 to 9657

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	11/07/2012	77 FR 66783
Direct Final Rule	11/07/2012	77 FR 66729
Direct Final Rule Comment Period End	12/07/2012	
Direct Final Rule Effective	02/05/2013	

**Additional Information:** Docket #:EPA-HQ-SFUND-2012-0738

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Melissa Dreyfus Environmental Protection Agency

Solid Waste and Emergency Response

5204P, Washington, DC 20460

Washington, DC 20460

Phone: 703 603-8792

FAX: 703 603-9112

E-Mail: [dreyfus.melissa@epa.gov](mailto:dreyfus.melissa@epa.gov)

**Agency Contact:** Suzanne Wells Environmental Protection Agency

Solid Waste and Emergency Response

5204G, Washington, DC 20460

Washington, DC 20460

Phone: 703 603-8863

FAX: 703 603-9100

E-Mail: [wells.suzanne@epa.gov](mailto:wells.suzanne@epa.gov)

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## Environmental Protection Agency (EPA)

### Air and Radiation ( AR )

**RIN:** 2060-AR04

 [View Related Documents](#)

**Title:** Protection of Stratospheric Ozone: Adjustments to the Allowance System for Controlling HCFC Production, Import, and Export for 2015-2019

**Abstract:** EPA is proposing to adjust the allowance system that controls the U.S. consumption and production of ozone-depleting substances known as hydrochlorofluorocarbons (HCFCs) to lower the amount of available allowances. While much less destructive to stratospheric ozone than chlorofluorocarbons (CFCs), HCFCs contribute to ozone depletion and alternatives are generally available. The HCFC allowance system is part of EPA's program to reduce the emissions of ozone depleting substances to protect the stratospheric ozone layer. Protection of the stratospheric ozone layer helps reduce rates of skin cancer and cataracts. The U.S. is obligated under the Montreal Protocol on Substances that Deplete the Ozone Layer to limit HCFC consumption and production in a stepwise fashion achieving specific levels by specific dates. Reductions occurred January 1, 2004, and January 1, 2010. This rulemaking would implement the next phasedown step, a reduction to 90% below the production and consumption baselines beginning January 1, 2015.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** PreRule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 82 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7671 to 7671(q)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**



**Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
ANPRM	02/00/2013	
NPRM	09/00/2013	
Final Rule	07/00/2014	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.**RIN Information****URL:** <http://www.epa.gov/ozone/title6/phaseout/classtwo.html>**Sectors Affected:** 333415; 423620; 325120; 424690; 238220; 423730**Agency Contact:** Luke Hall-Jordan Environmental Protection Agency

Air and Radiation

6205J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9591

FAX: 202 343-2338

E-Mail: [Hall-Jordan.Luke@epa.gov](mailto:Hall-Jordan.Luke@epa.gov)**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR12 [View Related Documents](#)**Title:** Revised Regulation for Environmental Radiation Protection Standard for Nuclear Power Operations

**Abstract:** EPA issued the "Environmental Radiation Protection Standards for Nuclear Power Operations" in 1977. Since issuance of these standards, the understanding of radiation risk and dose to humans has advanced and new methodologies have been developed to calculate radiation doses. In view of the developments over the past decades, EPA is evaluating how to update the Environmental Radiation Protection Standards for Nuclear Power Operations in 40 CFR part 190. An updated rule would draw on updated science and clarify how safety should be demonstrated. EPA is issuing an advanced notice of proposed rulemaking (ANPRM) to solicit public input on general questions and approaches on what aspects of the rule should be updated.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** PreRule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 40 CFR 190 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Atomic Energy Act; Reorg Plan 3**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
ANPRM	08/00/2013	

**Additional Information:** EPA Docket information: NA at this time**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Federal; State**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.epa.gov/radiation/>**Agency Contact:** Brian Littleton Environmental Protection Agency

Air and Radiation  
 6608J, Washington, DC 20460  
 Washington , DC 20460  
 Phone: 202 343-9216  
 E-Mail: [littleton.brian@epamail.epa.gov](mailto:littleton.brian@epamail.epa.gov)  
**Agency Contact:** Tom Peake Environmental Protection Agency  
 Air and Radiation  
 6608J, Washington, DC 20460  
 Washington , DC 20460  
 Phone: 202 343-9765  
 FAX: 202 343-2304  
 E-Mail: [Peake.Tom@epamail.epa.gov](mailto:Peake.Tom@epamail.epa.gov)

**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

**RIN:** 2060-AM08

 [View Related Documents](#)

**Title:** Review of New Source Performance Standards (NSPS) and Amendments to Emissions Guidelines (EG) for Municipal Solid Waste Landfills (WWW and Cc)

**Abstract:** Section 111(b)(1) of the Clean Air Act (CAA) directs EPA to review and, if appropriate, revise the New Source Performance Standards (NSPS) at least every 8 years after promulgation. This is a review of subpart WWW, Standards of Performance for Municipal Solid Waste Landfills, section 60.750-60.759, which was last promulgated in 1996. Issues raised in amendments proposed for the NSPS and Emissions Guidelines (EG) in 2002 and 2006 will also be addressed. Non-methane organic compounds (NMOC) are regulated under the current NSPS and EG.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 60 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7411

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Consent decree, mandatory 8-year review	05/01/2013
Other	Judicial	Mandatory 8-year review	05/01/2014

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	09/08/2006	71 FR 53272
Supplemental NPRM	05/00/2013	
Final Rule	05/00/2014	

**Additional Information:** Docket #:EPA-HQ-OAR-2003-0215. NPRM was published 09/08/2006 (71 FR 53272) as RIN 2060-AJ41.

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Local; State

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 924110; 562212

**Related RINs:** Previously Reported as 2060-AH13; Previously Reported as 2060-AJ41

**Agency Contact:** Hillary Ward Environmental Protection Agency  
 Air and Radiation  
 E143-05, Research Triangle Park, NC 27711  
 Research Triangle Park , NC 27711  
 Phone: 919 541-3154  
 E-Mail: [ward.hillary@epa.gov](mailto:ward.hillary@epa.gov)

**Agency Contact:** David Cozzie Environmental Protection Agency  
 Air and Radiation  
 1200 Pennsylvania Ave, NW, Washington, DC 20460

Washington , DC 20460  
Phone: 919 541-5356  
E-Mail: cozzie.david@epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AM49

 [View Related Documents](#)

**Title:** Protection of Stratospheric Ozone: Revision to the Venting Prohibition for Specific Substitute Refrigerants

**Abstract:** Using authority under section 608 of the Clean Air Act, this rule would exempt hydrocarbon refrigerants from the existing prohibition on venting, release and disposal of refrigerants. EPA recently listed hydrocarbon refrigerants as being acceptable or acceptable subject to use conditions as substitutes for ozone depleting substances under EPA's Significant New Alternative Policy Program. EPA is proposing to take this action based on current evidence that venting, release and disposal of hydrocarbon refrigerants do not pose a threat to the environment.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 82 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7414; 42 USC 7601; 42 USC 7671 to 7671(q)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** No

**Energy Affected:** No

**RIN Information URL:** [www.epa.gov/ozone/title6/608](http://www.epa.gov/ozone/title6/608)

**Agency Contact:** Tom Land Environmental Protection Agency

Air and Radiation

6205J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9185

FAX: 202 343-2362

E-Mail: [land.tom@epamail.epa.gov](mailto:land.tom@epamail.epa.gov)

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AO60

 [View Related Documents](#)

**Title:** New Source Performance Standards (NSPS) Review

**Abstract:** The goal of EPA's New Source Performance Standards (NSPS) Review under CAA section 111(b)(1)(B) is to address our obligation to review and revise each NSPS at a minimum of every eight years. The review will outline criteria that the Agency believes indicates that a standard remains effective and need not be reviewed. The strategy also seeks to minimize the administrative burden of the NSPS program by initially addressing those NSPS that remain effective based on "readily available information" and do not need to be revised.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7411; 42 USC 7429

**Legal Deadline:** None

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Final Rule		
ANPRM	10/24/2011	76 FR 65653
NPRM	09/00/2013	

**Additional Information:** This action includes retrospective review under EO 13563; see:  
<http://www.epa.gov/regdarrt/retrospective/history.html>.

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** Undetermined

**Agency Contact:** Janice Godfrey Environmental Protection Agency

Air and Radiation

D205-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3391

FAX: 919 541-5600

E-Mail: [godfrey.janice@epa.gov](mailto:godfrey.janice@epa.gov)

**Agency Contact:** Lisa Conner Environmental Protection Agency

Air and Radiation

D205-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5060

E-Mail: [conner.lisa@epa.gov](mailto:conner.lisa@epa.gov)

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AP06 [View Related Documents](#)

**Title:** New Source Performance Standards for Grain Elevators--Amendments

**Abstract:** The New Source Performance Standard for Grain Elevators was promulgated in 1978 with the latest amendments made in 1984. Since that time there have been a number of changes in the technology used for storing and loading/unloading grain at elevators. The rule has seen increased activity of late, due to the increase in ethanol production that has lead to bumper crops of corn being grown, which, in turn, has led to a need for increased grain storage. For these reasons a review and potential change in certain definitions is necessary to ensure the appropriate standards are being applied consistently throughout the industry.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 60.300 (Revision) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7411; Clean Air Act sec 111; 15 USC 2005

**Legal Deadline:** None

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	01/00/2013	
Final Rule	12/00/2013	

**Additional Information:** This action includes retrospective review under EO 13563; see:  
<http://www.epa.gov/regdarrt/retrospective/history.html>.

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Energy Affected:** No

**Sectors Affected:** 115114

**Agency Contact:** Bill Schrock Environmental Protection Agency

Air and Radiation

E143-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5432

FAX: 919 541-3470

E-Mail: [schrock.bill@epa.gov](mailto:schrock.bill@epa.gov)

**Agency Contact:** Robin Dunkins Environmental Protection Agency

Air and Radiation

E143-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5335

FAX: 919 541-3470

**Government Levels Affected:** No

**Federalism:** No

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AP38 [View Related Documents](#)

**Title:** Review of the National Ambient Air Quality Standards for Ozone

**Abstract:** Under the Clean Air Act, EPA is required to review and, if appropriate, revise the air quality criteria for the primary (health-based) and secondary (welfare-based) national ambient air quality standards (NAAQS) every 5 years. On March 23, 2008, the EPA published a final rule to revise the primary and secondary NAAQS for ozone to provide increased protection of public health and welfare. With regard to the primary standard for ozone, EPA revised the level of the 8-hour ozone standard to 0.075 ppm. With regard to the secondary ozone standard, EPA made it identical in all respects to the primary ozone standard, as revised. EPA initiated the current review in October 2008 with a workshop to discuss key policy-relevant issues around which EPA would structure the review. This review includes the preparation of an Integrated Science Assessment, Risk/Exposure Assessment, and a Policy Assessment Document by EPA, with opportunities for review by EPA's Clean Air Scientific Advisory Committee and the public. These documents inform the Administrator's proposed decision as to whether to retain or revise the standards.

**Priority:** Economically Significant

**Major:** Yes

**Agenda Stage of Rulemaking:** Proposed Rule

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 50 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7408; 42 USC 7409

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:** National Ambient Air Quality Standards as required by the CAA.

**Legal Basis:** CAA Sections 108 and 109.

**Alternatives:** Not yet determined.

**Costs and Benefits:** Not yet determined.

**Risks:** Not yet determined.

**Timetable:**

Action	Date	FR Cite
Notice	04/28/2011	76 FR 23755
NPRM	10/00/2013	
Final Rule	09/00/2014	

**Additional Information:** Docket #:EPA-HQ-OAR-2008-0699

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Energy Affected:** No

**RIN Information URL:** <http://www.epa.gov/ozone/>

**Agency Contact:** Susan Stone Environmental Protection Agency

**Government Levels Affected:** Federal; Local; State; Tribal

**Federalism:** No

Air and Radiation  
C504-06, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-1146  
FAX: 919 541-0237  
E-Mail: stone.susan@epamail.epa.gov

**Agency Contact:** Karen Martin Environmental Protection Agency  
Air and Radiation  
C504-06, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-5274  
FAX: 919 541-0237  
E-Mail: Martin.Karen@epamail.epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AP63

 [View Related Documents](#)

**Title:** Compliance and Emissions Data Reporting Rule

**Abstract:** EPA published an advance notice of proposed rulemaking (ANPRM) in October 2009 seeking comment on proposed approaches to improving the emissions factors program. The Agency sought comment on acquiring data for the development or improvement of the emissions factors; specifically, proposing to require the submission (via electronic reporting) of performance testing information already collected by industry by revising the reporting requirements in 40 CFR parts 60, 61, and 63 for a new source performance standard (NSPS) and national emissions standards for hazardous air pollutants (NESHAP). Performance tests are conducted periodically to measure the air pollutant emissions from an industrial process and are used as an indicator of compliance with regulations. In addition to performance test data, this rulemaking proposes to require the electronic submission of other selected compliance data, such as excess emissions reports, that are already being compiled and submitted by industry to regulatory authorities. These data can be used for regulation development, control strategy development, rule effectiveness studies, risk analyses, and other air pollution control activities.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 40 CFR 60; 40 CFR 63; 40 CFR 65 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Not Yet Determined

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
ANPRM	10/14/2009	74 FR 52723
ANPRM Comment Period End Extended	11/13/2009	74 FR 58574
NPRM	05/00/2013	

**Additional Information:** EPA publication information: ANPRM - <http://www.epa.gov/fedrgstr/EPA-AIR/2009/October/Day-14/a24684.pdf>

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** No

**Energy Affected:** Undetermined

**Agency Contact:** Thomas Driscoll Environmental Protection Agency  
Air and Radiation  
D243-05, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-5135  
FAX: 919 541-1039  
E-Mail: driscoll.tom@epamail.epa.gov

**Agency Contact:** Bob Schell Environmental Protection Agency  
Air and Radiation  
E-143-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711  
Phone: 919 541-4116  
FAX: 919 541-3207  
E-Mail: schell.bob@epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

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RIN: 2060-AP89

 [View Related Documents](#)

**Title:** Federal Reference Method for Lead in Total Suspended Particulate Matter

**Abstract:** On November 12, 2008, EPA substantially strengthened the national ambient air quality standards (NAAQS) for lead. EPA revised the level of the primary (health-based) standard from 1.5 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) to  $0.15\mu\text{g}/\text{m}^3$ , measured as total suspended particles (TSP) and revised the secondary (welfare-based) standard to be identical in all respects to the primary standard. In conjunction with strengthening the lead (Pb) NAAQS, EPA identified the need for States to improve existing lead monitoring networks. Depending on specific circumstances, States may have the option of using monitoring for either lead in TSP (Pb-TSP) or lead in PM10 (Pb-PM10) using approved Federal Reference Methods (FRMs) or Federal Equivalent Methods (FEMs) to meet monitoring requirements. To support new monitoring requirements, an FRM for Pb-PM10 was developed with the November 8, 2008 rulemaking. The FRM for Pb-TSP was left unchanged. The Pb-TSP FRM was promulgated in 1978. EPA recognizes that significant advances in measurement technology have been made since the promulgation of the original FRM. In order to support new monitoring requirements for Pb-TSP and update the FRM to improve it based on advanced measurement technology, a new FRM must be developed.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 50 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7403; 42 USC 7410; 42 USC 7601(a); 42 USC 7611; 42 USC 7618

**Legal Deadline:**

Action	Source	Description	Date
None			

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2013	

**Additional Information:** SAN No. 5388

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Joann Rice Environmental Protection Agency

Air and Radiation

C304-06, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3372

FAX: 919 541-1903

E-Mail: Rice.Joann@epamail.epa.gov

**Agency Contact:** Lewis Weinstock Environmental Protection Agency

Air and Radiation

C304-06, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3661

FAX: 919 541-1903

E-Mail: weinstock.lewis@epamail.epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AP93

 [View Related Documents](#)**Title:** Revision of New Source Performance Standards for New Residential Wood Heaters

**Abstract:** EPA is revising the New Source Performance Standards (NSPS) for new residential wood heaters. This action is necessary because it updates the 1988 NSPS to reflect significant advancements in wood heater technologies and design, broadens the range of residential wood-heating appliances covered by the regulation, and improves and streamlines implementation procedures. This rule is expected to require manufacturers to redesign wood heaters to be cleaner and lower emitting. In general, the design changes would also make the heaters perform better and be more efficient. The revisions are also expected to streamline the process for testing new model lines by allowing the use of International Standards Organization (ISO)-accredited laboratories and certifying bodies, which will expand the number of facilities that can be used for testing and certification of the new model lines. This action is expected to include the following new residential wood-heating appliances: -- Adjustable burn-rate wood heaters -- Pellet stoves -- Single burn-rate wood heaters -- Outdoor hydronic heaters (outdoor wood boilers) -- Indoor hydronic heaters (indoor wood boilers) -- Wood-fired, forced-air furnaces -- Masonry heaters. These standards would apply only to new residential wood heaters and not to existing residential wood-heating appliances.

**Priority:** Economically Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 40 CFR 60 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** CAA sec 111(b)(1)(B)**Legal Deadline:**

Action	Source	Description	Date
Other	Statutory	This statutory final rule deadline is not driving the schedule for this action.	02/26/1996

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	06/00/2013	
Final Rule	03/00/2014	

**Additional Information:** Docket #:EPA-HQ-OAR-2009-0734**Regulatory Flexibility Analysis Required:** Business;  
Governmental Jurisdictions**Government Levels Affected:** Federal; Local; State; Tribal**Federalism:** No**Energy Affected:** No**Sectors Affected:** 333415; 333414; 238140**Agency Contact:** Gil Wood Environmental Protection Agency

Air and Radiation

C404-05, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-5272

FAX: 919 541-0242

E-Mail: wood.gil@epa.gov

**Agency Contact:** David Cole Environmental Protection Agency

Air and Radiation

C404-05, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-5565

FAX: 919 541-0242

E-Mail: cole.david@epa.gov

**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AP96 [View Related Documents](#)

**Title:** National Emission Standards for Hazardous Air Pollutants: Startup, Shutdown, and Malfunction Amendments to Part 63 Standards



**Abstract:** This action proposes to amend regulations in the General Provisions of regulations promulgated under the Clean Air Act (subpart A of Part 63) that provide for or are related to an exemption from the requirement to comply with Clean Air Act section 112 emission standards during startup, shutdown, and malfunction (SSM) events. On December 19, 2008, in *Sierra Club v. EPA*, the United States Court of Appeals for the District of Columbia Circuit vacated the SSM. These General Provisions are not specific to any source category and apply when incorporated into source category-specific standards. In addition, other subparts with similar provisions will be amended so that applicable standards will no longer have exceptions for sources that report malfunction conditions, to reflect the court vacatur.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7401 et seq

**Legal Deadline:**

Action	Source	Description	Date
None			

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal; State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 325; 334; 335; 332; 311; 337; 333; 424; 212; 339; 327; 211; 322; 324; 326; 331; 323; 313; 314; 336; 221; 321

**Agency Contact:** Matthew Witosky Environmental Protection Agency

Air and Radiation

D205-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-2865

E-Mail: witosky.matthew@epa.gov

**Agency Contact:** Lisa Conner Environmental Protection Agency

Air and Radiation

D205-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5060

E-Mail: conner.lisa@epa.gov

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## Environmental Protection Agency (EPA)

### Air and Radiation ( AR )

RIN: 2060-AQ71

 [View Related Documents](#)

**Title:** Amendment to Restore Credible Evidence Language in the Compliance Certification Provisions of the Operating Permits Rules

**Abstract:** This proposal will amend the compliance certification provisions to restore a sentence removed by error in a previous amendment. The June 27, 2003, final rule that amended the Compliance Certification Requirements language inadvertently omitted a sentence.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 70.6(c)(5)(iii)(B); 40 CFR 71.6(c)(5)(iii)(B) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7401

**Legal Deadline:**

Action	Source	Description	Date
None			

**Regulatory Plan:**

**Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	04/00/2013	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; Local; State; Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Joanna Swanson Environmental Protection Agency

Air and Radiation

C304-04, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-5282

FAX: 919 541-5509

E-Mail: swanson.joanna@epa.gov

**Agency Contact:** Juan Santiago Environmental Protection Agency

Air and Radiation

C504-05, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-1084

FAX: 919 541-5509

E-Mail: santiago.juan@epamail.epa.gov

**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AQ75 [View Related Documents](#)**Title:** Petroleum Refinery Sector Risk and Technology Review and NSPS

**Abstract:** This action pertains to the Petroleum Refining industry and specifically to petroleum refinery sources that are subject to maximum achievable control standards (MACT) in 40 CFR part 63, subparts CC (Refinery MACT 1) and UUU (Refinery MACT 2) and new source performance standards (NSPS) in 40 CFR part 60, subpart Ja. Petroleum refineries are facilities engaged in refining and producing products made from crude oil or unfinished petroleum derivatives. Sources include petroleum refinery-specific process units unique to the industry, such as fluid catalytic cracking units (FCCU) and catalytic reforming units (CRU), as well as units and processes commonly found at other types of manufacturing facilities (including petroleum refineries), such as storage vessels and wastewater treatment plants. Refinery MACT 1 regulates hazardous air pollutant (HAP) emissions from common processes such as miscellaneous process vents (e.g., delayed coking vents), storage vessels, wastewater, equipment leaks, loading racks, marine tank vessel loading, and heat exchange systems at petroleum refineries. Refinery MACT 2 regulates HAP from those processes that are unique to the industry including sulfur recovery units (SRU) and from catalyst regeneration in FCCU and CRU. This action primarily proposes: 1) amendments to Refinery MACT 1 and 2 to address our obligation to assess the risk remaining after application of the original standards in accordance with CAA section 112(f)(2); and 2) amendments resulting from EPA's review of developments in practices, processes, and control technologies that have occurred since the time the EPA adopted the refinery MACT standards in accordance with CAA sections 112(d)(6). In addition, it proposes: 1) new requirements related to emissions during periods of startup, shutdown, and malfunction to ensure that the MACT standards are consistent with court opinions requiring that standards apply at all times and other Clean Air Act programs; and 2) technical corrections and clarifications for Refinery NSPS Ja. These technical corrections and clarifications were raised in a 2008 petition for reconsideration from the American Petroleum Institute, and we are addressing these petition issues in this action because they also affect sources subject to Refinery MACT 2. On January 16, 2009, the EPA Administrator signed a final rule addressing RTR standards for Refinery MACT 1. Upon further review, we determined that this rule may not have accurately characterized the risk posed by this source category. Therefore, we withdrew the risk and technology portions of the rulemaking (76 FR 42052, July 18, 2011). Subsequently, we began a significant effort to gather additional information in 2010 through a comprehensive industry-wide Information Collection Request (ICR) to gather data on HAP, criteria and other pollutants from all refinery processes sufficient to support both the Refinery MACT and NSPS reviews. Data received in response to the ICR will be used to support the analyses for this rulemaking.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 40 CFR 60 and 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Clean Air Act secs 111 and 112**Legal Deadline:** None**Regulatory Plan:**

**Statement of Need:** Risk and Technology Review as required by the CAA.

**Legal Basis:** CAA sections 111 and 112.

**Alternatives:** Not yet determined.

**Costs and Benefits:** EPA is currently assessing the costs and benefits associated with this action.

**Risks:** EPA is currently assessing risks for this action.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2013	
Final Rule	12/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2010-0682

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal; Local; State

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/ttn/atw/petrefine/petrefpg.html>

**Sectors Affected:** 324110

**Agency Contact:** Brenda Shine Environmental Protection Agency

Air and Radiation

E143-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3608

FAX: 919 541-0246

E-Mail: [shine.brenda@epamail.epa.gov](mailto:shine.brenda@epamail.epa.gov)

**Agency Contact:** Penny Lassiter Environmental Protection Agency

Air and Radiation

E1430-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5396

FAX: 919 541-0246

E-Mail: [lassiter.penny@epamail.epa.gov](mailto:lassiter.penny@epamail.epa.gov)

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## Environmental Protection Agency (EPA)

### Air and Radiation ( AR )

**RIN:** 2060-AQ86

 [View Related Documents](#)

**Title:** Control of Air Pollution From Motor Vehicles: Tier 3 Motor Vehicle Emission and Fuel Standards

**Abstract:** This action would establish more stringent vehicle emissions standards and reduce the sulfur content of gasoline as part of a systems approach to addressing the impacts of motor vehicles and fuels on air quality and public health. The rule would result in significant reductions in pollutants such as ozone, particulate matter, and air toxics across the country and help state and local agencies in their efforts to attain and maintain health-based National Ambient Air Quality Standards. These proposed vehicle standards are intended to harmonize with California's Low Emission Vehicle program, thus creating a federal vehicle emissions program that would allow automakers to sell the same vehicles in all 50 states. The vehicle standards would also coordinate with the light-duty vehicle greenhouse gas standards for model years 2017-2025, creating a nationwide alignment of vehicle programs for criteria pollutant and greenhouse gases.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Yes

**Unfunded Mandates:** State, Local, Or Tribal Governments;  
Private Sector

**CFR Citation:** 40 CFR 80; 40 CFR 85; 40 CFR 86; 40 CFR 600; 40 CFR 1036; 40 CFR 1037; 40 CFR 1065; 40 CFR 1066 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** CAA 202(a), 202(k), and 211(c)

**Legal Deadline:** None

### Regulatory Plan:

**Statement of Need:** States are working to attain National Ambient Air Quality Standards for ozone, PM, and NOx. Light-duty vehicles are responsible for a significant portion of the precursors to these pollutants and are large contributors to ambient air toxic pollution. In many nonattainment areas, by 2014, cars and light trucks are projected to contribute 30-45 percent of total nitrogen oxides (NOx) emissions, 20-25 percent of total volatile organic compound (VOC) emissions, and 5-10 percent of total direct particulate matter (PM2.5) emissions. Importantly, without future controls, by 2020 mobile sources are expected to be as much as 50 percent of the inventories of these pollutants for some individual urban areas. EPA has estimated that light-duty vehicles will contribute about half of the 2030 inventory of air toxic emissions from all mobile sources. The most recent National-Scale Air Toxics Assessment in 2005,

mobile sources were responsible for over 50 percent of cancer risk and noncancer hazard.

**Legal Basis:** The Clean Air Act section 202(a) provides EPA with general authority to prescribe vehicle standards, subject to any specific limitations elsewhere in the Act. In addition, section 202(k) provides EPA with authority to issue and revise regulations applicable to evaporative emissions of hydrocarbons from all gasoline-fueled motor vehicles. EPA is also using its authority under section 211(c) of the Clean Air Act to address gasoline sulfur controls.

**Alternatives:** The rulemaking proposal will include an evaluation of regulatory alternatives that can be considered in addition to the Agency's primary proposal.

**Costs and Benefits:** Detailed analysis of economy-wide cost impacts, emissions reductions, and societal benefits will be performed during the rulemaking process.

**Risks:** Approximately 159 million people currently live in counties designated nonattainment for one or more of the NAAQS, and this figure does not include the people living in areas with a risk of exceeding the NAAQS in the future. These people experience unhealthy levels of air pollution, which are linked with respiratory and cardiovascular problems and other adverse health impacts that lead to increased medication use, hospital admissions, emergency department visits, and premature mortality. The reductions in ambient ozone and PM2.5 that would result from the proposed Tier 3 standards would provide significant health benefits. In the absence of additional controls such as Tier 3 standards, many counties will continue to have ambient ozone and PM2.5 concentrations exceeding the NAAQS in the future. In addition, more than 50 million people live, work, or go to school in close proximity to high-traffic roadways, and the average American spends more than one hour traveling along roads each day. Exposure to traffic-related pollutants has been linked with adverse health impacts such as respiratory problems (particularly in asthmatic children) and cardiovascular problems. The Tier 3 standards would reduce criteria pollutant and air toxic emissions from cars and light trucks, which continue to be a significant contributor to air pollution directly near roads.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2013	
Final Action	12/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2011-0135.

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal; Local; Tribal

**Federalism:** Yes

**Energy Affected:** No

**Sectors Affected:** 811198; 336111; 811112; 336311; 336312; 336120; 336112; 454312; 541690; 324110; 484220; 484230

**Agency Contact:** Catherine Yanca Environmental Protection Agency

Air and Radiation

NVFEL S87, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4769

E-Mail: Yanca.Catherine@epamail.epa.gov

**Agency Contact:** Kathryn Sargeant Environmental Protection Agency

Air and Radiation

NVFEL S77, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4441

E-Mail: Sargeant.Kathryn@epamail.epa.gov

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**Environmental Protection Agency (EPA)**

**Air and Radiation ( AR )**

**RIN:** 2060-AQ95

 [View Related Documents](#)

**Title:** General Permits and Permits by Rule for the Tribal Minor New Source Review Program

**Abstract:** The Tribal Minor New Source Review (NSR) program applies to new and modified small sources and minor modifications at large sources in Indian Country. The program is implemented through issuance of preconstruction permits that can include, among other requirements, pollutant emission limits for minor sources and voluntary emission limitations on the potential-to-emit of sources that would otherwise be considered major sources similar to State minor NSR programs. State minor NSR programs often use general permits or permits by rule, which may be applied to a number of similar emission units or stationary sources to simplify permit application and issuance so that a reviewing authority's limited resource needs not be expended for the review of site-specific permits. A general permit or permit by rule may be written to address a single emissions unit, a group of the same type of emissions units, or an entire category of minor sources. General permits and permits by rule offer a cost-effective means of issuing permits and provide a quicker and simpler alternative mechanism for permitting minor sources than the site-specific permitting process. This action proposes general permits and/or source category permits by rule for the Tribal Minor NSR program for the following five source categories: gasoline dispensing facilities, autobody repair and refinishing shops, hot mix asphalt plants, and rock crushing and screening facilities.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 49 CFR 49.151-161 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7401 et seq**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	04/00/2013	
Final Action	10/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Local; Tribal**Federalism:** No**Energy Affected:** No**Agency Contact:** Mark Sendzik Environmental Protection Agency

Air and Radiation

C-304.03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5534

FAX: 919 541-0942

E-Mail: sendzik.mark@epamail.epa.gov

**Agency Contact:** Regina Chappell Environmental Protection Agency

Air and Radiation

C304-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3650

FAX: 919 541-0942

E-Mail: chappell.regina@epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR21 [View Related Documents](#)**Title:** Amendments to the Renewable Fuel Standard (RFS) and Identification of New Pathways II

**Abstract:** The Renewable Fuel Standard (RFS2) program was required by the Energy Independence and Security Act of 2007 (EISA 2007), which amended the Clean Air Act (CAA). The final regulations for RFS2 were published on March 26, 2010 (75 FR 14670). EPA has previously published clarifications, modifications, and technical amendments to the final RFS2 regulations. This proposed regulation would provide additional clarifications, modifications, and technical amendments to RFS2 and will clarify, modify and technically amend other fuel programs in 40 CFR part 80. This proposed action would assist regulated parties with complying with requirements by clarifying those requirements. This action is not expected to result in significant changes in regulatory burdens or costs. Proposed changes may include the following: 1) Various changes related to biogas, including changes related to the revised compressed natural gas (CNG)/liquefied natural gas (LNG) pathway and amendments to various associated registration, recordkeeping, and reporting provisions. 2) A lifecycle greenhouse gas emissions analysis for renewable electricity, renewable diesel and naphtha produced from landfill biogas. 3) Addresses "nameplate capacity" issues for certain production facilities that do not claim exemption from the 20% greenhouse gas (GHG) reduction threshold. 4) Addresses issues related to crop residue and corn kernel fiber and proposes an approach to determining the volume of cellulosic RINs produced from various cellulosic feedstocks. 5) A lifecycle analysis of advanced butanol and discuss the potential to allow for commingling of compliant products at the retail facility level as long as the environmental performance of the fuels would not be detrimental. 6) Changes to the E15 misfueling mitigation regulations (E15 MMR) at 40 CFR part 80, subpart N. Among the E15 changes proposed are technical corrections and amendments to sections dealing with labeling, E15 surveys, product transfer documents, and prohibited acts. We also propose to amend the definitions in order to address a concern about the rounding of test results for ethanol content violations. 7) Changes to the survey requirements associated with the ultra-low sulfur diesel (ULSD) program.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 40 CFR 80(M) (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** Clean Air Act; title II**Legal Deadline:** None**Regulatory Plan:**

**Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	02/00/2013	
Final Rule	06/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Joe Sopota Environmental Protection Agency

Air and Radiation

6406J, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-9034

FAX: 202 343-2801

E-Mail: sopata.joseph@epa.gov

**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR25 [View Related Documents](#)**Title:** Review of New Sources and Modifications in Indian Country; Definitions and Exempted Units and Activities**Abstract:** This rule will propose whether to exempt additional units or activities from the minor NSR program in Indian Country that was published on July 1, 2011. This supplemental proposal will request additional information to support which additional units and activities should be exempted. Additional definitions will be provided to clarify terms used in this minor source program.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 49.151 to 49.161; 40 CFR 49.166 to 49.173 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7401 et seq**Legal Deadline:**

Action	Source	Description	Date
None			

**Regulatory Plan:****Statement of Need:** These rules would fill a regulatory gap in Indian Country.**Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Final Rule		
NPRM	03/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2003-0076. Split from RIN 2060-AH37**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.epa.gov/nsr/>**Sectors Affected:** 221320; 211112; 212321; 221210; 211111; 238990; 311119; 321113; 321212; 323110; 324121; 327320; 331511; 332812; 337110; 424510; 424710; 562212; 721120; 811121; 924110

**Agency Contact:** Cheryl Vetter Environmental Protection Agency  
Air and Radiation  
C504-03, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-4391  
FAX: 919 541-5509  
E-Mail: [vetter.cheryl@epamail.epa.gov](mailto:vetter.cheryl@epamail.epa.gov)

**Agency Contact:** Raj Rao Environmental Protection Agency  
Air and Radiation  
C504-03, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-5344  
FAX: 919 541-5509  
E-Mail: [rao.raj@epamail.epa.gov](mailto:rao.raj@epamail.epa.gov)

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

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**RIN:** 2060-AR27

 [View Related Documents](#)

**Title:** Amendments--Electric Arc Furnace Area Source Standard

**Abstract:** We are amending the Maximum Achievable Control Technology (MACT) standard for mercury in the Electric Arc Furnace (EAF) area source rule to develop an emission limit for mercury. This limit will replace the mercury switch program as MACT. The States and environmental groups asked the EPA to reconsider the MACT work practice standard for mercury from the 2007 promulgated rule because the switch program has had a much lower success rate than expected, and is unenforceable since only self-certification is required to comply with the MACT. In addition, the basis for the work practice promulgated as MACT in 2007 is no longer valid because mercury emissions can be collected, measured, and controlled at EAF as evidenced by over 30 facilities out of the 82 area EAFs that have measured mercury emissions and one facility that is measuring, collecting, and controlling mercury under a State (NJ) mercury limit.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7412

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Donnalee Jones Environmental Protection Agency  
Air and Radiation  
D243-02, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-5251  
FAX: 919 541-3207  
E-Mail: [jones.donnalee@epa.gov](mailto:jones.donnalee@epa.gov)

**Agency Contact:** Chuck French Environmental Protection Agency  
Air and Radiation  
D243-02, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-7912  
FAX: 919 541-3207  
E-Mail: [french.chuck@epa.gov](mailto:french.chuck@epa.gov)

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

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RIN: 2060-AR34

 [View Related Documents](#)**Title:** Implementation of the 2008 National Ambient Air Quality Standards for Ozone: State Implementation Plan Requirements**Abstract:** This proposed rule will address a range of implementation requirements for the 2008 National Ambient Air Quality Standards (NAAQS) for ozone, including requirements pertaining to attainment demonstrations, reasonable further progress, reasonably available control technology, reasonably available control measures, nonattainment new source review, emission inventories, and the timing of State Implementation Plan submissions and compliance. Other issues also addressed in this proposed rule are the revocation of the 1997 ozone NAAQS for purposes other than transportation conformity; anti-backsliding requirements that would apply when the 1997 NAAQS are revoked; and routes to terminate the section 185 fee program.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 50; 40 CFR 51; 40 CFR 70; 40 CFR 71 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 42 USC 7409; 42 USC 7410; 42 USC 7511 to 7511f; 42 USC 7601(a)(1)**Legal Deadline:** None**Regulatory Plan:****Statement of Need:** This rule is needed to establish submission deadlines and requirements for what states must include in their state implementation plans (SIPs) to bring nonattainment areas into compliance with the 2008 ozone NAAQS. There is no court-ordered deadline for this proposed rule. However, the CAA requires the nonattainment area plans addressed by this rule to be developed and submitted within two to three years after the July 20, 2012 date of nonattainment designations.**Legal Basis:** CAA Section 110**Alternatives:** Not yet determined.**Costs and Benefits:** The annual burden for this information collection averaged over the first 3 years is estimated to be a total of 120,000 labor hours per year at an annual labor cost of \$2.4 million (present value) over the 3-year period or approximately \$91,000 per state for the 26 state respondents, including the District of Columbia. The average annual reporting burden is 690 hours per response, with approximately 2 responses per state for 58 state respondents. There are no capital or operating and maintenance costs associated with the proposed rule requirements. Burden is defined at 5 CFR 1320.3(b).**Risks:** Not yet determined.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2010-0885. Split from RIN 2060-AP24.**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; Local; State; Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Karl Pepple Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-2683

FAX: 919 541-0824

E-Mail: [pepple.karl@epa.gov](mailto:pepple.karl@epa.gov)**Agency Contact:** Rich Damberg Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5592

FAX: 919 541-0824

E-Mail: [damberg.rich@epamail.epa.gov](mailto:damberg.rich@epamail.epa.gov)

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

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RIN: 2060-AR41

 [View Related Documents](#)**Title:** Protection of Stratospheric Ozone: The 2013 Critical Use Exemption from the Phaseout of Methyl Bromide**Abstract:** Methyl bromide was phased out under the Clean Air Act and the Montreal Protocol on Substances that Deplete the Ozone Layer in 2005,



except for limited exemptions. This proposed action would authorize uses for the 2013 critical use exemption, and would authorize the amount of methyl bromide that may be produced, imported, or supplied from inventory for those uses in 2013. Absent this rulemaking, production and import of methyl bromide for critical uses would be zero for 2013. EPA takes this action under the authority of the Clean Air Act to reflect a consensus Decision of the Parties to the Montreal Protocol in November 2011.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 82 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7671c(d)(6)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2012	
Final Rule	06/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2010-0280

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/ozone/mbr>

**Public Comment**

**URL:** <http://www.regulations.gov/#!docketDetail;dct=FR%252BPR%252BN%252BO%252BSR;rp=25;po=0;D=EPA-HQ-OAR-2010-0280>

**Sectors Affected:** 111334; 311111; 493130; 111422; 311211; 311822; 111336; 493110; 111332; 111421; 111339; 111219; 325320; 115114; 311212; 115112; 111333; 111335

**Agency Contact:** Jeremy Arling Environmental Protection Agency

Air and Radiation

6205J, Washington, DC 20460

Washington, DC 20460

Phone: 202 343-9055

FAX: 202 343-2338

E-Mail: [Arling.Jeremy@epamail.epa.gov](mailto:Arling.Jeremy@epamail.epa.gov)

**Agency Contact:** David Donaldson Environmental Protection Agency

Air and Radiation

6205J, Washington, DC 20460

Washington, DC 20460

Phone: 202 343-9086

E-Mail: [donaldson.david@epa.gov](mailto:donaldson.david@epa.gov)

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**Environmental Protection Agency (EPA)**

**Air and Radiation ( AR )**

**RIN:** 2060-AR43

 [View Related Documents](#)

**Title:** Renewable Fuel Standard (RFS) Volume Standards for 2013

**Abstract:** In response to the Energy Independence and Security Act (EISA), EPA finalized the RFS2 program regulations. However, under EISA, the Environmental Protection Agency is required to promulgate regulations that specify the annual statutory volume requirements for renewable fuels, including cellulosic biofuel, biomass-based diesel, advanced biofuel, and total renewable fuel that must be used in transportation fuel annually. In the case of the cellulosic biofuel standard, EISA specifically requires that the standard be set based on the volume projected to be available during the following year. If the volumes are lower than those specified under EISA, then EPA may also lower the advanced biofuel and total renewable fuel standards each year accordingly. Further, the Act requires the Administrator to promulgate rules establishing the applicable volumes of biomass-based diesel for 2013 and beyond and to do so no later than 14 months before the year for which such applicable volume will apply. The 2013 biomass based diesel (BBD) volume was finalized in a separate action. This regulatory action will establish, as required, the annual statutory volume requirements for the RFS2 fuel categories (cellulosic, biomass-based diesel, advanced biofuel, and renewable fuel) that apply to all gasoline and diesel produced or imported in 2013. Entities potentially affected by this final rule are those involved with the production, distribution, and sale of

transportation fuels, including gasoline and diesel fuel or renewable fuels such as ethanol and biodiesel.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 40 CFR 80 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** CAA 211(o)

**Legal Deadline:**

Action	Source	Description	Date
Other	Statutory	Statutory Deadline	11/30/2012

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2013	
Direct Final Rule	01/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** David Korotney Environmental Protection Agency

Air and Radiation

N27, Ann Arbor, MI 48105

Ann Arbor, MI 48105

Phone: 734 214-4507

E-Mail: korotney.david@epa.gov

**Agency Contact:** Paul Argyropoulos Environmental Protection Agency

Air and Radiation

6401A, Washington, DC 20460

Washington, DC 20460

Phone: 202 564-1123

E-Mail: argyropoulos.paul@epa.gov

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## Environmental Protection Agency (EPA)

### Air and Radiation ( AR )

**RIN:** 2060-AR48

 [View Related Documents](#)

**Title:** Heavy-Duty On-Highway and Non-Road Engine and Vehicle Regulation Streamlining and Technical Amendments

**Abstract:** This rule will include technical amendments to NHTSA's and EPA's heavy-duty engine and vehicle fuel economy and GHG regulations and technical amendments to EPA's nonroad compression ignition engine "Tier 4" criteria emissions regulations. The heavy-duty fuel economy and GHG amendments are typographical fixes, clarifications, and revisions to ensure the regulations reflect the contents of the final rule's preamble. EPA will follow up further by emailing a summary table of the amendments to the EPA portions of the heavy-duty GHG regulations. The nonroad amendments affect two areas of the Tier 4 program: replacement engines and technical hardship flexibilities. The replacement engine amendments allow for the continuation of replacement engine programs such as federal and state grant programs to replace very old and highly polluting nonroad engines. The amendment would allow replacing old dirty engines with clean efficient non-Tier 4 engines, only if Tier 4 replacement engines are impractical. The technical hardship flexibility amendment allows EPA to grant a limited amount of additional technical hardship flexibility to nonroad equipment manufacturers, only if they continue to meet the existing technical hardship criteria set forth in 40 CFR 1039.625(m). This amendment is needed only because some engine manufacturers have still not been able to provide prototype engines to some nonroad equipment manufacturers on schedule to meet EPA's nonroad Tier 4 final NOx and PM standards.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 40 CFR 1036; 40 CFR 1037; 40 CFR 86; 40 CFR 1066; 40 CFR 1068 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Clean Air Act

**Legal Deadline:** None

**Regulatory Plan:**  
**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/2013	
Direct Final Rule	04/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information URL:** <http://www.epa.gov/otaq/>

**Agency Contact:** Matt Spears Environmental Protection Agency

Air and Radiation

Mail Code: ASD1, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4921

FAX: 734 214-4816

E-Mail: [spears.matt@epa.gov](mailto:spears.matt@epa.gov)

**Agency Contact:** Angela Cullen Environmental Protection Agency

Air and Radiation

AAHDOC, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4419

E-Mail: [Cullen.Angela@epamail.epa.gov](mailto:Cullen.Angela@epamail.epa.gov)

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**Environmental Protection Agency (EPA)**

**Air and Radiation ( AR )**

**RIN:** 2060-AR50

 [View Related Documents](#)

**Title:** Identification of Additional Qualifying Renewable Fuel Pathways III and Modification to the Renewable Fuels Program

**Abstract:** The Renewable Fuel Standard (RFS) 2 program was required by the Energy Independence and Security Act of 2007 (EISA 2007), which amended the Clean Air Act (CAA). The final regulations for RFS2 were published in the Federal Register on March 26, 2010 (75 FR 14670). EPA has previously published clarifications and modifications, technical amendments, and new pathways, to the final RFS2 regulations. This proposed regulation would provide additional clarifications, modifications, and technical amendments to RFS2 and will clarify, modify and technically amend other fuels programs in 40 CFR Part 80. This proposed action would assist regulated parties with complying with requirements by clarifying those requirements. This proposed action would also propose amendments to Table 1 to Section 80.1426 of the RFS2 regulations to include additional fuel pathways and assign each pathway a D-Code. It would allow producers or importers of fuel produced under these pathways to generate Renewable Identification Numbers under the program, providing that the fuel meets the other requirements for renewable fuel. This proposed action would outline EPA's lifecycle greenhouse gas evaluation, specified in Clean Air Act section 211(o), as amended by EISA for several new pathways. This proposed action would add these pathways to the table of approved fuel pathways.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 40 CFR 80 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** "Not Yet Determined"

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:** \_\_\_\_\_

Action	Date	FR Cite
NPRM	05/00/2013	
Final Rule	11/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Sharyn Lie Environmental Protection Agency

Air and Radiation

6401 A, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-1092

FAX: 202 564-1686

E-Mail: lie.sharyn@epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR52 [View Related Documents](#)**Title:** 2013 Technical Corrections and Other Amendments for the Greenhouse Gas Reporting Rule**Abstract:** This rule would make technical corrections and other amendments to specific provisions in the Greenhouse Gas Reporting Rule to provide greater clarity to facilities subject to reporting emissions under the rule. This action would make changes that ease implementation and address questions raised during implementation.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 98 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7414 and 7542**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	04/00/2013	
Final Rule	10/00/2013	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Undetermined**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.epa.gov/ghgreporting>**Agency Contact:** Rachel Schmeltz Environmental Protection Agency

Air and Radiation

6207J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9124

E-Mail: Schmeltz.rachel@epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR58 [View Related Documents](#)**Title:** National Emission Standards for Hazardous Air Pollutants Residual Risk and Technology Review for Flexible Polyurethane Foam Production**Abstract:** This action addresses the residual risk and technology reviews conducted for national emission standards for hazardous air pollutants (NESHAP) for flexible polyurethane foam production. The Flexible Polyurethane Foam MACT standard was promulgated in

October 1998 (see 63 FR 53980). EPA is required to review standards issued under section 112 and to revise them "as necessary (taking into account developments in practices, processes, and control technologies)" no less frequently than every 8 years. EPA also must evaluate the MACT standards within 8 years after promulgation and promulgate standards under CAA section 112 (f)(2) if required to provide an ample margin of safety to protect public health or prevent an adverse environmental effect. The source category potentially will be assessed for inhalation risks, including cancer risk and incidence, population cancer risk, and non-cancer effects (chronic and acute). EPA also plans to potentially evaluate multipathway risk associated with the source categories with significant levels of persistent and bioaccumulative HAP. The agency will follow the Benzene Policy to identify the source category as low risk, acceptable risk, or unacceptable risk. EPA will then evaluate the effectiveness and cost of additional risk reduction options and make acceptability and ample-margin-of-safety determinations. If the need for additional controls is identified, the standards will include technology, work practice, and/or performance standards as amendments to the existing MACT standards.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** CAA 112

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Court-ordered deadline	10/30/2013
Other	Judicial	Consent decree--Sierra Club v. Jackson; # 09-0152; USDC Northern District of California	07/30/2014

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/2013	
Final Rule	07/00/2014	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** No

**Federalism:** Undetermined

**Energy Affected:** No

**RIN Information URL:** [www.epa.gov/ttn/atw/foam/foampg.html](http://www.epa.gov/ttn/atw/foam/foampg.html)

**Agency Contact:** Kaye Whitfield Environmental Protection Agency

Air and Radiation

E-143-03, Washington, DC 20460

Washington, DC 20460

Phone: 919 541-2509

FAX: 919 541-1039

E-Mail: [whitfield.kaye@epamail.epa.gov](mailto:whitfield.kaye@epamail.epa.gov)

**Agency Contact:** Keith Barnett Environmental Protection Agency

Air and Radiation

D243-04, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-5605

FAX: 919 541-5450

E-Mail: [barnett.keith@epa.gov](mailto:barnett.keith@epa.gov)

**Environmental Protection Agency (EPA)**

**Air and Radiation ( AR )**

**RIN:** 2060-AR60

 [View Related Documents](#)

**Title:** Criteria for the Certification and Recertification of the Waste Isolation Pilot Plant's Compliance With the Disposal Regulations; Panel Closure Redesign

**Abstract:** This rule will modify a small portion of 40 CFR 194, "Criteria for the Certification and Re-certification of the Waste Isolation Pilot Plant's Compliance with the 40 CFR part 191 Disposal Regulations." 40 CFR part 194, appendix A, Condition 1 currently stipulates that the Option D Panel Closure included in DOE's 1996 Compliance Certification application be implemented to seal filled waste panels in the repository. On September 28, 2011, DOE submitted a Planned Change Request which proposes the replacement of the concrete monolith and mortared explosion wall included in the Option D Panel Closure with an alternative design consisting of steel bulkheads and mined salt backfill. According to DOE, implementation of Option D presents significant technical obstacles, and meets the same

operational performance requirements while reducing costs and impacts on waste emplacement activities. Participation is expected from EPA Region VI and OGC.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 194 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** WIPP LWA (PL 102-579)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2013	
Final Rule	08/00/2013	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Jonathan Walsh Environmental Protection Agency

Air and Radiation

1200 Pennsylvania Ave NW, Mail Code 6608J, Washington, DC 20460

Washington, DC 20460

Phone: 202 343-9238

FAX: 202 343-2305

E-Mail: [walsh.jonathan@epa.gov](mailto:walsh.jonathan@epa.gov)

**Agency Contact:** Tom Peake Environmental Protection Agency

Air and Radiation

6608J, Washington, DC 20460

Washington, DC 20460

Phone: 202 343-9765

FAX: 202 343-2304

E-Mail: [Peake.Tom@epamail.epa.gov](mailto:Peake.Tom@epamail.epa.gov)

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**Environmental Protection Agency (EPA)**

**Air and Radiation ( AR )**

**RIN:** 2060-AR61

 [View Related Documents](#)

**Title:** Greenhouse Gas Reporting Program--Change to Calculation Methodologies for Subpart I

**Abstract:** This action proposes amending the calculation and monitoring methodologies for subpart I, Electronics Manufacturing, of the Greenhouse Gas Reporting Program. Proposed changes include revising certain calculation methods, amending data reporting requirements, and clarifying terms and definitions. This action also proposes confidentiality determinations for the reporting of the data elements that would be added to subpart I as a result of the proposed rule amendments. This notice also proposes amendments to subpart A, General Provisions, to reflect proposed changes to the reporting requirements in subpart I.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 98 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7414 and 7542

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	10/16/2012	77 FR 63538
NPRM Comment Period End	01/16/2013	
Final Rule	11/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2011-0028**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.epa.gov/ghgreporting>**Public Comment****URL:** <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2011-0028-0088>**Sectors Affected:** 334111; 334419; 334413**Agency Contact:** Alexis McKittrick Environmental Protection Agency

Air and Radiation

6207J, 1200 Pennsylvania Ave NW, Washington, DC 20460

Washington, DC 20460

Phone: 202 343-9153

FAX: 202 343-2359

E-Mail: [mckittrick.alexis@epa.gov](mailto:mckittrick.alexis@epa.gov)**Agency Contact:** Lisa Grogan-McCulloch Environmental Protection Agency

Air and Radiation

6207J, Washington, DC 20460

Washington, DC 20460

Phone: 202 343-9743

E-Mail: [grogan-mcculloch.lisa@epamail.epa.gov](mailto:grogan-mcculloch.lisa@epamail.epa.gov)**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR62 [View Related Documents](#)**Title:** National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

**Abstract:** EPA is reviewing new technical information associated with the new-source limits for toxics emitted from new power plants under the Mercury and Air Toxics Standards (MATS). The new information indicates that there may be technical challenges associated with monitoring mercury emissions at the levels set for new power plants. These new plants would continue to rely on the same proven pollution control technologies to reduce harmful mercury, acid gases, and particle pollution, which will provide important health benefits to the American public. The agency believes this information warrants further review and will follow an expedited, open, and transparent process that includes public comment on any proposed changes. The agency will also use its Clean Air Act authority to stay the final standards for new power plants for 90 days during this technical review.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 60; 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7401 et seq**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Notice	08/02/2012	77 FR 45967
NPRM	11/30/2012	77 FR 71323
NPRM Comment Period End	12/31/2012	
Final Action	04/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Local; State; Tribal**Federalism:** No**Energy Affected:** Undetermined**Related RINs:** Related to 2060-AP52**Agency Contact:** Bill Maxwell Environmental Protection Agency

Air and Radiation

D243-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5430

FAX: 919 541-5450

E-Mail: maxwell.bill@epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR63 [View Related Documents](#)**Title:** Renewable Fuel Standard (RFS) Volume Standards for 2014**Abstract:** The Act requires the Administrator to promulgate rules establishing the applicable volumes of biomass-based diesel for 2013 and beyond and to do so no later than 14 months before the year for which such applicable volume will apply. This action will propose the 2014 biomass based diesel (BBD). Entities potentially affected by this final rule are those involved with the production, distribution, and sale of transportation fuels, including gasoline and diesel fuel or renewable fuels such as ethanol and biodiesel.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 40 CFR 80 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Clean Air Act**Legal Deadline:** Statutory deadline under EISA, 14 months prior to compliance year.

Action	Source	Description	Date
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**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	07/00/2013	
Final Rule	11/00/2013	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** Undetermined**Energy Affected:** Undetermined**Agency Contact:** David Korotney Environmental Protection Agency

Air and Radiation

N27, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4507

E-Mail: korotney.david@epa.gov

**Agency Contact:** Paul Argyropoulos Environmental Protection Agency

Air and Radiation

6520J ARN, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-1123

FAX: 202 564-1686

E-Mail: Argyropoulos.Paul@epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR64



 [View Related Documents](#)**Title:** Kraft Pulp Mills NSPS Review

**Abstract:** Section 111(b)(1) of the Clean Air Act (CAA) directs EPA to review and, if appropriate, revise the New Source Performance Standards (NSPS) at least every 8 years after promulgation. This is a review of subpart BB, Standards of Performance for Kraft Pulp Mills, section 60.280 to 60.285, which was promulgated in 1978 and last reviewed in 1986. The subpart is applicable to the following sources in kraft pulp mills that were installed after 1978: digester systems, brown stock washers, evaporator systems, recovery furnaces, smelt dissolving tanks, lime kilns, and condensate stripper systems. The pollutants regulated in this subpart include total reduced sulfur (TRS) compounds and particulate matter (PM). This action is subject to a citizen suit under section 304(a)(2) of the Clean Air Act brought against the US EPA under the Administrative Procedure Act, 5. U.S.C. 701-06. This complaint seeks to compel the Administrator to fulfill her mandatory duty to review the NSPS for new and modified kraft pulp mills.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** Private Sector**CFR Citation:** 40 CFR 60 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 15 USC 2005; 42 USC 7411; CAA 111**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Mandatory 8 year review	05/15/2013
Other	Judicial	Mandatory 8 year review	03/14/2014

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	05/00/2013	
Final Rule	03/00/2014	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** No**Energy Affected:** Undetermined**Agency Contact:** Kelley Spence Environmental Protection Agency

Air and Radiation

E143-03 , Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3158

FAX: 919 541-3470

E-Mail: [spence.kelley@epa.gov](mailto:spence.kelley@epa.gov)**Agency Contact:** Robin Dunkins Environmental Protection Agency

Air and Radiation

E143-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5335

FAX: 919 541-3470

E-Mail: [dunkins.robin@epa.gov](mailto:dunkins.robin@epa.gov)**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR65 [View Related Documents](#)**Title:** Air Quality: Definition of Volatile Organic Compounds--Amendment to Definition With Respect to t-Butyl Acetate

**Abstract:** In this action, EPA may propose to remove the existing special emission reporting requirements for this compound that were established in 2004 when the compound was excluded from the definition of volatile organic compounds (VOCs), because these reporting requirements are now considered to be unnecessarily burdensome. This change will allow industrial users of solvents to use it without the burden of reporting emissions.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 51.100(s) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** sec 110(a)(1); sec 110(a)(2)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2013	
Final Rule	03/00/2014	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Dave Sanders Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3356

FAX: 919 541-0824

E-Mail: sanders.dave@epa.gov

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#### Environmental Protection Agency (EPA)

#### Air and Radiation ( AR )

**RIN:** 2060-AR67

 [View Related Documents](#)

**Title:** Air Quality: Revision to Definition of Volatile Organic Compounds--Exclusion of trans 1-chloro-3,3,3-trifluoroprop-1-ene

**Abstract:** This action would exempt the chemical compound 1-chloro-3,3,3-trifluoroprop-1-ene, also known as 1233zd(E), from the definition of volatile organic compounds (VOC). This exemption would allow 1233zd(E) to be used in a number of applications including as a solvent in aerosol and non-aerosol applications, as a blowing agent for insulating foams, and as a refrigerant.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 51.100(s) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** sec 110(a)(1); sec 110(a)(2)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/2013	
Direct Final Rule	04/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2012-0393

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Dave Sanders Environmental Protection Agency

Air and Radiation  
C539-01, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-3356  
FAX: 919 541-0824  
E-Mail: sanders.dave@epa.gov

**Agency Contact:** Tom Coda Environmental Protection Agency

Air and Radiation  
C539-01, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-3037  
E-Mail: coda.tom@epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

**RIN:** 2060-AR68

 [View Related Documents](#)

**Title:** State Implementation Plans: Call to Amend Provisions Applying to Source Emissions From Startup, Shutdown, and Malfunction

**Abstract:** In this action EPA intends to propose to issue findings of substantial inadequacy for certain States whose SIPs are inconsistent with the CAA and with current EPA rules and policies concerning treatment of a source's excess emissions during periods of startup, shutdown, and malfunction (SSM). In addition, EPA will under this action issue a "SIP call" for each of the States for which a SIP inadequacy is confirmed, which requires the State to revise its SIP as necessary to correct the inadequacy. The SIP call will establish a deadline by which each of these States must submit its corrective SIP revision. A corrective SIP revision will ensure that: (1) all periods of excess emissions, regardless of cause, will be treated as violations subject to EPA enforcement action; and (2) no periods of excess emissions can be automatically exempted from emissions limits.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 52 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** CAA 110(k)(5)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2012	
Final Rule	07/00/2013	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Lisa Sutton Environmental Protection Agency

Air and Radiation  
C504-03, RTP, NC 27711  
RTP , NC 27711  
Phone: 919 541-3450  
FAX: 919 541-5509  
E-Mail: sutton.lisa@epamail.epa.gov

**Agency Contact:** Rich Damberg Environmental Protection Agency

Air and Radiation  
C539-01, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-5592  
FAX: 919 541-0824  
E-Mail: damberg.rich@epamail.epa.gov

**Environmental Protection Agency (EPA)  
Air and Radiation ( AR )**

RIN: 2060-AR69

 [View Related Documents](#)**Title:** Petroleum Refinery Sector Amendment for Flares

**Abstract:** In this action EPA plans to conduct a review of the standards dealing with overall flare performance and efficiency at petroleum refineries. Flares are often used at petroleum refineries as a control device for regulated vent streams, as well as to handle non-routine emissions (e.g., leaks, purges, emergency releases); and since the development of the current flare regulations, industry has significantly reduced the amount of waste gas being routed to flares. Generally, this reduction has affected the base load to flares and many are now receiving a small fraction of what the flare was originally designed to receive with only periodic releases of episodic or emergency waste gas that may use up to the full capacity of the flare. Many flare vent gas streams that are regulated by NESHAP and NSPS are often continuous streams that contribute to the base load of a flare; therefore, it is critical for flares to achieve good combustion efficiency at all levels of utilization. The EPA concluded an ad-hoc flare peer review study in the spring of 2012, dedicated to determining parameters for properly designed and operated flares. An eight-person review panel was tasked with answering specific charge questions relating to proper design and operation of steam and air assisted flares. The available data suggest that factors that may affect combustion efficiency and overall flare performance include over-steaming of steam assisted flares, excess aeration of air assisted flares, and maintenance of a stable flame (flame velocity and wind speed). Better flare operation practices will ultimately result in improved combustion efficiencies that have the potential to improve public health by reducing emissions of air toxics and volatile organic compounds that may pose a health risk to vulnerable populations including the young, elderly, and those with respiratory problems. The EPA does not currently plan to include potential flare amendments in RIN 2060-AQ75, "the Petroleum Refinery Sector Risk and Technology Review and NSPS" (described as Item 3 of this Regulatory Plan) because the EPA is currently reviewing the results of the peer review panel and is reaching out to various stakeholders to determine the best approach to ensure a high level of combustion efficiency at flares. The EPA is also evaluating whether to amend 40 CFR part 63, subparts CC and UUU (a.k.a., Refinery Maximum Achievable Control Technology (MACT) 1 and 2) and the Refinery New Source Performance Standards (NSPS) 40 CFR subpart Ja or to develop a separate set of requirements for flares since there are other industries in addition to the refining industry that rely on flares.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 60; 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** CAA sec 111; CAA sec 112**Legal Deadline:** None**Regulatory Plan:**

**Statement of Need:** Revising work practice standards for flares and the refining industry to assure proper operation and good combustion efficiency as part of EPA's technology review obligation under CAA section 112.

**Legal Basis:** CAA section 111 and 112**Alternatives:** Not yet determined.**Costs and Benefits:** Not yet determined.**Risks:** Risk will be addressed under a separate RTR package (See RIN 2060-AQ75).**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Federal**Federalism:** Undetermined**Energy Affected:** Undetermined**Agency Contact:** Andrew Bouchard Environmental Protection Agency

Air and Radiation

E143-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-4036

FAX: 919 541-0246

E-Mail: [bouchard.andrew@epamail.epa.gov](mailto:bouchard.andrew@epamail.epa.gov)**Agency Contact:** Penny Lassiter Environmental Protection Agency

Air and Radiation

E1430-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5396

FAX: 919 541-0246

E-Mail: [lassiter.penny@epamail.epa.gov](mailto:lassiter.penny@epamail.epa.gov)

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**Environmental Protection Agency (EPA)**

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**Air and Radiation ( AR )****RIN:** 2060-AR72 [View Related Documents](#)**Title:** RFS Renewable Identification Number (RIN) Quality Assurance Program

**Abstract:** EPA is responsible for developing and implementing regulations to ensure that transportation fuel sold in the United States contains a minimum volume of renewable fuel. The Renewable Fuel Standard (RFS) program regulations finalized in 2007 (RFS1) and 2010 (RFS2) were developed in collaboration with refiners, renewable fuel producers, and many other stakeholders. The RFS compliance program is based on the use of unique renewable identification numbers (RINs) assigned to batches of renewable fuel by renewable fuel producers and importers. These RINs can then be sold or traded, and used by any obligated party to demonstrate compliance with the applicable standard. It has recently come to EPA's attention that the production, transfer, and use of invalid RINs has resulted in violations for parties that were not aware that the RINs were invalid. The rule will propose a voluntary mechanism for ensuring that RINs have been appropriately generated.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 80 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Not Yet Determined**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	12/00/2012	
Final Action	06/00/2013	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Holly Pugliese Environmental Protection Agency

Air and Radiation

AAIO, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4288

E-Mail: [pugliese.holly@epa.gov](mailto:pugliese.holly@epa.gov)**Agency Contact:** David Korotney Environmental Protection Agency

Air and Radiation

N27, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4507

E-Mail: [korotney.david@epa.gov](mailto:korotney.david@epa.gov)

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR73 [View Related Documents](#)**Title:** Reconsideration of the Polyvinyl Chloride and Copolymers National Emission Standards for Hazardous Air Pollutants

**Abstract:** This action is in response to four petitions for reconsideration that were received for the PVC NESHAP that was finalized in April 2012. The petitions identify notice and comment issues as well as several technical consistency issues with the rule. The April 2012 final rule was issued in response to a 2008 settlement agreement with Sierra Club, MEAN, and LEAN to replace the vacated PVC MACT rule. This settlement did not include reconsideration of the existing 2007 PVC area source GACT rule. However, we decided to voluntarily review and revise the 2007 area source rule in conjunction with developing the major source MACT standard. Both industry and environmental petitioners have petitioned for reconsideration of the GACT analysis due to notice and comment.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Clean Air Act

**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	11/00/2013	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; State**Federalism:** Undetermined**Energy Affected:** No**Agency Contact:** Andrea Siefers Environmental Protection Agency

Air and Radiation

E143-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-1185

FAX: 919 541-0246

E-Mail: siefers.andrea@epamail.epa.gov

**Agency Contact:** Penny Lassiter Environmental Protection Agency

Air and Radiation

E1430-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5396

FAX: 919 541-0246

E-Mail: lassiter.penny@epamail.epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AH23 [View Related Documents](#)**Title:** Procedure 3--Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources**Abstract:** This rulemaking establishes quality assurance and quality control (QA/QC) procedures for continuous opacity monitoring systems (COMS) installed for compliance. This action is necessary because EPA does not currently have QA/QC procedures for COMS. The procedures would apply to COMS used to determine continuous compliance with opacity standards in federally enforceable regulations.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 60 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7411**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	05/08/2003	68 FR 24692
Direct Final Rule	02/14/2012	77 FR 8160
Second NPRM	02/14/2012	77 FR 8209
Notice	03/28/2012	77 FR 18709
Final Rule	08/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2003-0115

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Energy Affected:** No

**RIN Information URL:** <http://www.epa.gov/ttn/emc/proposed/m-203.pdf>

**Agency Contact:** Lula Melton Environmental Protection Agency  
Air and Radiation

E143-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-2910

FAX: 919 541-4511

E-Mail: [melton.lula@epa.gov](mailto:melton.lula@epa.gov)

**Agency Contact:** Conniesue Oldham Environmental Protection Agency

Air and Radiation

E143-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-7774

FAX: 919 541-0516

E-Mail: [oldham.conniesue@epa.gov](mailto:oldham.conniesue@epa.gov)

**Government Levels Affected:** Federal

**Federalism:** No

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#### Environmental Protection Agency (EPA)

#### Air and Radiation ( AR )

**RIN:** 2060-AN63

 [View Related Documents](#)

**Title:** Requirements for Reformulated Gasoline (RFG) Under the 8-Hour Ozone Standard for Bump-up Areas Designated Attainment for the 1-Hour Ozone Standard Prior to Revocation

**Abstract:** Reformulated Gasoline (RFG) is gasoline blended to reduce emissions that cause ozone smog. The Clean Air Act (CAA) requires certain areas to use RFG, depending on how serious the ozone problem--i.e., how far it is from attaining the National Ambient Air Quality Standards (NAAQS) for ozone. In some cases, areas that previously had a less serious ozone problem subsequently experience worse air quality, and in such cases the Clean Air Act requires them to be "bumped up" to a higher category, thereby requiring use of RFG. One complication is that the Agency is now implementing the transition from the previous ozone standard, based on the amount of pollution measured over a 1-hour period, to the new ozone standard, based on an 8-hour period. This rule would set regulations for such cases.

**Priority:** Other Significant

**Major:** No

**CFR Citation:** 40 CFR 80 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Clean Air Act 211(k)

**Legal Deadline:** None

**Agenda Stage of Rulemaking:** Final Rule

**Unfunded Mandates:** No

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	06/23/2006	71 FR 36042
Final Rule	05/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2006-0318

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Energy Affected:** No

**Sectors Affected:** 324110; 484220; 484230

**Agency Contact:** Kurt Gustafson Environmental Protection Agency

Air and Radiation

**Government Levels Affected:** No

**Federalism:** No

6406J, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 343-9219  
FAX: 202 343-2800  
E-Mail: gustafson.kurt@epa.gov

**Agency Contact:** Leila Cook Environmental Protection Agency

Air and Radiation

AASMCG, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4820

E-Mail: cook.leila@epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AO17 [View Related Documents](#)

**Title:** Air Quality: Revision to Definition of Volatile Organic Compounds--Exclusion of a Group of Four Hydrofluoropolyethers (HFPEs)

**Abstract:** This final action will exclude a group of four hydrofluoropolyethers from the definition of volatile organic compounds (VOCs) on the basis that, as precursors, these chemical compounds make only a negligible contribution to the formation of tropospheric ozone. The chemical compounds to be excluded are a) HCF2OCF2H (known as HFE134), b) HCF2OCF2OCF2H (known as HFE-236cal2), c) HCF2OCF2CF2OCF2H (known as HFE-338pcc13), and d) HCF2OCF2OCF2CF2OCF2H (known as H-Galden 1040X and also H-Galden ZT 130 (or 150 or 180)). We are also taking comment on issues concerning the chemical compounds' toxicities, global warming potentials, and stratospheric ozone depletion potentials.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 51.100(s) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 52 USC 7602(s)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	03/23/2012	77 FR 16981
Final Rule	05/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2007-0089

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 325998; 336111; 238220; 326140; 326150

**Agency Contact:** Dave Sanders Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3356

FAX: 919 541-0824

E-Mail: sanders.dave@epa.gov

**Agency Contact:** Tom Coda Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3037

E-Mail: coda.tom@epa.gov



**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AO31

 [View Related Documents](#)**Title:** Amendment of Definitions for National Emissions Standards for Hazardous Pollutants for Radionuclides**Abstract:** Subparts H and I of 40 CFR part 61 establish standards under the Clean Air Act for emissions of radionuclides other than radon from Department of Energy (DOE) and other non-DOE federal facilities. The current definition of "effective dose equivalent" refers to a method of calculation in International Commission on Radiological Protection (ICRP) publication no. 26. Removing this reference will prevent confusion if EPA incorporates newer ICRP methods for calculating effective dose equivalent in its compliance models.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 61.90(a); 40 CFR 61.101(a) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7401 et seq**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Direct Final Rule	06/00/2013	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Dan Schultheisz Environmental Protection Agency

Air and Radiation

6608J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9349

FAX: 202 343-2304

E-Mail: [schultheisz.daniel@epa.gov](mailto:schultheisz.daniel@epa.gov)**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AP08

 [View Related Documents](#)**Title:** Revisions to Test Method for Determining Stack Gas Velocity Taking Into Account Velocity Decay Near the Stack Walls**Abstract:** This action revises the voluntary test method for determining volumetric gas flow taking into account the velocity decay near the stack or duct walls. The current method addresses only sources where the flow measurements are made in locations with circular cross-sections. This revised test method addresses flow measurement locations with both circular and rectangular cross-sections, increases the accuracy of the method, and simplifies its application. The primary users of the method are owners and operators of utility units subject to the Acid Rain program and large electric generating units and large non-generating units that are subject to the nitrogen oxide State Implementation Plan call.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 60 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Clean Air Act title I**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:**

**Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	08/25/2009	74 FR 42819
Final Rule	11/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2008-0697

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 221112

**Agency Contact:** Jason Dewees Environmental Protection Agency

Air and Radiation

E143-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-9724

FAX: 919 541-0516

E-Mail: dewees.jason@epa.gov

**Agency Contact:** Conniesue Oldham Environmental Protection Agency

Air and Radiation

E143-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-7774

FAX: 919 541-0516

E-Mail: oldham.conniesue@epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )**

**RIN:** 2060-AP84

 [View Related Documents](#)

**Title:** National Emission Standards for Hazardous Air Pollutants (NESHAP) for Petroleum Refineries--Heat Exchanger Reconsideration

**Abstract:** In this action, we plan to amend the heat exchange system requirements of the national emission standards for hazardous air pollutant (NESHAP) for petroleum refineries, 40 CFR part 63, subpart CC, in response to a petition for reconsideration filed by the American Petroleum Institute on the maximum achievable control technology (MACT) standards we promulgated on October 28, 2009. We proposed amendments to address these issues and other clarifications and technical corrections in subpart CC, as well as the Uniform Standards, 40 CFR part 65, subpart L. This action will finalize amendments in subpart CC only.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 63 (Revision) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7412

**Legal Deadline:** None

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	01/06/2012	77 FR 960
Final Rule	04/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2003--0146. Split from the following RINs: 2060-AP70, 2060-AO55 and 2060-AN85.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 324110**Agency Contact:** Brenda Shine Environmental Protection Agency

Air and Radiation

E143-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3608

FAX: 919 541-0246

E-Mail: shine.brenda@epamail.epa.gov

**Agency Contact:** Penny Lassiter Environmental Protection Agency

Air and Radiation

E1430-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5396

FAX: 919 541-0246

E-Mail: lassiter.penny@epamail.epa.gov

**Environmental Protection Agency (EPA)****Air and Radiation ( )****RIN:** 2060-AQ01 [View Related Documents](#)**Title:** Revisions to Test Methods and Testing Regulations

**Abstract:** This action will make needed corrections and updates to source testing methods and testing provisions in 40 CFR parts 60, 61, and 63. For example, Method 5, which determines particulate matter from stationary sources, is being edited to remove silica gel as the prescribed drying agent. Silica gel has been listed as a potential carcinogen and other agents that are safer and more environmentally friendly are being prescribed. In Method 2, which determines stack gas velocity, a misplaced square root sign in one of the equations is being corrected. This is a periodic action that is done every several years to keep the rules up-to-date and to ensure that compliance testing and monitoring are done correctly.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 51; 40 CFR 60; 40 CFR 61; 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7401 to 7601**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	01/09/2012	77 FR 1130
Final Rule	04/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2010-0114**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; Local; State**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Sectors Affected:** 325188; 325199; 212299; 324122; 311812; 212393; 333618; 322121; 324110; 331312; 221320; 335911; 333611**Agency Contact:** Foston Curtis Environmental Protection Agency

Air and Radiation

E143-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-1063

FAX: 919 541-0516

E-Mail: curtis.foston@epa.gov

**Agency Contact:** Conniesue Oldham Environmental Protection Agency

Air and Radiation

E143-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-7774

FAX: 919 541-0516  
E-Mail: [oldham.conniesue@epa.gov](mailto:oldham.conniesue@epa.gov)

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

**RIN:** 2060-AQ36

 [View Related Documents](#)

**Title:** Supplemental Determinations for Renewable Fuels Produced Under the Final RFS2 Program From Palm Oil

**Abstract:** As indicated in the final rule for the Renewable Fuels Standard Program, while the Agency issued lifecycle greenhouse gas (GHG) threshold determinations for the major fuel pathways projected to meet the bulk of the RFS volume mandates, assessments of other new fuel pathways such as biofuels produced from palm oil, could not be completed in time for the final rule. In the process of assessing these fuels, the Agency is issuing determinations through several supplemental notices to the final rule.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 86; 40 CFR 80 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** Clean Air Act 211(o)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
Notice	01/27/2012	77 FR 4300
Direct Final Rule	08/00/2013	

**Additional Information:** Docket #:EPA-HQ- OAR-2005-0161. Split from RIN 2060-AO81.

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**RIN Information**

**URL:** <http://www.epa.gov/otaq/fuels/renewablefuels/index.htm>

**Sectors Affected:** 324110

**Agency Contact:** Paul Argyropoulos Environmental Protection Agency

Air and Radiation

6401A, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-1123

E-Mail: [argyropoulos.paul@epa.gov](mailto:argyropoulos.paul@epa.gov)

**Agency Contact:** Robert Larson Environmental Protection Agency

Air and Radiation

AAFC, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4277

E-Mail: [larson.robert@epamail.epa.gov](mailto:larson.robert@epamail.epa.gov)

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

**RIN:** 2060-AQ55

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**Title:** Amendments to Tribal Delegation of Authority Provisions in the Prevention of Significant Deterioration Program

**Abstract:** This amendment will be a policy update of a rule from several decades ago. It will amend the Part 52 Approval and Promulgation of State Implementation Plans, 1977 Clean Air Act Amendments to Prevention of Significant Deterioration (PSD) 52.21(u)

Delegation of Authority. This rule will delete a section that restricts tribes from taking delegation of the PSD program. It will add tribes to paragraph 2 along with States and local air pollution control agencies. These changes are intended to ensure that tribes are treated the same as States and locals and to enable direct delegation of New Source Review to tribes. This rule will also update paragraph numbering and an erroneous cross reference to be consistent with the current program.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 42 CFR 52.21(u) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7401 et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	12/30/2011	76 FR 82234
Final Rule	02/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2010-0943

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 924110; 238990; 324121; 811121; 721120; 323110; 212321; 211111; 424510; 331511; 332812; 221210; 211112; 311119; 424710; 327320; 321113; 221320; 321212; 562212; 337110

**Agency Contact:** Regina Chappell Environmental Protection Agency

Air and Radiation

C304-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3650

FAX: 919 541-0942

E-Mail: [chappell.regina@epa.gov](mailto:chappell.regina@epa.gov)

**Agency Contact:** Laura McKelvey Environmental Protection Agency

Air and Radiation

C304-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5497

FAX: 919 541-0942

E-Mail: [mckelvey.laura@epamail.epa.gov](mailto:mckelvey.laura@epamail.epa.gov)

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## Environmental Protection Agency (EPA)

### Air and Radiation ( AR )

**RIN:** 2060-AQ58

 [View Related Documents](#)

**Title:** Reconsideration of Final National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines

**Abstract:** On March 3, 2010, EPA issued a final rule establishing standards for emissions of hazardous air pollutants from existing stationary compression ignition engines located at major and area sources. On August 20, 2010, EPA finalized standards for emissions of HAP from existing stationary spark ignition engines located at major and area sources. EPA received several petitions to reconsider portions of the 2010 final rules. This action will finalize amendments to the rule to address certain issues raised in the petitions. EPA expects that the final rule will include alternative testing options for certain large spark ignition (generally natural gas-fueled) stationary reciprocating internal combustion engines, management practices for a subset of existing spark ignition stationary reciprocating internal combustion engines in sparsely populated areas, and alternative monitoring and compliance options for the same engines in populated areas. EPA also expects the final rule to include a limited temporary allowance for existing stationary emergency area source engines to be used for peak shaving and non-emergency demand response. In addition, EPA expects to increase the hours that stationary emergency engines may be used for emergency demand response.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** Yes

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7412(d)**Legal Deadline:**

Action	Source	Description	Date
Other	Judicial	Settlement agreement	12/14/2012

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Notice	12/07/2010	75 FR 75937
Comment Period Extended	12/23/2010	75 FR 80761
NPRM	06/07/2012	77 FR 33812
NPRM Comment Period Extended	06/21/2012	77 FR 37361
Final Rule	01/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2008-0708. Split from RIN 2060-AP36. Judicial comments: Consent decree for NESHAP for non-emergency stationary diesel engines 300 HP or greater.

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Undetermined**Small Entities Affected:** Business; Governmental Jurisdictions**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.epa.gov/ttn/atw/rice/ricepg.html>**Agency Contact:** Melanie King Environmental Protection Agency

Air and Radiation

D243-01, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-2469

E-Mail: [king.melanie@epamail.epa.gov](mailto:king.melanie@epamail.epa.gov)**Agency Contact:** Robert Wayland Environmental Protection Agency

Air and Radiation

D243-01, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-1045

FAX: 919 541-5450

E-Mail: [Wayland.RobertJ@epamail.epa.gov](mailto:Wayland.RobertJ@epamail.epa.gov)

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AQ84 [View Related Documents](#)**Title:** Protection of Stratospheric Ozone: Listing of Substitutes for Ozone-Depleting Substances--Fire Protection

**Abstract:** This direct final action would list as acceptable (subject to use restrictions) three substitutes for ozone-depleting halons used in the fire suppression and explosion protection sector under EPA's Significant New Alternatives Policy (SNAP) Program. The SNAP Program evaluates substitutes for ozone-depleting substances and publishes lists of acceptable and unacceptable substitutes. The intended effect of the SNAP Program is to support the transition away from ozone-depleting substances through review of substitutes and their effects on human health and the environment. Halons are chemicals that were once widely used in the fire protection sector, but new production has been banned in the U.S. since 1994 because their emissions into the atmosphere are highly destructive to the stratospheric ozone layer. This rulemaking lists three substitutes as acceptable, subject to use restrictions, for ozone-depleting halons in the fire suppression and explosion protection sector. Two of the substitutes are for use as total flooding agents to replace halon 1301, and one substitute is for use as a streaming agent to replace halon 1211. This action provides users of specialized fire protection systems with additional flexibility in choosing alternatives to ozone-depleting halons. The primary users for these fire suppressants are specialty industrial and commercial fire protection applications.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 82 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7414; 42 USC 7601; 42 USC 7671 to 7671(q)**Legal Deadline:** None

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	09/19/2012	77 FR 58081
Direct Final Rule	09/19/2012	77 FR 58035
Final Rule	05/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2011-0111**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.epa.gov/ozone/snap/fire/>**Sectors Affected:** 336411; 325998; 339999; 238210; 336413; 334290; 332919; 336611**Agency Contact:** Bella Maranion Environmental Protection Agency

Air and Radiation

6205J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9749

FAX: 202 343-2363

E-Mail: [Maranion.Bella@epa.gov](mailto:Maranion.Bella@epa.gov)**Agency Contact:** Cindy Newberg Environmental Protection Agency

Air and Radiation

6205J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9729

FAX: 202 343-2363

E-Mail: [Newberg.Cindy@epa.gov](mailto:Newberg.Cindy@epa.gov)**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AQ89 [View Related Documents](#)**Title:** Reconsideration of National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources; Amendments

**Abstract:** The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Chemical Manufacturing Area Sources was promulgated on October 29, 2009. The standards included requirements for nine source categories in one subpart. On February 12, 2010, EPA received a petition for reconsideration from the American Chemistry Council and the Society of Chemical Manufacturers & Affiliates. The petitioners requested that EPA reconsider six aspects of the final rule because the requirements were not described in, nor were logical outgrowth of, the proposed rule. The six provisions are: (1) Title V permits are required for sources that installed controls after 1990 to become area sources (the source categories were exempt from title V in proposal); (2) the requirement that sources with equipment subject to the final rule and another rule comply with either each provision independently or with the most stringent requirements of each rule; (3) the requirement that leak inspections include "direct and proximal (thorough)" inspection of all areas of potential leak within the chemical manufacturing process unit (CMPU); (4) the requirement that process vessels in hazardous air pollution (HAP) service be equipped with a cover or lid that must be in place at all times when the vessel contains HAP, except for material addition and sampling; (5) the requirement to conduct leak inspections only during those periods when equipment is in HAP service; and (6) the broad definition of "family of materials" in determining applicability of CMPUs. On June 15, 2010, EPA granted reconsideration and in the supplemental proposal EPA requested comment on the six provisions.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Clean Air Act sec 112**Legal Deadline:** None**Regulatory Plan:****Statement of Need:**

**Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	12/14/2010	75 FR 77799
Interim Final Rule	12/14/2010	75 FR 77760
Final Rule	03/14/2011	76 FR 13514
Second NPRM	01/30/2012	77 FR 4522
Notice	10/25/2012	77 FR 65135
Final Rule	12/00/2012	

**Additional Information:** Docket #:EPA-HQ-OAR-2008-0334**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Energy Affected:** No**Sectors Affected:** 325**Agency Contact:** Nick Parsons Environmental Protection Agency

Air and Radiation

E143-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5372

FAX: 919 541-0246

E-Mail: parsons.nick@epamail.epa.gov

**Agency Contact:** Penny Lassiter Environmental Protection Agency

Air and Radiation

E1430-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5396

FAX: 919 541-0246

E-Mail: lassiter.penny@epamail.epa.gov

**Government Levels Affected:** State**Federalism:** No**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AQ91 [View Related Documents](#)**Title:** Greenhouse Gas New Source Performance Standard for Electric Generating Units for New Sources**Abstract:** This action will amend the new source performance standards (NSPS) for electric generating units (EGUs) and will establish the first NSPS for greenhouse gas (GHG) emissions. The rule will establish CO2 emission standards for certain new and reconstructed fossil fuel-fired electric generating units (EGUs).**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 60 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** CAA 111**Legal Deadline:** None**Regulatory Plan:****Statement of Need:** Electric Generating Units (EGUs) are the largest stationary source of greenhouse gas (GHG) emissions in the US. Plants have a 40 plus year life, so sources that commence construction today may be emitting GHGs past 2050.**Legal Basis:** In Massachusetts vs. EPA, in April of 2007 the Supreme Court found that EPA has authority to regulate greenhouse gases under the Clean Air Act. One of the logical outgrowths of the Massachusetts decision is that EPA should be addressing significant GHG emissions from stationary sources.**Alternatives:** While we proposed a standard of 1000 lbs GHG/MWh, we took comment on a range of standards from 950 lbs GHG/MWh to 1100 Lbs GHG/MWh. We also proposed to allow coal-fired units to comply using a 30 year average, and took comment on various ways to average GHG emissions across time.**Costs and Benefits:** Because both Energy Information Administration (EIA) and EPA do not project any new coal-fired EGUs to be constructed beyond a handful that will install CCS (as part of a DOE demonstration project), we do not project costs and benefits associated with the rule.



**Risks:** The risk addressed is the current and future threat of climate change to public health and welfare, as demonstrated in the 2009 Endangerment and Cause or Contribute Findings for Greenhouse Gases Under section 202(a) of the Clean Air Act. The EPA made this determination based primarily upon the recent, major assessments by the U.S. Global Change Research Program (USGCRP), the National Research Council (NRC) of the National Academies and the Intergovernmental Panel on Climate Change (IPCC).

**Timetable:**

Action	Date	FR Cite
NPRM	04/13/2012	77 FR 22392
Final Rule	03/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2011-0660

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** Yes

**Public Comment**

**URL:** <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2011-0660-0001>

**Sectors Affected:** 221

**Agency Contact:** Christian Fellner Environmental Protection Agency

Air and Radiation

D243-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-4003

FAX: 919 541-5450

E-Mail: [fellner.christian@epamail.epa.gov](mailto:fellner.christian@epamail.epa.gov)

**Agency Contact:** Nick Hutson Environmental Protection Agency

Air and Radiation

D243-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 451-2968

FAX: 919 541-5450

E-Mail: [hutson.nick@epa.gov](mailto:hutson.nick@epa.gov)

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**Environmental Protection Agency (EPA)**

**Air and Radiation ( AR )**

**RIN:** 2060-AQ98

 [View Related Documents](#)

**Title:** Protection of Stratospheric Ozone: Adjustments to the Allowance System for Controlling HCFC Production, Import, and Export for 2012-2014

**Abstract:** In 2009, EPA finalized a rule allocating hydrochlorofluorocarbon (HCFC) allowances for the 2010-2014 control periods (74 FR 66412). Two allowance holders challenged how EPA established the baselines for HCFC-22 and HCFC-142b in the U.S. Court of Appeals for the District of Columbia Circuit. The Court vacated the rule in part and remanded it to EPA. This rulemaking responds to the Court's decision with respect to the 2012-2014 control periods.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 82 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7671 to 7671(q)

**Legal Deadline:** None

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	01/04/2012	77 FR 237
Final Rule	01/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2011-0354

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**RIN Information**

**URL:** <http://www.epa.gov/ozone/title6/phaseout/classtwo.html>

**Sectors Affected:** 333415; 423620; 325120; 424690; 238220; 423730

**Agency Contact:** Luke Hall-Jordan Environmental Protection Agency

Air and Radiation

6205J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9591

FAX: 202 343-2338

E-Mail: [Hall-Jordan.Luke@epa.gov](mailto:Hall-Jordan.Luke@epa.gov)

**Agency Contact:** Staci Gatica Environmental Protection Agency

Air and Radiation

6205J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9469

FAX: 202 343-2338

E-Mail: [Gatica.Staci@epa.gov](mailto:Gatica.Staci@epa.gov)

**Environmental Protection Agency (EPA)**

**Air and Radiation ( AR )**

**RIN:** 2060-AR00

 [View Related Documents](#)

**Title:** National Uniform Standards for Storage Vessel and Transfer Operations, Equipment Leaks, Closed Vent Systems, and Control Devices

**Abstract:** Organic chemical processing industries such as Oil and Gas, Petroleum Refining, and Chemical production have similar emission sources that are often required to be controlled to similar levels by the same type of control devices and work practice standards. The air pollution control regulatory requirements for these sources have evolved and improved as different New Source Performance Standards (NSPS) and Maximum Achievable Control Technology (MACT) have been developed over the years. This has resulted in requirements that are different and in many cases insufficient especially with respect to ensuring continuous compliance. This action will develop and consolidate state-of-the-art uniform standards that may be referenced in future regulatory actions, such as new and revised Control Technique Guidelines documents, NSPS technology reviews, and MACT Risk and Technology reviews for specific source categories within these industries. The uniform standards are expected to include requirements for work practices and equipment standards and for monitoring, recordkeeping, and reporting requirements. Uniform standards will be developed in this action for the following: 1) equipment leaks and ancillary systems; 2) closed vent systems and control devices; and 3) storage vessels and transfer operations. General provisions will also be updated accordingly in this action. In addition to developing the uniform standards, EPA also expects to develop tools for the proper application of these uniform standards during rule development, including anticipated costs and pollutant emission reductions. The public comment period for this action was extended to September 24, 2012.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 65 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** CAA sec 111; CAA sec 112

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:** To be determined.

**Legal Basis:** To be determined.

**Alternatives:** To be determined.

**Costs and Benefits:** To be determined.

**Risks:** To be determined.

**Timetable:**

Action	Date	FR Cite
NPRM	03/26/2012	77 FR 17898
Final Rule	09/00/2013	

**Additional Information:** This action includes retrospective review under EO 13563; see:

<http://www.epa.gov/regdarrt/retrospective/history.html>.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Brenda Shine Environmental Protection Agency

Air and Radiation

E143-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3608

FAX: 919 541-0246

E-Mail: shine.brenda@epamail.epa.gov

**Agency Contact:** Penny Lassiter Environmental Protection Agency

Air and Radiation

E1430-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5396

FAX: 919 541-0246

E-Mail: lassiter.penny@epamail.epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR07 [View Related Documents](#)

**Title:** Addition of New Fuel Pathways I Under the Renewable Fuel Standard (RFS2) Program

**Abstract:** This action will amend Table 1 to section 80.1426 of the RFS2 regulations to include additional fuel pathways and assigns each pathway a D-Code. It allows producers or importers of fuel produced under these pathways to generate Renewable Identification Numbers under the program, providing that the fuel meets the other requirements for renewable fuel. This action outlines EPA's lifecycle greenhouse gas evaluation, specified in Clean Air Act section 211(o), as amended by EISA for several new pathways including: biofuels produced from camolina oil, biofuels produced from several types of energy grasses, renewable gasoline produced from residue and waste cellulosic feedstocks, and biofuels produced from the sugars in specified feedstocks used to produce cellulosic biofuel.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 80 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7545

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	01/05/2012	77 FR 462
Direct Final Rule	01/05/2012	77 FR 700
Withdrawal Notice	03/05/2012	77 FR 13009
Final Rule	02/00/2013	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Vincent Camobreco Environmental Protection Agency

Air and Radiation

6401A, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-9043

E-Mail: camobreco.vincent@epa.gov

**Agency Contact:** Paul Argyropoulos Environmental Protection Agency

Air and Radiation

6401A, Washington, DC 20460

Washington , DC 20460  
Phone: 202 564-1123  
E-Mail: argyropoulos.paul@epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

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RIN: 2060-AR11

 [View Related Documents](#)

**Title:** Federal Plan Requirements for Hospital/Medical/Infectious Waste Incinerators Constructed On or Before December 1, 2008 and NSPS: Hospital/Medical/Infectious Waste Incinerators

**Abstract:** On October 6, 2009, EPA adopted amendments to the September 15, 1997, New Source Performance Standards (NSPS) and Emissions Guidelines (EG) for hospital/medical/infectious waste incinerators (HMIWI). The amendments were developed in response to the March 2, 1999, remand of the 1997 HMIWI regulations by the U.S. Court of Appeals for the District of Columbia Circuit (the Court), which requested further explanation of EPA's reasoning in determining the minimum regulatory "floors" for new and existing HMIWI. Sections 111 and 129 of the Clean Air Act (CAA) require states with existing HMIWI subject to the EG to submit plans to EPA that implement and enforce the EG. State plans to implement the EG adopted on September 15, 1997, are already in place, and revised or new State plans to implement the amended EG adopted on October 6, 2009, are currently undergoing EPA review. The deadline for States to submit revised/new State plans to EPA for review was October 6, 2010. If a State with existing HMIWI does not submit an approvable plan within 2 years after promulgation of the EG, sections 111(d) and 129 of the CAA require EPA to develop, implement, and enforce a Federal plan for HMIWI in the State. The EPA adopted a HMIWI Federal plan on August 15, 2000, to implement the September 15, 1997, EG. On April 23, 2012, the EPA proposed amendments to the hospital/medical/infectious waste incinerators federal plan to implement the amended emission guidelines adopted on October 6, 2009, for those states that do not have an approved revised/new state plan implementing the emission guidelines, as amended, in place by October 6, 2011. Also on April 23, 2012, the EPA proposed to amend the new source performance standards to better reflect our original intent in the October 6, 2009, final rule in eliminating an exemption during startup, shutdown and malfunction periods from the requirement to comply with standards at all times. This action will finalize the amendments to the hospital/medical/infectious waste incinerators federal plan and amendments to the new source performance standards.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 62 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** CAA sec 111; CAA sec 129

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	04/23/2012	77 FR 24272
NPRM Comment Period End	06/07/2012	
Final Rule	04/00/2013	

**Additional Information:** EPA Docket information: Docket#A-91-61, A-98-24, and EPA-HQ-OAR-2006-0534

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; State; Tribal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/ttnatw01/129/hmiwi/rihmiwi.html>

**Agency Contact:** Amy Hambrick Environmental Protection Agency

Air and Radiation

E143-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-0964

FAX: 919 541-3470

E-Mail: [hambrick.amy@epamail.epa.gov](mailto:hambrick.amy@epamail.epa.gov)

**Agency Contact:** David Cozzie Environmental Protection Agency

Air and Radiation

1200 Pennsylvania Ave, NW, Washington, DC 20460

Washington , DC 20460  
Phone: 919 541-5356  
E-Mail: cozzie.david@epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AR18

 [View Related Documents](#)**Title:** Air Quality Designations for the 2010 Sulfur Dioxide Primary National Ambient Air Quality Standard**Abstract:** This final action will establish initial air quality designations for some areas of the United States under the revised 2010 SO2 Primary NAAQS. Designations of attainment, nonattainment or unclassifiable are based on air quality monitoring data, air quality modeling data, and other relevant information pertaining to the air quality in the affected area, including whether an area contributes to a violation of the standard in a nearby area. EPA is required to make the final initial designations no later than 2 years from the June 3, 2010 promulgation of the revised NAAQS.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 81 (Revision) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7407(d)**Legal Deadline:**

Action	Source	Description	Date
Other	Statutory	Final initial designations are required no later than 2 years from the June 3, 2010 promulgation of the revised NAAQS	06/03/2013

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Final Rule	02/00/2013	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State; Local; Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Rhonda Wright Environmental Protection Agency

Air and Radiation

C539-04, Research Triangle Park, NC 27709

Research Triangle Park , NC 27709

Phone: 919 541-1087

FAX: 919 541-0824

E-Mail: Wright.Rhonda@epa.gov

**Agency Contact:** Rhea Jones Environmental Protection Agency

Air and Radiation

C539-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-2940

FAX: 919 541-5489

E-Mail: jones.rhea@epamail.epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AR30

 [View Related Documents](#)**Title:** Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers: Amendment to the Definition "Regulated NSR Pollutant" Concerning Condensable Particulate Matter**Abstract:** This final rule will amend the definition of "regulated NSR pollutant" in the Prevention of Significant Deterioration (PSD) regulations for SIP-approved programs and the Federal PSD program, and the New Source Review (NSR) regulation called the

Emission Offset Interpretative Rule. This amendment will correct an inadvertent error that required the inclusion of the condensable PM fraction for "particulate matter emissions" under the PSD regulations and the Emission Offset Interpretative Rule. States that did not require the inclusion of the condensable PM fraction in the measurement of "particulate matter emissions" prior to the 2008 final rule will not be required to add such a new requirement. However, States have the authority to require a more stringent test method (e.g., the inclusion of the condensable PM fraction) if they choose to do so through their State Implementation Plans.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 51.166; 40 CFR 51; app S; 40 CFR 52.21 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** Clean Air Act

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	03/16/2012	77 FR 15656
Final Rule	10/25/2012	77 FR 65107
Final Rule Effective	12/24/2012	

**Additional Information:** Docket #:EPA-HQ-OAR-2003-0062

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information URL:** [www.epa.gov/nsr](http://www.epa.gov/nsr)

**Agency Contact:** Dan DeRoeck Environmental Protection Agency

Air and Radiation

C504-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5593

FAX: 919 541-5509

E-Mail: [deroeck.dan@epamail.epa.gov](mailto:deroeck.dan@epamail.epa.gov)

**Agency Contact:** Raj Rao Environmental Protection Agency

Air and Radiation

C504-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5344

FAX: 919 541-5509

E-Mail: [rao.raj@epa.gov](mailto:rao.raj@epa.gov)

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**Environmental Protection Agency (EPA)**

**Air and Radiation ( AR )**

**RIN:** 2060-AR44

 [View Related Documents](#)

**Title:** Modifications to Renewable Fuel Standard and Diesel Sulfur Programs

**Abstract:** This rule will qualify a fuel oil that is used to heat residential, business, commercial, industrial, or military buildings. This would not include fuel oils used to generate process heat, power, or other functions. The fuel oil would be used to generate heat to warm buildings or other facilities where people live, work, recreate, or conduct other activities. This amends the existing definition of heating oil in 40 CFR section 80.1401 to include these fuel oils. This is in addition to the fuel oils currently included in the definition of heating oil, and does not modify or limit the fuel included in the current definition. This rule also applies specific recordkeeping requirements to verify the fuel is used in approved applications. EPA is also amending the requirements under EPA's diesel sulfur program related to the sulfur content of locomotive and marine diesel fuel produced by transmix processors. These amendments will allow locomotive and marine diesel fuel produced by transmix processors to meet a maximum 500 parts per million (ppm) sulfur standard provided that; the fuel is used in older technology locomotive and marine engines that do not require 15 ppm sulfur diesel fuel, the fuel is used outside of the Northeast Mid-Atlantic Area, and the fuel is kept segregated from other fuel. These amendments will provide significant regulatory relief for transmix processors while having a neutral or net positive environmental impact. EPA is also amending the fuel marker requirements for 500 ppm sulfur locomotive and marine (LM) diesel fuel to address an oversight in the original

rulemaking where the regulations failed to incorporate provisions described in the rulemaking preamble to allow for solvent yellow 124 marker to transition out of the distribution system.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 80.1401 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7414; 42 USC 7545; 42 USC 7601(a); 42 USC 7542

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	10/09/2012	77 FR 61313
Direct Final Rule	10/09/2012	77 FR 61281
Withdrawal of Direct Final Rule	12/00/2012	
Direct Final Rule Effective	12/10/2012	
Final Rule	01/00/2013	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/otaq/fuels/renewablefuels/index.htm>

**Agency Contact:** Paul Argyropoulos Environmental Protection Agency

Air and Radiation

6401A, Washington, DC 20460

Washington, DC 20460

Phone: 202 564-1123

E-Mail: [argyropoulos.paul@epa.gov](mailto:argyropoulos.paul@epa.gov)

**Agency Contact:** Madison Le Environmental Protection Agency

Air and Radiation

Washington, DC 20460

Washington, DC 20460

Phone: 202 343-9094

E-Mail: [le.madison@epamail.epa.gov](mailto:le.madison@epamail.epa.gov)

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**Environmental Protection Agency (EPA)**

**Air and Radiation ( AR )**

**RIN:** 2060-AR46

 [View Related Documents](#)

**Title:** Heavy-Duty Highway Program: Revisions for Emergency Vehicles and SCR Maintenance

**Abstract:** On January 18, 2001, EPA published a rule promulgating more stringent NOx and PM standards for heavy duty highway engines ("the heavy-duty highway rule"), entitled "Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards" (66 FR 5001). EPA has previously published clarifications and technical amendments to that final heavy-duty highway rule. This action would provide additional clarification, modifications, and technical amendments to the regulations for heavy-duty highway engines and would clarify, modify, and technically amend some provisions in 40 CFR parts 86 and 1068. This action would assist regulated parties to comply with requirements by clarifying and/or simplifying those requirements. Specifically, this action would provide flexibility for on-highway emergency-response vehicles with respect to emissions of particulate matter and oxides of nitrogen. This action would also amend the requirements for emission-related scheduled maintenance with respect to replacement of diesel exhaust fluid, which is used in selective catalytic reduction control systems. This action is not expected to result in significant changes in regulatory burdens or costs.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 40 CFR 86 and 1068 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Clean Air Act

**Legal Deadline:** None

**Regulatory Plan:**  
**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	06/08/2012	77 FR 34149
NPRM Comment Period End	07/27/2012	
Final Rule	01/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information URL:** <http://www.epa.gov/otaq/highway-diesel/regs/2007-heavy-duty-highway.htm>

**Agency Contact:** Matt Spears Environmental Protection Agency

Air and Radiation

Mail Code: ASD1, Ann Arbor, MI 48105

Ann Arbor, MI 48105

Phone: 734 214-4921

FAX: 734 214-4816

E-Mail: [spears.matt@epa.gov](mailto:spears.matt@epa.gov)

**Agency Contact:** Lauren Steele Environmental Protection Agency

Air and Radiation

Ann Arbor, MI 48105

Ann Arbor, MI 48105

Phone: 734 214-4788

E-Mail: [steele.lauren@epa.gov](mailto:steele.lauren@epa.gov)

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## Environmental Protection Agency (EPA)

Air and Radiation ( AR )

RIN: 2060-AR59

 [View Related Documents](#)

**Title:** Revision to Ambient Nitrogen Dioxide Monitoring Requirements

**Abstract:** Nitrogen Dioxide (NO2) monitoring requirements were revised in February 2010 as part of the revision to the NO2 National Ambient Air Quality Standards. The revised requirements included network design elements that required monitors for characterizing concentrations near major roads, across areawide extents, and in areas with vulnerable and susceptible populations. The required deadline for the establishment of the revised NO2 network was January 1, 2013. The Annual Monitoring Network Plans addressing these revisions are due July 1, 2012, for approval by the Administrator. The EPA is proposing revisions to the deadline for the near-road element of the network which establishes a phased approach that is more practical for States to implement and for EPA to fund. These changes will establish a series of deadlines that collectively implement the near-road network between January 1, 2014, and January 1, 2017, more closely matching the schedule for anticipated EPA grant funding as well as monitoring agency capacity for implementing the new sites. No changes are being proposed for the deadline affecting the areawide and vulnerable and susceptible network elements. Additionally, no changes are being proposed to the population thresholds for monitoring finalized in the 2010 rule. The EPA is also proposing to change the Annual Monitoring Network Plan approval authority from Administrator to Regional Administrator, as was originally intended, which is consistent with the approval authority for other networks characterizing ozone and fine particles, for example.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 58 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7403; 42 USC 7410; 42 USC 7601; 42 USC 7611; 42 USC 7619

**Legal Deadline:** None

**Regulatory Plan:**  
**Statement of Need:**

**Legal Basis:**

**Alternatives:**



**Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	10/19/2012	77 FR 64244
Comment Period End	11/19/2012	
Final Action	01/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2012-0486**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local; State**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Public Comment URL:** <http://www.gpo.gov/fdsys/pkg/FR-2012-10-19/pdf/2012-25423.pdf>**Sectors Affected:** 924110**Agency Contact:** Nealson Watkins Environmental Protection Agency

Air and Radiation

C304-06, RTP, NC 27711

RTP, NC 27711

Phone: 919 541-5522

FAX: 919 541-1903

E-Mail: [watkins.nealson@epa.gov](mailto:watkins.nealson@epa.gov)**Agency Contact:** Lewis Weinstock Environmental Protection Agency

Air and Radiation

C304-06, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-3661

FAX: 919 541-1903

E-Mail: [weinstock.lewis@epamail.epa.gov](mailto:weinstock.lewis@epamail.epa.gov)**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR66 [View Related Documents](#)**Title:** National Emission Standards for Hazardous Air Pollutants for Secondary Lead Smelters; Amendments

**Abstract:** These amendments will fix an inadvertent error that occurred when the Secondary Lead Smelting RTR was added to the eCFR. The final rule regulatory text for the RTR reproduced the entire subpart rather than only including amendatory text and used the same section numbers as the original NESHAP. This was done to aid the public in locating and understanding the entire subpart in one location since many changes were made to the original rule. As a result, the entire subpart was replaced in the eCFR, removing the old sections and replacing them with the new versions. The compliance date for existing sources to meet the requirements of the RTR is January 6, 2014. The Agency intended for those sources to continue complying with the requirements included in the original NESHAP until the compliance date for the RTR amendments arrives. The eCFR no longer contains those requirements due to the inadvertent replacement of the entire subpart. These amendments will add a paragraph to the regulatory text that clarifies sources that must continue complying with the requirements that were in effect prior to the RTR amendments until the compliance date for the RTR amendments arrives.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** CAA sec 112**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Direct Final Rule	05/00/2013	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Energy Affected:** No**Sectors Affected:** 331492**Agency Contact:** Nathan Topham Environmental Protection Agency

Air and Radiation

D243-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-0483

FAX: 919 541-3207

E-Mail: topham.nathan@epamail.epa.gov

**Agency Contact:** Chuck French Environmental Protection Agency

Air and Radiation

D243-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-7912

FAX: 919 541-3207

E-Mail: french.chuck@epa.gov

**Government Levels Affected:** No**Federalism:** No

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR70 [View Related Documents](#)**Title:** Air Quality: Revision to Definition of Volatile Organic Compounds--Exclusion of 2,3,3,3-tetrafluoropropene**Abstract:** This final action will add 2,3,3,3-tetrafluoropropene (also known as HFO-1234yf) to the list of compounds excluded from the definition of volatile organic compounds (VOCs) on the basis that this compound makes a negligible contribution to tropospheric ozone formation. The exemption of this compound from control as a VOC will allow industrial users of refrigerants to use it without the burden of controlling emissions.**Priority:** Other Significant**Major:** No**CFR Citation:** 40 CFR 5100(s) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** sec 110(a)(1); sec 110(a)(2)**Legal Deadline:** None**Agenda Stage of Rulemaking:** Final Rule**Unfunded Mandates:** No**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Final Rule	06/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2010-0605**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Energy Affected:** No**Agency Contact:** Dave Sanders Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3356

FAX: 919 541-0824

E-Mail: sanders.dave@epa.gov

**Agency Contact:** Tom Coda Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

**Government Levels Affected:** Local; State**Federalism:** No

Phone: 919 541-3037  
E-Mail: coda.tom@epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AN93

 [View Related Documents](#)

**Title:** Improving Implementation of the Operating Permit Rules in Response to the Clean Air Act Advisory Committee Recommendations

**Abstract:** This action addresses potential improvements to the regulations implementing the Clean Air Act's title V operating permits program. Under the title V program, each facility that is a major source of specified air pollutants is required to obtain a permit that describes allowable emissions and other conditions. The improvements to the program were among those recommended to EPA by a 18-member Task Force formed by the Clean Air Act Advisory Committee, with representatives from industry, environmental groups, and state and local agencies.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 70; 40 CFR 71 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Clean Air Act

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM		

**Additional Information:** Includes Retrospective Review under E.O. 13563.

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal; Local; State; Tribal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information URL:** :

<http://www.epa.gov/air/oaqps/permits/index.html>

**Agency Contact:** Jennifer Snyder Environmental Protection Agency  
Air and Radiation

C504-05, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3003

FAX: 919 541-5509

E-Mail: Snyder.Jennifer@epamail.epa.gov

**Agency Contact:** Juan Santiago Environmental Protection Agency

Air and Radiation

C504-05, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-1084

FAX: 919 541-5509

E-Mail: santiago.juan@epamail.epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AN99

 [View Related Documents](#)

**Title:** National Emission Standards for Hazardous Air Pollutants (NESHAP): Mercury Cell Chlor-Alkali Plants--Amendments

**Abstract:** This action is a final for the amendments of the national emission standards for hazardous air pollutants (NESHAP) for mercury emissions from mercury cell chlor-alkali plants that were promulgated in 2003. The 2003 NESHAP limited mercury air emissions

from existing plants and prohibited the use of mercury in new plants. Following promulgation of the 2003 NESHAP, EPA received a petition to reconsider several aspects of the rule from the Natural Resources Defense Council (NRDC). NRDC also filed a petition for judicial review of the rule in the U.S. Court of Appeals for the D.C. Circuit. By a letter dated April 8, 2004, EPA granted NRDC's petition for reconsideration, and on July 20, 2004, the Court placed the petition for judicial review in abeyance pending EPA's action on the reconsideration. In May 2008, EPA proposed amendments in response to NRDC's petition for reconsideration. The 2008 amendments proposed changes to the regulation for cell room fugitive mercury emissions to require recordkeeping of work practice standards for cell rooms in all facilities as well as to require instrumental monitoring of cell room fugitive mercury emissions for all plants. The 2008 proposed rule also amended aspects of the 2003 NESHAP to correct errors and inconsistencies that had been brought to EPA's attention since the NESHAP was promulgated. This supplemental proposal in March 2011, covered technical corrections, revised start and shutdown requirements, and included a proposed additional control option. This action will finalize the amendments.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7412

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
Final Rule		
NPRM	06/11/2008	73 FR 33258
Supplemental NPRM	03/14/2011	76 FR 13852

**Additional Information:** Docket #:EPA-HQ- OAR-2002-0017

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/ttn/atw/hgcellcl/hgcellclpg.html>

**Sectors Affected:** 325181

**Agency Contact:** Chuck French Environmental Protection Agency

Air and Radiation

D243-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-7912

FAX: 919 541-3207

E-Mail: french.chuck@epa.gov

**Agency Contact:** Nathan Topham Environmental Protection Agency

Air and Radiation

D243-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-0483

FAX: 919 541-3207

E-Mail: topham.nathan@epamail.epa.gov

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**Environmental Protection Agency (EPA)**

**Air and Radiation ( AR )**

**RIN:** 2060-AO18

 [View Related Documents](#)

**Title:** New Source Performance Standards (NSPS) and Emission Guidelines (EG) for Large Municipal Waste Combustors (MWCs).

**Abstract:** EPA originally adopted air emission standards for new and existing large municipal waste combustors (MWCs) in 1995. As required by section 129 of the Clean Air Act, EPA reviewed these standards and proposed revised standards. The proposal occurred on December 19, 2005, and final standards were published on May 10, 2006 (71 FR 27323). A number of individuals filed petitions on various aspects of the standards. Moreover, the Agency received a separate petition to reopen the section 129(a)(2) standards. EPA agreed to initiate such an action. Accordingly, EPA petitioned the court to remand the 2006 LMWC rule to EPA. The court issued the remand in February 2008.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 60 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Clean Air Act sec 129**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Final Rule		
Notice	03/20/2007	72 FR 13016
NPRM	10/00/2014	

**Additional Information:** EPA publication information: Notice of reconsideration of final rule - <http://www.epa.gov/fedrgstr/EPA-AIR/2007/March/Day-20/a5022.htm>**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Sectors Affected:** 924110; 562213**Agency Contact:** Charlene Spells Environmental Protection Agency

Air and Radiation

E-143-05, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5255

FAX: 919 541-3470

E-Mail: [spells.charlene@epa.gov](mailto:spells.charlene@epa.gov)**Agency Contact:** David Cozzie Environmental Protection Agency

Air and Radiation

1200 Pennsylvania Ave, NW, Washington, DC 20460

Washington , DC 20460

Phone: 919 541-5356

E-Mail: [cozzie.david@epa.gov](mailto:cozzie.david@epa.gov)

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AO25 [View Related Documents](#)**Title:** Revision of Hearing-Protector Regulations**Abstract:** EPA proposed amendments regarding the regulation for the labeling of hearing protection devices at 40 CFR 211 subpart B, for products that are sold wholly or in part on the basis of their ability to reduce the level of sound entering a person's ears, typically referred to as "Hearing Protectors." This action was taken under the authority of Section 8 of the Noise Control Act of 1972, which authorizes EPA to revise the current compliance test methodologies as necessary, and incorporate new test methods and rating schemes to address hearing protector technologies that have evolved since initial promulgation of the regulation in 1979. EPA plans to take final action of this regulation in 2013.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 211(B) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Noise Control Act of 1972; 8**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:**

**Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	08/05/2009	74 FR 39150
Final Rule	12/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2003-0024**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Sectors Affected:** 339113**Agency Contact:** Catrice Jefferson Environmental Protection Agency

Air and Radiation

6103, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-1668

FAX: 202 564-1677

E-Mail: Jefferson.Catrice@epamail.epa.gov

**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AP15 [View Related Documents](#)**Title:** Ambient Ozone Monitoring Regulations: Revisions to Network Design Requirements

**Abstract:** Ozone monitoring requirements were last revised in October 2006 during a comprehensive revision of ambient monitoring requirements contained in 40 CFR parts 50, 53, and 58. These changes included revised minimum monitoring requirements for ozone monitors in urban areas as well as changes to the length of the required monitoring season. As stated in the Ozone National Ambient Air Quality Standards (NAAQS) final rule published on March 27, 2008 (73 FR 16436), EPA believed that certain changes were needed in the ozone minimum monitoring requirements to account for the revised levels of the NAAQS (primary and secondary NAAQS levels for ozone were revised from an eight-hour level of 0.08 ppm to an eight-hour level of 0.075 ppm). EPA proposed such monitoring network design changes on July 16, 2009 (74 FR 34525) which included: (1) changes to minimum monitoring requirements in urban areas; (2) new monitoring requirements in non-urban areas; and (3) revisions to the length of the ozone monitoring season where indicated by statistical analysis. In this rulemaking, EPA will finalize changes to ozone monitoring requirements based on public comments received from the 2009 proposal, technical analysis of updated ozone monitoring data covering the period of 2007-2009, and selected use of new data for 2010 that was referenced in a Notice of Data Availability published on November 10, 2010 (75 FR 69036).

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 58 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7403; 42 USC 7410; 42 USC 7601(a); 42 USC 7611; 42 USC 7619**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Final Rule		
NPRM	07/16/2009	74 FR 34525

**Additional Information:** Docket #:EPA-HQ-OAR-2008-0338**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; Local; State

**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

**Agency Contact:** Lewis Weinstock Environmental Protection Agency  
Air and Radiation  
C304-06, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-3661  
FAX: 919 541-1903  
E-Mail: weinstock.lewis@epamail.epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )****RIN:** 2060-AP34 [View Related Documents](#)**Title:** NSPS Equipment Leaks (Subpart VV SO2MI and GGG Petroleum Refineries); Amendments

**Abstract:** On November 16, 2007 EPA published amendments to the new source performance standards for equipment leaks in 40 CFR Part 60, subparts VV, and GGG, and promulgated new subparts VVa and GGGa. After promulgation of the rule we received a petition for reconsideration from the American Chemistry Council (ACC), American Petroleum Institute (API), and National Petrochemical Refiners Association (NPRA), which we granted in part on March 4, 2008. This action will address those reconsideration issues.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 60 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7411**Legal Deadline:**

Action	Source	Description	Date
None			

**Regulatory Plan:****Statement of Need:**

**Legal Basis:** Section 111(b)(1)(B) of the Clean Air Act requires EPA to review new source performance standards at least every 8 years.

**Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM		

**Additional Information:** Docket #:EPA-HQ-OAR-2006-0699. Split from RIN 2060-AO90.**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined**Small Entities Affected:** Undetermined**Federalism:** No**Energy Affected:** No**Sectors Affected:** 324110; 325110

**Agency Contact:** Andrea Siefers Environmental Protection Agency  
Air and Radiation  
E143-01, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-1185  
FAX: 919 541-0246  
E-Mail: siefers.andrea@epamail.epa.gov

**Agency Contact:** Penny Lassiter Environmental Protection Agency  
Air and Radiation  
E1430-01, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-5396  
FAX: 919 541-0246  
E-Mail: lassiter.penny@epamail.epa.gov

**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AP71

 [View Related Documents](#)

**Title:** Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Reasonable Possibility in Recordkeeping; Reconsideration

**Abstract:** The EPA is convening a proceeding for reconsideration of a final rule published in the Federal Register on December 21, 2007 (72 FR 62607). The subject rule was promulgated in response to a remand by the U.S. Court of Appeals for the District of Columbia Circuit in *New York v. EPA*, 413 F.3d 3 (D.C. Cir. 2005), in order to clarify the "reasonable possibility" recordkeeping and reporting standard under the New Source Review (NSR) program. After review of issues raised by the State of New Jersey by petition and letter, we have decided to exercise our discretion to conduct a reconsideration of this final rule and will therefore be reopening the public comment period for the rule. The rule will remain in effect while our reconsideration proceeding is under way.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 51 app S; 40 CFR 51.165; 40 CFR 51.166; 40 CFR 52.21 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 42 USC 7470 to 7515

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM		

**Additional Information:** Docket #:EPA-HQ-OAR-2001-0004. Split from RIN 2060-AN88.

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal; Local; State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information URL:** <http://www.epa.gov/nsr/>

**Sectors Affected:** 325520; 325181; 325188; 325199; 325998; 336399; 324199; 331311; 336111; 325414; 325182; 221121; 221122; 325193; 325920; 221112; 221111; 325120; 325131; 336112; 325411; 336213; 336211; 336340; 336350; 211112; 322122; 221113; 221119; 325510; 322121; 322130; 324110; 325412; 325910; 325132; 336212

**Agency Contact:** David Painter Environmental Protection Agency

Air and Radiation

C504-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5515

FAX: 919 541-5509

E-Mail: [painter.david@epa.gov](mailto:painter.david@epa.gov)

**Agency Contact:** Raj Rao Environmental Protection Agency

Air and Radiation

C504-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5344

FAX: 919 541-5509

E-Mail: [rao.raj@epamail.epa.gov](mailto:rao.raj@epamail.epa.gov)

**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AQ07

 [View Related Documents](#)

**Title:** Withdr.of the Prior Deter. or Presump. That Compl. w/CAIR or the NOx SIP Call Const. RACT or RACM for the 97 8-Hr Ozone & 97Fine Part. NAAQS; & Rev. to RACT Guid. & RFP Req. for the 97Fine Part. NAAQS

**Abstract:** This NRPM will propose to withdraw any prior determination or presumption that compliance with the Clean Air Interstate Rule (CAIR) or the NOx SIP Call constitutes reasonably available control technology (RACT) or reasonably available control measures



(RACM) for oxides of nitrogen (NOx) or sulfur dioxide (SO2) emissions from electric generating unit (EGU) sources participating in these regional cap-and-trade programs. This rule will propose revisions to preamble guidance in the final Implementation Rule for the 1997 PM2.5 national ambient air quality standard (NAAQS) concerning the economic feasibility criteria for determining RACT for sources located within nonattainment areas. The rule will also propose to clarify the situations under which emission reductions from outside of a nonattainment area can be credited toward meeting the Reasonable Further Progress (RFP) requirements for the 1997 PM2.5 NAAQS.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 51 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 23 USC 101; 42 USC 7401 to 7671q

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM		

**Additional Information:** SAN No. 5411

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 221112

**Agency Contact:** Kristin Riha Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-2031

FAX: 415 947-3583

E-Mail: [riha.kristin@epamail.epa.gov](mailto:riha.kristin@epamail.epa.gov)

**Agency Contact:** Rich Damberg Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-5592

FAX: 919 541-0824

E-Mail: [damberg.rich@epamail.epa.gov](mailto:damberg.rich@epamail.epa.gov)

## Environmental Protection Agency (EPA)

### Air and Radiation ( AR )

RIN: 2060-AQ11

 [View Related Documents](#)

**Title:** Risk and Technology Review for Ferroalloys Production

**Abstract:** This action is the Risk and Technology Review (RTR) for Ferroalloys Production. It will address both EPA's obligation under the Clean Air Act (CAA) to conduct a residual risk review and to conduct a technology review. Under the "technology review" provision of the CAA, EPA is required to review maximum achievable control technology (MACT) standards and to revise them "as necessary (taking into account developments in practices, processes and control technologies)" no less frequently than every 8 years. Under the "residual risk" provision of the CAA, EPA must evaluate the MACT standards within 8 years after promulgation and promulgate standards if required to provide an ample margin of safety to protect public health or prevent an adverse environmental effect.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** Yes

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7401 et seq

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Consent Decree--As per 4 day extension granted on 10/31. (Sierra Club v. Jackson, 09-0152, USDC Northern District of CA)	11/04/2011

Other	Judicial	Consent Decree ((Sierra Club v. Jackson, 09-0152, USDC Northern District of CA))	12/10/2012
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**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	11/23/2011	76 FR 72508
NPRM Comment Period Extended	12/29/2011	76 FR 81903
Final Rule	12/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2010-0895**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; State**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Sectors Affected:** 331112; 331419**Agency Contact:** Conrad Chin Environmental Protection Agency

Air and Radiation

D243-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-1512

FAX: 919 541-3207

E-Mail: chin.conrad@epa.gov

**Agency Contact:** Chuck French Environmental Protection Agency

Air and Radiation

D243-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-7912

FAX: 919 541-3207

E-Mail: french.chuck@epa.gov

**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AQ20 [View Related Documents](#)**Title:** Residual Risk and Technology Review Amendments to the Phosphoric Acid and Phosphate Fertilizer Production National Emissions Standards for Hazardous Air Pollutants (NESHAP)

**Abstract:** The Clean Air Act requires EPA to review maximum achievable control technology (MACT) standards and to revise them "as necessary (taking into account developments in practices, processes, and control technologies)" no less frequently than every 8 years. Under the "residual risk" provision of the Clean Air Act, EPA must evaluate the MACT standards within 8 years after promulgation and promulgate standards if required to provide an ample margin of safety to protect public health or prevent an adverse environmental effect. The MACT for phosphoric acid and phosphate fertilizer were promulgated in June 1999. Facilities subject to these rules were required to be in compliance by June 2002. This action will address both the residual risk and technology reviews for the phosphoric acid and phosphate fertilizer source categories. The production processes for these two source categories typically are located at the same facilities.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Clean Air Act sec 112**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Consent Decree - Sierra Club v. Jackson; # 09-0152; USDC Northern District of California	11/14/2013
Other	Judicial	Consent Decree - Sierra Club v. Jackson; # 09-0152; USDC Northern District of California	08/15/2014

**Regulatory Plan:**

**Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	12/00/2013	
Final Rule	09/00/2014	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; Local; State**Small Entities Affected:** No**Federalism:** No**Energy Affected:** Undetermined**Agency Contact:** Tina Ndoh Environmental Protection Agency

Air and Radiation

D205-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-2750

FAX: 919 541-5600

E-Mail: ndoh.christina@epamail.epa.gov

**Agency Contact:** Keith Barnett Environmental Protection Agency

Air and Radiation

D243-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5605

FAX: 919 541-5450

E-Mail: barnett.keith@epa.gov

**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AQ29 [View Related Documents](#)**Title:** Stationary Combustion Turbine NSPS Amendments to Address UARG Reconsideration Petition

**Abstract:** EPA is proposing to amend specific provisions in the new source performance standard (NSPS) for stationary combustion turbines to resolve issues and questions raised by the utility air regulatory group (UARG) on the original final rulemaking published on July 6, 2006 (71 FR 38482), and to address other technical and editorial issues that have been identified since promulgation. The primary issues raised in the petition include the NOx standard and the monitoring and reporting requirements for owners/operators that elect to install NOx CEMS. This proposed rule would also amend the location and wording of existing paragraphs to clarify the requirements of the NSPS. It would also exempt owners/operators of stationary combustion turbines that meet the applicability criteria of and that are complying with the SO2 standard in either subparts J or Ja (standards of performance for petroleum refineries) or only burn fuels containing inherently low amounts of sulfur from complying with the otherwise applicable SO2 limit in subpart KKKK. In addition, we are requesting comment on how to address combustion turbine engines that are overhauled or refurbished offsite in such a manner that neither the owner, operator, or manufacturer can identify which components have been replaced and, therefore, cannot conduct the otherwise required reconstruction analysis. Also, in recognition that the ultra-low sulfur diesel requirements include Hawaii, the Commonwealth of Puerto Rico, and the Virgin Islands we are intending and requesting comment on requiring owner/operators of turbines in these locations to meet the same sulfur requirements as owner/operators of turbines located in State territories. Finally, we are proposing to require electronic reporting of performance tests.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 60 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** CAA 111**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:**

**Risks:****Timetable:**

Action	Date	FR Cite
NPRM	08/29/2012	77 FR 52554
Final Rule	12/00/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2004-0490. Split from RIN 2060-AO23.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State; Tribal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 211111; 211112; 486210

**Agency Contact:** Christian Fellner Environmental Protection Agency

Air and Radiation

D243-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-4003

FAX: 919 541-5450

E-Mail: fellner.christian@epamail.epa.gov

**Agency Contact:** Melanie King Environmental Protection Agency

Air and Radiation

D243-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-2469

E-Mail: king.melanie@epamail.epa.gov

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**Environmental Protection Agency (EPA)**
**Air and Radiation ( AR )**
**RIN:** 2060-AQ40

 [View Related Documents](#)

**Title:** Residual Risk and Technology Review Amendments to the Secondary Aluminum Production National Emission Standards for Hazardous Air Pollutants (NESHAP)

**Abstract:** A secondary aluminum production facility means any establishment using clean charge, aluminum scrap, or dross from aluminum production as the raw material for processing. The existing 40 CFR Part 63, Subpart RRR National Emission Standards for Hazardous Air Pollutants (NESHAP) for Secondary Aluminum Production facilities was promulgated in 2000. This rule regulates Hazardous Air Pollutants (HAP) from facilities that are major sources of HAP that operate aluminum scrap shredders, thermal chip dryers, scrap dryers/delacquering kilns/decoating kilns, group 2 furnaces, sweat furnaces, dross only furnaces, rotary dross coolers, and secondary aluminum processing units (SAPUs). SAPUs include group 1 furnaces and in-line fluxers. Area sources of HAP are regulated only with respect to emissions of dioxins/furans (D/F) from thermal chip dryers, scrap dryers/delacquering kilns/decoating kilns, sweat furnaces, and SAPUs. Facilities subject to these rules were required to be in compliance by March 2003. Section 112(f)(2) of the Clean Air Act (CAA) directs EPA to conduct risk assessments on each source category subject to maximum achievable control technology (MACT) standards and determine if additional standards are needed to reduce residual risks. The section 112(f)(2) residual risk review is to be done within 8 years after promulgation. Section 112(d)(6) of the CAA requires EPA to review and revise the MACT standards, as necessary, taking into account developments in practices, processes, and control technologies. The section 112(d)(6) technology review is to be done at least every 8 years. These risk and technology reviews for secondary aluminum production facilities will be conducted in this rulemaking, which will address possible residual risks, technology advancements, and clarifications to the existing rule.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7412

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	consent decree	01/30/2012
Other	Judicial	Consent decree deadline	10/31/2012

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	02/14/2012	77 FR 8576
Final Rule	03/00/2014	

**Additional Information:** Docket #: EPA-HQ-OAR-2010-0544

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Business

**Energy Affected:** No

**Agency Contact:** Rochelle Boyd Environmental Protection Agency

Air and Radiation

D-243-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-1390

FAX: 919 541-3207

E-Mail: boyd.rochelle@epamail.epa.gov

**Agency Contact:** Chuck French Environmental Protection Agency

Air and Radiation

D243-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-7912

FAX: 919 541-3207

E-Mail: french.chuck@epa.gov

**Government Levels Affected:** Federal; Local; State

**Federalism:** No

## Environmental Protection Agency (EPA)

### Air and Radiation ( AR )

**RIN:** 2060-AQ47

 [View Related Documents](#)

**Title:** Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Reconsideration of Inclusion of Fugitive Emissions; Reconsideration

**Abstract:** EPA is proposing a rule based on the results of its reconsideration of the final rule titled, "Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Reconsideration of Inclusion of Fugitive Emissions" (Fugitive Emissions Rule), published on December 19, 2008. Through a letter signed on April 24, 2009, EPA granted reconsideration on a petition submitted by the National Resources Defense Council (NRDC), as well as an administrative stay of the Fugitive Emissions Rule provisions. On March 30, 2011, EPA issued an interim rule that stayed the Fugitive Emissions Rule by reverting the text of the affected sections of the CFR back to the prior rule language. This stay will remain in effect until EPA completes its reconsideration and undertakes any associated rulemaking. In this action EPA will consider the petition for reconsideration, public comments, and information contained in the rulemaking docket to reach a decision on the reconsideration and finalize the rule.

**Priority:** Other Significant

**Major:** No

**CFR Citation:** 40 CFR 51 to 52 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7470 to 7515

**Legal Deadline:** None

**Agenda Stage of Rulemaking:** Long-term Action

**Unfunded Mandates:** No

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM		

**Additional Information:** Docket #:EPA-HQ-OAR-2004-0014. Split from RIN 2060-AM91.

**Regulatory Flexibility Analysis Required:** Undetermined

**Small Entities Affected:** Business

**Energy Affected:** No

**RIN Information URL:** [www.epa.gov/nsr](http://www.epa.gov/nsr)

**Government Levels Affected:** No

**Federalism:** No

**Sectors Affected:** 325520; 325181; 325188; 325199; 325998; 336399; 324199; 331311; 336111; 325414; 325182; 221121; 221122;

325193; 325920; 221112; 221111; 325120; 325131; 336112; 325411; 336213; 336211; 336340; 336350; 211112; 322122; 221113; 221119; 325510; 322121; 322130; 324110; 325412; 325910; 325132; 336212

**Agency Contact:** Peter Keller Environmental Protection Agency

Air and Radiation

C504-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5339

FAX: 919 541-5509

E-Mail: keller.peter@epamail.epa.gov

**Agency Contact:** Raj Rao Environmental Protection Agency

Air and Radiation

C504-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5344

FAX: 919 541-5509

E-Mail: rao.raj@epamail.epa.gov

## Environmental Protection Agency (EPA)

### Air and Radiation ( AR )

**RIN:** 2060-AQ90

 [View Related Documents](#)

**Title:** National Emission Standards for Hazardous Air Pollutants (NESHAP) Risk and Technology Review (RTR) for the Mineral Wool and Wool Fiberglass Industries

**Abstract:** The Maximum Achievable Control Technology (MACT) standard for Mineral Wool Production was promulgated on June 1, 1999, and the MACT for Wool Fiberglass Production was promulgated on June 14, 1999. The Clean Air Act requires EPA to evaluate the risk remaining to human health within eight years of promulgation of each MACT standard; for these regulations, that date expired in June 2007. Along with risk, the EPA is also required to review new technology in the industry that can reduce hazardous air pollutant (HAP) emissions from regulated sources in the industry, and may consider costs under this technology review. EPA is addressing these Clean Air Act requirements under a combined risk and technology review (RTR). EPA was petitioned to review the risk for these source categories, and also to determine MACT floors for pollutants and processes that were not regulated by the MACT standards. The court entered into an agreement with EPA and the litigants, and the resulting deadline for proposal and promulgation of these RTRs is November 4, 2011, and November 30, 2012, respectively. In addition, EPA will be preparing to regulate wool fiberglass area sources under a new NESHAP, expected to be proposed March 15, 2013.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 63 1175-1196; 40 CFR 63 1380-1399 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7401

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Consent Decree - Sierra Club v. Jackson 09-0152 USDC Northern District of CA	11/04/2011
Other	Judicial	Consent Decree - Sierra Club v. Jackson, 09-0152, USDC Northern District of CA	01/30/2014

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	11/25/2011	76 FR 72770
Notice	12/20/2011	76 FR 78872
Notice	01/23/2012	77 FR 3223
Final Rule	01/00/2014	

**Additional Information:** Docket #:MINERAL WOOL: EPA-HQ-OAR-2010-1041 WOOL FIBERGLASS: EPA-HQ-OAR-2010-1042

**Regulatory Flexibility Analysis Required:** Business

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information URL:** <http://www.epa.gov/ttn/atw/rrisk/rtrpg.html>

**Sectors Affected:** 327993

**Agency Contact:** Susan Fairchild Environmental Protection Agency

Air and Radiation

D-243-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5167

FAX: 919 541-5450

E-Mail: [fairchild.susan@epamail.epa.gov](mailto:fairchild.susan@epamail.epa.gov)

**Agency Contact:** Keith Barnett Environmental Protection Agency

Air and Radiation

D243-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5605

FAX: 919 541-5450

E-Mail: [barnett.keith@epa.gov](mailto:barnett.keith@epa.gov)

## Environmental Protection Agency (EPA)

### Air and Radiation ( AR )

**RIN:** 2060-AQ92

 [View Related Documents](#)

**Title:** Residual Risk and Technology Review Amendments to the Primary Aluminum Reduction National Emission Standard for Hazardous Air Pollutants (NESHAP)

**Abstract:** In this action the EPA will conduct a risk assessment to determine if existing Maximum Achievable Control Technology (MACT) standards for hazardous air pollutant (HAP) emissions from primary aluminum reduction facilities should be strengthened. The EPA will also review technical progress in the primary aluminum reduction source category to determine if newer, better technology for reducing emissions should be required of facilities in this source category. Section 112(f)(2) of the Clean Air Act (CAA) directs the EPA to conduct a risk assessment of a source category within 8 years of promulgation of the MACT standards for that source category. Section 112(d)(6) of the CAA directs the EPA to review and revise the MACT standards for a source category, as necessary, every 8 years after promulgation of the MACT standards for that source category, taking into account developments in practices, processes, and control technologies. The existing National Emission Standard for Hazardous Air Pollutants (NESHAP) for Primary Aluminum Reduction Plants (found in 40 CFR part 63, subpart LL) was promulgated in 1997 and applies to the owner or operator of each new pitch storage tank, new or existing potline, paste production plant, or anode bake furnace associated with primary aluminum reduction which is located at a major source, as defined in 40 CFR section 63.2

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 112 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7412

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	As per 4 day extension granted on 10/31. (Sierra Club v. Jackson, 09-0152, USDC Northern District of CA)	11/04/2011
Other	Judicial	Sierra Club v. Jackson, 09-0152, USDC Northern District of CA	09/14/2012

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	12/06/2011	76 FR 76260
NPRM Comment Period Extended	01/19/2012	77 FR 2677
Final Rule	03/00/2014	

**Additional Information:** Docket #:EPA-HQ-OAR-2011-0797

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 33131

**Agency Contact:** David Putney Environmental Protection Agency  
 Air and Radiation  
 D-243-02, Research Triangle Park, NC 27711  
 Research Triangle Park , NC 27711  
 Phone: 919 541-2016  
 FAX: 919 541-3207  
 E-Mail: putney.david@epamail.epa.gov

**Agency Contact:** Rochelle Boyd Environmental Protection Agency  
 Air and Radiation  
 D-243-02, Research Triangle Park, NC 27711  
 Research Triangle Park , NC 27711  
 Phone: 919 541-1390  
 FAX: 919 541-3207  
 E-Mail: boyd.rochelle@epamail.epa.gov

**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AQ99

 [View Related Documents](#)

**Title:** National Emission Standards for Aerospace Manufacturing and Rework Facilities Risk and Technology Review

**Abstract:** On September 1, 1995 (60 FR 45948), EPA promulgated the National Emission Standards for Aerospace Manufacturing and Rework Facilities (40 CFR part 63, subpart GG) under section 112(d) of the Clean Air Act (CAA). The national emission standards for hazardous air pollutants (NESHAP) sets Maximum Achievable Control Technology (MACT) standards for existing and new major sources of hazardous air pollutant emissions and includes standards to control volatile organic compounds (VOC) emissions. Under CAA section 112(d)(6) EPA is required to review standards issued under section 112 and to revise them "as necessary (taking into account developments in practices, processes, and control technologies)" no less frequently than every 8 years. EPA also must evaluate the MACT standards within 8 years after promulgation and promulgate standards under CAA section 112 (f)(2) if required to provide an ample margin of safety to protect public health or prevent an adverse environmental effect. The source category will be assessed for inhalation risks, including cancer risk and incidence, population cancer risk, and non-cancer effects (chronic and acute). EPA also plans to evaluate multi pathway risk associated with this source category. The agency will follow the Benzene Policy to determine if the source category has low risk, acceptable risk, or unacceptable risk. EPA will then evaluate the effectiveness and cost of additional risk reduction options and make acceptability and ample-margin-of-safety determinations. If the need for additional controls are identified, the standards will include technology, work practice, or performance standards as amendments to the existing MACT standards.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7412

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Sierra Club v. Jackson, 09-0152, USDC Northern District of CA; as per 10/24/2011 extension.	03/15/2014
Other	Judicial	Sierra Club v. Jackson, 09-0152, USDC Northern District of CA; as per 10/24/2011 extension.	01/15/2015

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/2014	
Final Rule	02/00/2015	

**Additional Information:** Docket #:EPA-HQ-OAR-2004-0450

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal; State

**Federalism:** No

**Energy Affected:** No

**RIN Information**



**URL:** <http://www.epa.gov/ttn/atw/aerosp/aeropg.html>

**Agency Contact:** Kim Teal Environmental Protection Agency

Air and Radiation

D243-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5580

FAX: 919 541-5450

E-Mail: [teal.kim@epamail.epa.gov](mailto:teal.kim@epamail.epa.gov)

**Agency Contact:** Keith Barnett Environmental Protection Agency

Air and Radiation

D243-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5605

FAX: 919 541-5450

E-Mail: [barnett.keith@epa.gov](mailto:barnett.keith@epa.gov)

## Environmental Protection Agency (EPA)

### Air and Radiation ( AR )

RIN: 2060-AR02

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**Title:** National Emission Standards for Hazardous Air Pollutants (NESHAP): Group IV Polymers and Resins, Pesticide Active Ingredient Production, and Polyether Polyols Production Risk and Technology Review

**Abstract:** In this action EPA will perform risk and technology reviews for three National Emission Standards for Hazardous Air Pollutants (NESHAP). These NESHAP are under a deadline consent decree for proposal in November 2011 and promulgation in January 2014: Group IV Polymers and Resins, Pesticide Active Ingredient Production, and Polyether Polyols Production. Clean Air Act (CAA) sections 112(f)(2) and 112(d)(6) require EPA to conduct residual risk and technology reviews. Under the "technology review" provision of CAA section 112, EPA is required to review maximum achievable control technology (MACT) standards and to revise them "as necessary (taking into account developments in practices, processes, and control technologies)" no less frequently than every 8 years. Under the "residual risk" provision of CAA section 112, EPA must evaluate the MACT standards within 8 years after promulgation and promulgate standards if required to provide an ample margin of safety to protect public health or prevent an adverse environmental effect. EPA will also remove startup, shutdown, and malfunction exemptions for these source categories, as required by recent court decisions.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Clean Air Act sec 112

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Sierra Club v. Jackson, 09-0152, USDC Northern District of CA; consent decree deadline applies to RTRs for subparts JJJ, MMM, and PPP only	11/30/2011
Other	Judicial	Sierra Club v. Jackson, 09-0152, USDC Northern District of CA; consent decree deadline applies to RTRs for subparts JJJ, MMM, and PPP only	01/31/2014

## Regulatory Plan:

### Statement of Need:

### Legal Basis:

### Alternatives:

### Costs and Benefits:

### Risks:

### Timetable:

Action	Date	FR Cite
NPRM	01/09/2012	77 FR 1268
Final Rule	01/00/2014	

**Additional Information:** Docket #:EPA-HQ-OAR-2011-0435. This action includes retrospective review under EO 13563; see: <http://www.epa.gov/regdarr/retrospective/history.html>.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State; Tribal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 325199; 325320; 325211

**Agency Contact:** Nick Parsons Environmental Protection Agency

Air and Radiation  
E143-01, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-5372  
FAX: 919 541-0246  
E-Mail: parsons.nick@epamail.epa.gov

**Agency Contact:** Penny Lassiter Environmental Protection Agency  
Air and Radiation  
E1430-01, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-5396  
FAX: 919 541-0246  
E-Mail: lassiter.penny@epamail.epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

**RIN:** 2060-AR19

 [View Related Documents](#)

**Title:** Data Requirements for Determining Attainment for the 1-Hour SO2 NAAQS.

**Abstract:** This rule will describe how state, local, and tribal agencies will make determinations concerning whether sources/areas are meeting the 1-hr sulfur dioxide (SO2) National Ambient Air Quality Standards (NAAQS). The rule will provide policy and technical information concerning the use of ambient monitoring data and/or air quality modeling information in making these determinations. The rule will establish appropriate monitoring and/or modeling methods, and it will include timelines for states to conduct the required analyses and make the resulting data available for use in implementing the SO2 NAAQS (e.g., for area designations).

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** CAA 110(a)(1)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM		

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State; Tribal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Larry Wallace Environmental Protection Agency  
Air and Radiation  
C539-01, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-0906  
FAX: 919 541-0824  
E-Mail: wallace.larry@epamail.epa.gov

**Agency Contact:** Rich Damberg Environmental Protection Agency  
Air and Radiation  
C539-01, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-5592  
FAX: 919 541-0824  
E-Mail: damberg.rich@epamail.epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

**RIN:** 2060-AR47

 [View Related Documents](#)

**Title:** National Emission Standards for Hazardous Air Pollutants (NESHAP) From Offsite Waste and Recovery Operations RTR

**Abstract:** In this action EPA will perform risk and technology review for National Emission Standards for Hazardous Air Pollutants (NESHAP) from Offsite Waste and Recovery Operations. The Clean Air Act (CAA) sections 112(f)(2) and 112(d)(6) require EPA to conduct residual risk and technology reviews. Under the "technology review" provision of the CAA section 112, EPA is required to review maximum achievable control technology (MACT) standards and to revise them "as necessary (taking into account developments in practices, processes, and control technologies)" no less frequently than every 8 years. Under the "residual risk" provision of CAA section 112, EPA must evaluate the MACT standards within 8 years after promulgation and promulgate standards if required to provide an ample margin of safety to protect public health or prevent an adverse environmental effect. As part of this NESHAP revision, EPA will also remove startup, shutdown, and malfunction exemptions as required by recent court decisions.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Clean Air Act sec 112

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Statutory	Clean Air Act	07/01/2008
NPRM	Judicial	Court order	12/11/2013
Other	Judicial	Court-ordered deadline	09/16/2014

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2013	
Final Rule	09/00/2014	

**Additional Information:** Docket #:EPA-HQ-OAR-2012-0360

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** Undetermined

**Agency Contact:** Mary Kissell Environmental Protection Agency

Air and Radiation

E143-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-4516

FAX: 919 541-0246

E-Mail: [kissell.mary@epa.gov](mailto:kissell.mary@epa.gov)

**Agency Contact:** Penny Lassiter Environmental Protection Agency

Air and Radiation

E1430-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5396

FAX: 919 541-0246

E-Mail: [lassiter.penny@epamail.epa.gov](mailto:lassiter.penny@epamail.epa.gov)

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**Environmental Protection Agency (EPA)**

**Air and Radiation ( AR )**

**RIN:** 2060-AR49

 [View Related Documents](#)

**Title:** National Emission Standards for Hazardous Air Pollutants (NESHAP): Manufacture of Amino/Phenolic Resins, Acrylic and Modacrylic Fibers Production, and Polycarbonate Production Rise & Technology Review

**Abstract:** In this action EPA will perform risk and technology reviews for the following three National Emission Standards for Hazardous Air Pollutants (NESHAP): Manufacture of Amino/Phenolic Resins; Acrylic and Modacrylic Fibers Production; and Polycarbonate Production. Clean Air Act (CAA) sections 112(f)(2) and 112(d)(6) require EPA to conduct these reviews. Under the "technology review" provision of CAA section 112, EPA is required to review maximum achievable control technology (MACT) standards

and to revise them "as necessary (taking into account developments in practices, processes and control technologies)" no less frequently than every 8 years. Under the "residual risk" provision of CAA section 112, EPA must evaluate the MACT standards within 8 years after promulgation and promulgate standards if required to provide an ample margin of safety to protect public health or prevent an adverse environmental effect. EPA will also remove startup, shutdown, and malfunction exemptions for these source categories, as required by recent court decisions.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Clean Air Act sec 112

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Court-ordered deadline	12/11/2013
Other	Judicial	Court-ordered deadline	09/16/2014

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2013	
Final Rule	09/00/2014	

**Additional Information:** Docket #:EPA-HQ-OAR-2012-0133

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State; Tribal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 32522; 325211

**Agency Contact:** Nick Parsons Environmental Protection Agency

Air and Radiation

E143-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5372

FAX: 919 541-0246

E-Mail: [parsons.nick@epamail.epa.gov](mailto:parsons.nick@epamail.epa.gov)

**Agency Contact:** Penny Lassiter Environmental Protection Agency

Air and Radiation

E1430-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5396

FAX: 919 541-0246

E-Mail: [lassiter.penny@epamail.epa.gov](mailto:lassiter.penny@epamail.epa.gov)

**Environmental Protection Agency (EPA)**

**Air and Radiation ( AR )**

**RIN:** 2060-AR71

 [View Related Documents](#)

**Title:** National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing

**Abstract:** In 2012, EPA received responses from wool fiberglass companies which conducted furnace emissions testing for chromium compounds under a Clean Air Act section 114 letter. Industry data show that wool fiberglass area sources emit chromium from all furnace types. Emissions of chromium compounds from the wool fiberglass industry's area sources total over 50 pounds per year. Additionally, one major source facility is expected to become an area source through changes to a process downstream and independent of the furnace; one furnace at that source has been measured as emitting over 500 pounds per year of chromium compounds. The agency plans to list and regulate area sources in the Wool Fiberglass source category for all processes that emit HAP. Area sources in this source category are expected to be regulated under this new subpart; major sources will continue to be subject to Part 63 NNN.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Not Yet Determined

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Susan Fairchild Environmental Protection Agency

Air and Radiation

D-243-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5167

FAX: 919 541-5450

E-Mail: fairchild.susan@epamail.epa.gov

**Agency Contact:** Keith Barnett Environmental Protection Agency

Air and Radiation

D243-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5605

FAX: 919 541-5450

E-Mail: barnett.keith@epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AK69 [View Related Documents](#)

**Title:** Anti-Dumping Baseline Recalculation for Downstream Oxygenate Addition

**Abstract:** This rule would have allowed a refiner who added oxygenate after sampling and just before shipment to exclude that oxygenate from its anti-dumping baseline determination. This exclusion of oxygenate is already allowed for a refinery's gasoline to which oxygenate was added outside of the refinery gate.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 80.91 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7414; 42 USC 7545; 42 USC 7601(a)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
Withdrawn	10/15/2012	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Sectors Affected:** 324110**Agency Contact:** Christine Brunner Environmental Protection Agency

Air and Radiation

AAHEBTC, Ann Arbor, MI 48105

Ann Arbor, MI 48105

Phone: 734 214-4287

E-Mail: Brunner.Christine@epamail.epa.gov

**Agency Contact:** Patrice Simms Environmental Protection Agency

Air and Radiation

2344, Washington, DC 20460

Washington, DC 20460

Phone: 202 564-5593

E-Mail: Simms.Patrice@epamail.epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AM54 [View Related Documents](#)

**Title:** Protection of Stratospheric Ozone: Alternative for the Motor Vehicle Air Conditioning Sector Under the Significant New Alternatives Policy (SNAP) Program

**Abstract:** Under the Significant New Alternatives Policy (SNAP) program, EPA evaluates alternatives to ozone-depleting substances to ensure that they do not increase overall risks to human health and the environment. In accordance with the proposal issued in 2006 and a notice of data availability on carbon dioxide exposure in 2009, this rule finds carbon dioxide (R-744) as an acceptable substitute refrigerant subject to use conditions for use in the motor vehicle air conditioning (MVAC) sector. This final rule revises a previous SNAP determination of R-744 to include safety provisions geared toward preventing exposures to carbon dioxide concentrations above 3 percent in the passenger compartment during a short period of time, and no higher than 4 percent in the passenger breathing zone at any time. This final rule includes references to global technical standards developed by the Society of Automotive Engineers (SAE) International specifying how R-744 should be safely deployed in MVAC systems.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 82.180 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7671(k)**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	09/21/2006	71 FR 55140
Final Rule	06/12/2008	73 FR 33304
Notice	09/17/2009	74 FR 47774
Final Rule	06/06/2012	77 FR 33315
Final Rule Effective	08/06/2012	

**Additional Information:** Docket #:EPA-HQ-OAR-2004-0488**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.**RIN Information****URL:** <http://www.epa.gov/ozone/snap/refrigerants/lists/mvacs.html>**Sectors Affected:** 336111**Agency Contact:** Yaidi Cancel Environmental Protection Agency

Air and Radiation  
6205J, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 343-9512  
FAX: 202 343-2338  
E-Mail: cancel.yaidi@epa.gov

**Agency Contact:** Margaret Sheppard Environmental Protection Agency  
Air and Radiation  
6205J, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 343-9163  
FAX: 202 343-2338  
E-Mail: sheppard.margaret@epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

**RIN:** 2060-AN33

 [View Related Documents](#)

**Title:** National Emission Standards for Hazardous Air Pollutants (NESHAP): Polyvinyl Chloride and Copolymers Production, Amendments

**Abstract:** This action promulgated National Emission Standards for Hazardous Air Pollutants (NESHAP) for Polyvinyl Chloride (PVC) and Copolymers on 2/13/12. These standards were proposed on December 8, 2000 (65 FR 76958) and promulgated on July 10, 2002 (67 FR 45886) but were vacated by the D.C. Circuit on June 18, 2004 in *Mossville Environmental Action v. EPA*, 370 F.3d 1232 (D.C.Cir. 2004). This current action assures continuity of the parts of the standard that were upheld by the court, and addresses the component of these standards, regarding the use of vinyl chloride as a surrogate for all other HAP, that was not upheld by the court. Data that is gathered from this industry which will include an information request and source testing of the manufacturing process, will assist in compiling a list of HAP from PVC and copolymer production industry other than vinyl chloride; assessing control measures; determining whether using vinyl chloride as surrogate; and developing new standards for this source category.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7412

**Legal Deadline:**

Action	Source	Description	Date
None			

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	05/20/2011	76 FR29528
Final Action	04/17/2012	77 FR 22848

**Additional Information:** Docket #:EPA-HQ-OAR-2002-0037. 02/13/2012 - Final Rule - Settlement Agreement.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 325211

**Agency Contact:** Jodi Howard Environmental Protection Agency  
Air and Radiation  
E143-01, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-4607  
FAX: 919 541-0246  
E-Mail: Howard.Jodi@epamail.epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

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RIN: 2060-AN72

 [View Related Documents](#)**Title:** Petroleum Refineries--New Source Performance Standards (NSPS)--Subparts J and JA

**Abstract:** On June 24, 2008, EPA promulgated amendments to the Standards of Performance for Petroleum Refineries and new standards of performance for petroleum refinery process units constructed, reconstructed or modified after May 14, 2007. EPA subsequently received three petitions for reconsideration of these final rules. On September 26, 2008, the EPA granted reconsideration and issued a stay for the issues raised in the petitions regarding process heaters and flares. On December 22, 2008, the EPA addressed those specific issues by proposing amendments to certain provisions for process heaters and flares and extending the stay of these provisions until further notice. EPA also proposed technical corrections to the rules for issues that were raised in the petitions for reconsideration. On September 12, 2012, EPA finalized those amendments and technical corrections and lifted the stay of all the provisions granted on September 26, 2008, and extended until further notice on December 22, 2008.

**Priority:** Economically Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 40 CFR 60 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7411**Legal Deadline:** None**Regulatory Plan:****Statement of Need:**

**Legal Basis:** Section 111(b)(1)(B) of the Clean Air Act requires EPA to review new source performance standards at least every 8 years.

**Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	05/14/2007	72 FR 27178
Final Rule	06/24/2008	73 FR 35838
Reconsideration--NPRM	12/22/2008	73 FR 78546
Reconsideration--Final	09/12/2012	77 FR 56422

**Additional Information:** Docket #:EPA-HQ-OAR-2007-0011**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Sectors Affected:** 324110**Agency Contact:** Brenda Shine Environmental Protection Agency  
Air and Radiation

E143-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3608

FAX: 919 541-0246

E-Mail: shine.brenda@epamail.epa.gov

**Agency Contact:** Penny Lassiter Environmental Protection Agency  
Air and Radiation

E1430-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5396

FAX: 919 541-0246

E-Mail: lassiter.penny@epamail.epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

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RIN: 2060-AO47

 [View Related Documents](#)**Title:** Review of the National Ambient Air Quality Standards for Particulate Matter

**Abstract:** Under the Clean Air Act, EPA is required to review the science upon which the primary (health-based) and secondary



(welfare-based) national ambient air quality standards (NAAQS) are based and the standards themselves every 5 years. On October 17, 2006, EPA published a final rule to revise the primary and secondary NAAQS for particulate matter to provide increased protection of public health and welfare. With regard to the primary standards for fine particles (PM<sub>2.5</sub> generally referring to particles with an aerodynamic diameter less than or equal to 2.5 micrometers,  $\mu\text{m}$ ), EPA revised the level of the 24-hour PM<sub>2.5</sub> standard to 35 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) and retained the level of the annual PM<sub>2.5</sub> standard at 15  $\mu\text{g}/\text{m}^3$ . With regard to the primary standards for coarse particles (PM<sub>10</sub>, generally referring to particles with an aerodynamic diameter less than or equal to 10  $\mu\text{m}$ ), EPA retained the 24-hour PM<sub>10</sub> standard and revoked the annual PM<sub>10</sub> standard. With regard to the secondary PM standards, EPA made them identical in all respects to the primary PM standards, as revised. In subsequent litigation, the U.S. Court of Appeals for the District of Columbia Circuit remanded the primary annual PM<sub>2.5</sub> standard and secondary PM<sub>2.5</sub> standards to EPA. The EPA is responding to the court's remands as part of the current review of the PM NAAQS. EPA initiated the current review in 2007 and issued a proposed rule in June 2012 (77 FR 38890). Based on its review of the air quality criteria and the 2006 standards, EPA proposed to revise the primary annual PM<sub>2.5</sub> standard by lowering the level to within a range of 12.0 to 13.0  $\mu\text{g}/\text{m}^3$  in conjunction with retaining the primary 24-hour PM<sub>2.5</sub> standard. The EPA also proposed to retain the current primary 24-hour PM<sub>10</sub> standard. With regard to the secondary PM standards, EPA proposed to retain the current standards (i.e., 24-hour and annual PM<sub>2.5</sub> standards and 24-hour PM<sub>10</sub> standard) to provide protection for non-visibility welfare effects and to establish a distinct secondary standard to address PM-related visibility impairment.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** Yes

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 50; 51; 52; 53; and 58 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7408; 42 USC 7409

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Court deadline received on May 31 2012. Extended to June 14 on June 6.	06/14/2012
Other	Judicial	Consent Decree - As per 8/31/2012 consent decree; American Lung Ass'n v. EPA, D.D.C., #12-0243	12/14/2012

#### Regulatory Plan:

**Statement of Need:** As established in the Clean Air Act, the science upon which the national ambient air quality standards are based and the standards themselves are to be reviewed every 5 years. The last review of the NAAQS for particulate matter was completed in 2006 (71 FR 61144).

**Legal Basis:** Section 109 of the Clean Air Act (42 U.S.C. 7409) directs the Administrator to propose and promulgate national ambient air quality standards for pollutants identified under section 108 (the "criteria" pollutants).

**Alternatives:** The main alternative for the Administrator's decision on the review of the national ambient air quality standard for particulate matter is whether to retain or revise the existing standard.

**Costs and Benefits:** The Clean Air Act makes clear that the economic and technical feasibility of attaining standards are not to be considered in setting or revising the NAAQS, although such factors may be considered in the development of State plans to implement the standards. Accordingly, the Agency prepares cost and benefit information in order to provide States information that may be useful in considering different implementation strategies for meeting proposed or final standards. Cost and benefit information will be included in the regulatory analysis accompanying the final rule.

#### Risks:

##### Timetable:

Action	Date	FR Cite
NPRM	06/29/2012	77 FR 38890
Correction	06/29/2012	77 FR 38760
Final Rule	01/18/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2007-0492

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Federalism:** No

**Energy Affected:** No

**RIN Information URL:** [www.epa.gov/air/particlepollution/](http://www.epa.gov/air/particlepollution/)

**Agency Contact:** Beth Hassett-Sipple Environmental Protection Agency  
Air and Radiation

C504-06, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-4605

FAX: 919 541-0237

E-Mail: [hassett-sipple.beth@epa.gov](mailto:hassett-sipple.beth@epa.gov)

**Agency Contact:** Karen Martin Environmental Protection Agency  
Air and Radiation

C504-06, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-5274

FAX: 919 541-0237

E-Mail: Martin.Karen@epamail.epa.gov

**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AO70

 [View Related Documents](#)**Title:** Adoption of International NOx Standard for Aircraft Engines

**Abstract:** This rulemaking would amend the existing United States regulations governing the exhaust emissions from new commercial aircraft gas turbine engines. This action would adopt standards equivalent to the NOx standards of the United Nations International Civil Aviation Organization (ICAO), and thereby bring the United States emission standards into alignment with the internationally adopted standards. The action would also adopt updated ICAO recommended practices such as amended test procedures and definitions. These NOx standards and recommended practices were adopted by ICAO's Committee on Aviation Environmental Protection (CAEP) in 2004 and 2010. The proposed rule would establish consistency between United States and international requirements.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 87 (Revision) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7571**Legal Deadline:**

Action	Source	Description	Date
None			

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	07/27/2011	76 FR 45012
Final Rule	06/18/2012	77 FR 36342
Final Rule Effective	07/18/2012	

**Additional Information:** EPA publication information: NPRM - <http://www.gpo.gov/fdsys/pkg/FR-2011-07-27/pdf/2011-17660.pdf>**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.**Sectors Affected:** 336412; 336411**Agency Contact:** Bryan Manning Environmental Protection Agency

Air and Radiation

2000 Traverwood Dr., Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4832

FAX: 734 214-4816

E-Mail: Manning.Bryan@epa.gov

**Agency Contact:** Glenn Passavant Environmental Protection Agency

Air and Radiation

2000 Traverwood Dr., Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4408

FAX: 734 214-4816

E-Mail: Passavant.Glenn@epamail.epa.gov

**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AO72

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**Title:** Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur

**Abstract:** Under the Clean Air Act, EPA is required to review and, if appropriate, revise the air quality criteria for the primary (health-based) and secondary (welfare-based) national ambient air quality standards (NAAQS) every 5 years. On October 11, 1995, EPA published a final rule not to revise either the primary or secondary NAAQS for nitrogen dioxide (NO<sub>2</sub>). On May 22, 1996, EPA published a final decision that revisions of the primary and secondary NAAQS for sulfur dioxide (SO<sub>2</sub>) were not appropriate at that time, aside from several minor technical changes. On December 9, 2005, EPA initiated the current periodic review of NO<sub>2</sub> air quality criteria with a call for information in the Federal Register (FR). On May 3, 2006, EPA initiated the current periodic review of SO<sub>2</sub> air quality criteria with a call for information in the FR. Subsequently, the decision was made to review the oxides of nitrogen and the oxides of sulfur together, rather than individually, with respect to a secondary welfare standard for NO<sub>2</sub> and SO<sub>2</sub>. This decision derives from the fact that NO<sub>2</sub>, SO<sub>2</sub>, and their associated transformation products are linked from an atmospheric chemistry perspective, as well as from an environmental effects perspective, most notably in the case of secondary aerosol formation and acidification in ecosystems. This review includes the preparation of an Integrated Science Assessment (ISA), Risk/Exposure Assessment (REA), and a Policy Assessment Document (PAD) by EPA, with opportunities for review by EPA's Clean Air Scientific Advisory Committee and the public. This review was limited to only the secondary standards; the primary standards for SO<sub>2</sub> and NO<sub>2</sub> were reviewed separately.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 50 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7408; 42 USC 7409

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Consent Decree	07/12/2011
Other	Judicial	The court has approved the amendments to the consent decree incorporating the revised dates.	03/20/2012

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	08/01/2011	76 FR 46084
Notice	08/08/2011	76 FR 48073
Final Rule	04/03/2012	77 FR 20218

**Additional Information:** Docket #:EPA-HQ-OAR-2007-1145

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State; Tribal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Public Comment**

**URL:** <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2007-1145-0098>

**Agency Contact:** Rich Scheffe Environmental Protection Agency

Air and Radiation

C304-02, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-4650

FAX: 919 541-0237

E-Mail: [scheffe.rich@epa.gov](mailto:scheffe.rich@epa.gov)

**Agency Contact:** Karen Martin Environmental Protection Agency

Air and Radiation

C504-06, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-5274

FAX: 919 541-0237

E-Mail: [Martin.Karen@epamail.epa.gov](mailto:Martin.Karen@epamail.epa.gov)

**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

**RIN:** 2060-AO96

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**Title:** Implementation of the 1997 8-Hr Ozone NAAQS: Classification of Subpart 1 Areas and Revision to AntiBacksliding Provisions; Deletion of Obsolete 1-Hr Ozone Standard Provisions

**Abstract:** This final action revises the rule for implementation of the 1997 8-hour ozone national ambient air quality standard (NAAQS) to address several provisions vacated by the U.S. Circuit Court of Appeals for the District of Columbia Circuit. The rulemaking would remove the portions of the regulatory text vacated by the Court. The rule also addresses: (1) the classification system for nonattainment areas that the implementation rule originally covered under Clean Air Act (CAA) title I, part D, subpart 1; and (2) contingency measures that apply as anti-backsliding measures under the now-revoked 1-hour standard. The rule would also remove an obsolete provision in the 1-hour ozone standard itself (40 CFR 50.9(c)).

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 51; 40 CFR 50; 40 CFR 81 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7410; 42 USC 7511 to 7511f; 42 USC 7601(a)(1)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	01/16/2009	74 FR 2936
Final Rule	05/14/2012	77 FR 28424
Final Rule Effective	06/13/2012	

**Additional Information:** Docket #:EPA-HQ-OAR-2007-0956

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Lynn Dail Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-2363

FAX: 919 541-0824

E-Mail: dail.lynn@epamail.epa.gov

**Agency Contact:** Krishna Viswanathan Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-0641

FAX: 919 541-0824

E-Mail: viswanathan.krishna@epa.gov

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**Environmental Protection Agency (EPA)**

**Air and Radiation ( AR )**

**RIN:** 2060-AP37

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**Title:** Air Quality Designations for the 2008 Ozone National Ambient Air Quality Standards

**Abstract:** This action will establish the air quality designations for all areas of the United States under the revised 2008 ozone NAAQS. Designations of attainment, nonattainment, or unclassifiable are based upon air quality monitoring data and other relevant information pertaining to the air quality in the affected area, including whether an area contributes to a violation of the standard in a nearby area.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 81 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** sec 107(d); sec 172(a); sec 181(a)

**Legal Deadline:**

Action	Source	Description	Date
Other	Judicial	Consent Decree - WildEarth Guardians v. Jackson, D. Ariz., 11-1661.	05/31/2012

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Notice	12/20/2011	76 FR 78872
Final Rule	05/21/2012	77 FR 30088
Final Rule Effective	07/20/2012	

**Additional Information:** Docket #:EPA-HQ-OAR-2008-0476

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Carla Oldham Environmental Protection Agency

Air and Radiation

C539-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3347

FAX: 919 541-0824

E-Mail: oldham.carla@epamail.epa.gov

**Agency Contact:** Rhea Jones Environmental Protection Agency

Air and Radiation

C539-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-2940

FAX: 919 541-5489

E-Mail: jones.rhea@epamail.epa.gov

**Environmental Protection Agency (EPA)****Air and Radiation ( AR )**

**RIN:** 2060-AP52

 [View Related Documents](#)

**Title:** National Emission Standards for Hazardous Air Pollutants From Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Electric Utility Steam Generating Units

**Abstract:** On May 18, 2005 (70 FR 28606) , EPA published a final rule requiring reductions in emissions of mercury from Electric Utility Steam Generating Units. That rule was vacated on February 8, 2008, by the U.S. Court of Appeals for the District of Columbia Circuit. As a result of that vacatur, coal- and oil-fired electric utility steam generating units remain on the list of sources that must be regulated under section 112 of the Clean Air Act (CAA). The Agency will develop standards under CAA section 112(d) which will reduce hazardous air pollutant (HAP) emissions from this source category. Recent court decisions on other CAA section 112(d) rules will be considered in developing this regulation. The rule was proposed on May 3, 2011 (76 FR 24976). Under this action EPA also proposed amendments to the criteria pollutant new source performance standards (NSPS) for utilities. On February 27, 2006, EPA promulgated amendments to the utility NSPS and was subsequently sued by multiple state attorney general offices and environmental organizations. On September 2, 2009, EPA was granted a voluntary remand without vacatur of the 2006 amendments. Combining the two rules is a single action provides interested parties the opportunity to provide comments on the combined requirements of the 2 rules. It also avoids double counting either costs or environmental benefits of the separate rules.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** Yes

**Unfunded Mandates:** State, Local, Or Tribal Governments;  
Private Sector

**CFR Citation:** 40 CFR 63; 40 CFR 60; subpart Da (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Clean Air Act sec 112(d); Clean Air Act sec 111(b)

**Legal Deadline:** None

**Regulatory Plan:****Statement of Need:**

**Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Notice	04/28/2011	76 FR 23768
NPRM	05/03/2011	76 FR 24976
NPRM Comment Period Extended	07/01/2011	76 FR 38590
Final Rule	02/16/2012	77 FR 9304
Final Rule Effective	04/16/2012	
Correction	04/19/2012	77 FR 23399

**Additional Information:** Docket #:EPA-HQ-OAR-2009-0234, EPA-HQ-OAR-2005-0031

**Regulatory Flexibility Analysis Required:** Business

**Government Levels Affected:** Federal; Local; State; Tribal

**Federalism:** Yes

**Energy Affected:** Yes

**Sectors Affected:** 221112

**Agency Contact:** Bill Maxwell Environmental Protection Agency

Air and Radiation

D243-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5430

FAX: 919 541-5450

E-Mail: maxwell.bill@epa.gov

**Agency Contact:** Robert J Wayland Environmental Protection Agency

Air and Radiation

D243-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-1045

FAX: 919 541-5450

E-Mail: wayland.robertj@epamail.epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AP54 [View Related Documents](#)

**Title:** Protection of Stratospheric Ozone: Listing of Substitutes for Ozone-Depleting Substances-Hydrocarbon Refrigerants

**Abstract:** This action lists a number of hydrocarbon refrigerants as substitutes to ozone depleting substances for certain household and commercial uses under EPA's Significant New Alternatives Policy (SNAP) Program. The SNAP Program evaluates alternatives to ozone-depleting substances to ensure that they do not increase overall risks to human health and the environment and lists these substitutes as acceptable, acceptable subject to use conditions, acceptable with narrowed use limits, or unacceptable. This action listed a number of hydrocarbons acceptable subject to use conditions, including enforceable use conditions to ensure the safe use of hydrocarbons as refrigerants. This rule is anticipated to give appliance manufacturers more options with less overall environmental and health impact than current refrigerants.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 82 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7414; 42 USC 7601; 42 USC 7671 to 7671q

**Legal Deadline:** None

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	05/10/2010	75 FR 25799
Final Rule	12/20/2011	76 FR 78832
Final Rule Effective	02/21/2012	

**Additional Information:** Docket #:EPA-HQ-OAR-2009-0286**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.epa.gov/ozone/snap>**Sectors Affected:** 333415; 335222**Agency Contact:** Margaret Sheppard Environmental Protection Agency

Air and Radiation

6205J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9163

FAX: 202 343-2338

E-Mail: [sheppard.margaret@epa.gov](mailto:sheppard.margaret@epa.gov)**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AP57 [View Related Documents](#)**Title:** Transportation Conformity Rule Restructuring Amendments**Abstract:** The transportation conformity rule ensures that transportation planning is consistent with a State's plan for achieving air quality standards. These amendments will update the rule to apply existing conformity requirements to future NAAQS such that the need for future rulemakings merely to address conformity for a new or revised NAAQS will be minimized.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 93 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** CAA 176(c) 42 USC 7506(c)**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	08/13/2010	75 FR 49435
Final Rule	03/14/2012	77 FR 14979
Final Rule Effective	04/13/2012	

**Additional Information:** EPA publication information: NPRM - <http://edocket.access.gpo.gov/2010/pdf/2010-19928.pdf>; EPA Docket information: EPA-HQ-OAR-2009-0128**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information****URL:** <http://www.epa.gov/otaq/stateresources/transconf/index.htm>**Sectors Affected:** 92**Agency Contact:** Patty Klavon Environmental Protection Agency

Air and Radiation

AASMCG, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4476

E-Mail: Klavon.Patty@epamail.epa.gov

**Agency Contact:** Laura Berry Environmental Protection Agency

Air and Radiation

AASMC, Ann Arbor, MI 48105

Ann Arbor, MI 48105

Phone: 734 214-4858

E-Mail: Berry.Laura@epamail.epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

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RIN: 2060-AP76

 [View Related Documents](#)

**Title:** Oil and Natural Gas Sector--New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants

**Abstract:** New Source Performance Standards (NSPS) regulate criteria pollutants from new stationary sources. Two NSPS (subparts KKK and LLL) for the oil and natural gas industry were promulgated in 1985. Section 111 of the Clean Air Act (CAA) requires that NSPS be reviewed every 8 years and revised as appropriate. National Emission Standards for Hazardous Air Pollutants (NESHAP) regulate hazardous air pollutants (HAP) from new and existing stationary sources. Two NESHAP (subparts HH and HHH) for the oil and natural gas industry were promulgated in 1999. Section 112 of the CAA requires that NESHAP be reviewed every 8 years and revised as appropriate. In addition, section 112(f) requires that each category regulated under section 112(d) be reviewed to ensure that such regulations provide for an ample margin of safety to protect public health (i.e. address "residual risk" for each category). This action included the required reviews under sections 111 and 112. Because the existing regulations were narrow in scope, the reviews resulted in broadening the scope of operations and emission points covered by the NSPS and MACT.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** Yes

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 60; 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 42 USC 7411; 42 USC 7412

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Consent Decree entered 02/04/2010, 3-month extension granted 1/11/11, new 3 month extension granted on 4/18/2011	07/28/2011
Other	Judicial	As per 10/25/2011 modification to consent decree. WildEarth Guardians, et al. v. Jackson, 09-0089 (D. D.C.); deliver to FR within 15 business days; WildEarth granted 2 week extension to 4/17/12.	04/17/2012

**Regulatory Plan:**

**Statement of Need:** Not yet determined.

**Legal Basis:** Not yet determined.

**Alternatives:** Not yet determined.

**Costs and Benefits:** For the NSPS, the annual costs are estimated at \$738 million. After taking into account the value of the natural gas and condensate recovered, there would be a net savings of \$45 million annually. For the NESHAP, the annual costs of compliance will be \$16 million. EPA estimates benefits for the VOCs 540,000 tons per year, or about 25 percent reduction overall; for methane, 3.4 million tpy, which is equal to 65 million metric tons of carbon dioxide equivalent (CO<sub>2</sub>e), which is a reduction of about 26 percent; and for air toxics, 38,000 tons, or a reduction of nearly 30 percent.

**Risks:** Not yet determined.

**Timetable:**

Action	Date	FR Cite
NPRM	08/23/2011	76 FR 52738
Notice	08/26/2011	76 FR 53371
Second NPRM	10/20/2011	76 FR 65138
Final Rule	08/16/2012	77 FR 49490
Final Rule Effective	10/15/2012	

**Additional Information:** Docket #:EPA-HQ-OAR-2010-0505

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information URL:** <http://epa.gov/airquality/oilandgas/>

**Agency Contact:** Bruce Moore Environmental Protection Agency

Air and Radiation

E143-01, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711



Phone: 919 541-5460  
FAX: 919 541-0246  
E-Mail: moore.bruce@epamail.epa.gov  
**Agency Contact:** David Cozzie Environmental Protection Agency  
Air and Radiation  
1200 Pennsylvania Ave, NW, Washington, DC 20460  
Washington , DC 20460  
Phone: 919 541-5356  
E-Mail: cozzie.david@epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AP97

 [View Related Documents](#)

**Title:** National Emission Standards for Hazardous Air Pollutants for Elemental Phosphorous Production

**Abstract:** This action is being withdrawn from the Regulatory Agenda. We are not proceeding with this rule as there is only one facility left in the United States. Although this facility emits HAP, there are controls for PM which is a good surrogate for the HAP. Other criteria pollutants are controlled under State permits.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Clean Air Act sec 112

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
Withdrawn	03/01/2012	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Susan Fairchild Environmental Protection Agency

Air and Radiation

D-243-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5167

FAX: 919 541-5450

E-Mail: fairchild.susan@epamail.epa.gov

**Agency Contact:** Steve Fruh Environmental Protection Agency

Air and Radiation

D243-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-2837

FAX: 919 541-4991

E-Mail: fruh.steve@epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AQ10

 [View Related Documents](#)

**Title:** Review of New Source Performance Standards for Nitric Acid Plants--Subpart G

**Abstract:** Section 111(b)(1)(B) of the Clean Air Act mandates that EPA review and if appropriate revise existing New Source Performance Standards (NSPS) at least every 8 years. This NSPS was initially promulgated in 1971. This NSPS was reviewed in 1979

and 1984. On January 2010, consent decree was entered into US District Court between EPA and several environmental groups that required EPA to review the NSPS. This action reviewed and revised the existing NSPS, resulting in new requirements for facilities built or modified after October of 2011. The final rule for this NSPS review was signed on May 14, 2012 and published in the Federal Register August 14, 2012 (77 FR 48433).

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 60 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** CAA sec 111

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	(Environmental Integrity Project v. EPA, 09-0218, USDC DC (as per 2/14/2011 2nd extension))	09/30/2011
Other	Judicial	(Environmental Integrity Project v. EPA, 09-0218, USDC DC (as per 4th stipulation extending deadline by 45 days agreed to by litigants 01/17/2012))	05/14/2012

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	10/14/2011	76 FR 63878
Final Rule	08/14/2012	77 FR 48433

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Nathan Topham Environmental Protection Agency

Air and Radiation

D243-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-0483

FAX: 919 541-3207

E-Mail: topham.nathan@epamail.epa.gov

**Agency Contact:** Chuck French Environmental Protection Agency

Air and Radiation

D243-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-7912

FAX: 919 541-3207

E-Mail: french.chuck@epa.gov

---

## Environmental Protection Agency (EPA)

### Air and Radiation ( AR )

**RIN:** 2060-AQ23

 [View Related Documents](#)

**Title:** Method 16C for the Determination of Total Reduced Sulfur Emissions From Stationary Sources

**Abstract:** Method 16C is used to determine total reduced sulfur emissions and is being finalized as an alternative to Methods 16, 16A, and 16B for regulated facilities in kraft pulp mills (subpart BB of 40 CFR 60) and other industries that emit these compounds. Method 16C combines the sample oxidation technology of Method 16A with the instrumental technology of Method 6C to provide a user-friendly, real-time procedure. The Agency has allowed its use in the past on a case-by-case basis and now believes it should be made available for general use. This method is not required under any rule and does not add any new testing requirement to the current regulations.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 51; 40 CFR 60; 40 CFR 61; 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7401 to 7601

**Legal Deadline:** None

**Regulatory Plan:**  
**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	09/02/2010	75 FR 53908
Final Rule	07/30/2012	77 FR 44488

**Additional Information:** Docket #:EPA-HQ-OAR-2010-0115

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 324110; 322110

**Agency Contact:** Foston Curtis Environmental Protection Agency

Air and Radiation

E143-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-1063

FAX: 919 541-0516

E-Mail: curtis.foston@epa.gov

**Agency Contact:** Conniesue Oldham Environmental Protection Agency

Air and Radiation

E143-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-7774

FAX: 919 541-0516

E-Mail: oldham.conniesue@epa.gov

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#### Environmental Protection Agency (EPA)

#### Air and Radiation ( AR )

**RIN:** 2060-AQ38

 [View Related Documents](#)

**Title:** Air Quality: Revision to Definition of Volatile Organic Compounds--Exclusion of trans-1,3,3,3-tetrafluoropropene

**Abstract:** This final action adds trans 1,3,3,3-tetrafluoropropene to the list of negligibly reactive compounds under the definition of volatile organic compounds. Data indicate that the photochemical reactivity of this compound is low enough that it can be regarded as negligibly reactive in ozone formation and will not contribute to violations of the ozone national ambient air quality standard. Another compound, 2,3,3,3-tetrafluoropropene (which had been initially proposed along with trans 1,3,3,3-tetrafluoropropene), will be addressed separately in a new rulemaking.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 51.100(s) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7602(s)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	10/17/2011	76 FR 64059

Final Rule	06/22/2012	77 FR 37610
Final Rule Effective	07/23/2012	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local; State**Federalism:** No**Energy Affected:** No**Sectors Affected:** 238220; 326150**Agency Contact:** Dave Sanders Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-3356

FAX: 919 541-0824

E-Mail: sanders.dave@epa.gov

**Agency Contact:** Tom Coda Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-3037

E-Mail: coda.tom@epa.gov

**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AQ39 [View Related Documents](#)**Title:** Protection of Stratospheric Ozone: Extension of Global Laboratory and Analytical Use Exemption for Essential Class I Ozone Depleting Substances**Abstract:** This rule extends the global laboratory and analytical use exemption for the production and import of Class I ozone depleting substances through December 31, 2014. This action is consistent with recent actions by the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 82 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** CAA sec 604; 42 USC 7414, 7601, 7671 to 7671(q)**Legal Deadline:**

Action	Source	Description	Date
Other	Statutory	Date when current exemption expires	12/31/2011

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	07/15/2011	76 FR 41747
Final Action	12/15/2011	76 FR 77909

**Additional Information:** EPA publication information: NPRM - <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2010-0672-0001>; EPA Docket information: EPA-HQ-OAR-2010-0672**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.**RIN Information****URL:** <http://www.epa.gov/ozone/title6/exemptions/laboratory.html>**Sectors Affected:** 325120; 325412; 541380**Agency Contact:** Jeremy Arling Environmental Protection Agency

Air and Radiation  
6205J, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 343-9055  
FAX: 202 343-2338  
E-Mail: Arling.Jeremy@epamail.epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

**RIN:** 2060-AQ41

 [View Related Documents](#)

**Title:** Risk and Technology Review for National Emission Standards for Hazardous Air Pollutants From the Pulp and Paper Industry

**Abstract:** Section 112(f)(2) of the Clean Air Act (CAA) directs EPA to conduct risk assessments on each source category subject to maximum achievable control technology (MACT) standards, and to determine if additional standards are needed to reduce residual risks, to be completed 8 years after promulgation. Section 112(d)(6) of the CAA requires EPA to review and revise the MACT standards as necessary, taking into account developments in practices, processes and control technologies, to be done at least every 8 years. The National Emission Standards for Hazardous Air Pollutant (NESHAP) for the Pulp and Paper Industry (subpart S) was promulgated in 1998 and also has not been reviewed; this action finalized those amendments.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 63.440 to 63.459 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Clean Air Act sec 112

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	12/27/2011	76 FR 81328
Final Rule	09/11/2012	77 FR 55698

**Additional Information:** Docket #:EPA-HQ-OAR-2007-0544. This action includes retrospective review under EO 13563; see: <http://www.epa.gov/regdarrt/retrospective/history.html>.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State; Tribal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Bill Schrock Environmental Protection Agency

Air and Radiation

E143-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5432

FAX: 919 541-3470

E-Mail: [schrock.bill@epa.gov](mailto:schrock.bill@epa.gov)

**Agency Contact:** Robin Dunkins Environmental Protection Agency

Air and Radiation

E143-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5335

FAX: 919 541-3470

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

**RIN:** 2060-AQ54

 [View Related Documents](#)

**Title:** Joint Rulemaking to Establish 2017 and Later Model Year Light Duty Vehicle GHG Emissions and CAFE Standards

**Abstract:** The Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA), on behalf of the Department of Transportation, issued final rules to further reduce greenhouse gas emissions and improve fuel economy for light-duty vehicles for model years 2017 and beyond. On May 21, 2010, President Obama issued a Presidential Memorandum requesting that NHTSA and EPA develop through notice and comment rulemaking a coordinated National Program to improve fuel economy and reduce greenhouse gas emissions of light-duty vehicles for model years 2017-2025, building on the success of the first phase of the National Program for these vehicles for model years 2012-2016. The final rule, consistent with the President's request, responded to the country's critical need to address global climate change and to reduce oil consumption.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** Yes

**Unfunded Mandates:** Private Sector

**CFR Citation:** 40 CFR 86 and 600 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7401 to 7671q

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:** .

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
Notice	10/13/2010	75 FR 62739
Notice	12/08/2010	75 FR 76337
Notice	08/09/2011	76 FR 48758
NPRM	12/01/2011	76 FR 74854
Notice	12/09/2011	76 FR 76932
Final Rule	10/15/2012	77 FR 62623
Final Rule Effective	12/14/2012	

**Additional Information:** Docket #:EPA-HQ-OAR-2010-0799. Related to RIN 2127-AK79.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 811198; 336111; 423110; 811112; 811111; 441120

**Related Agencies:** Joint : NHTSA

**Agency Contact:** Robin Moran Environmental Protection Agency

Air and Radiation

NVFEL, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4781

FAX: 734 214-4816

E-Mail: moran.rob@epa.gov

**Agency Contact:** Chris Lieske Environmental Protection Agency

Air and Radiation

NVFEL, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4584

FAX: 734 214-4816

E-Mail: lieske.christopher@epa.gov

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**Environmental Protection Agency (EPA)**

**Air and Radiation ( AR )**

**RIN:** 2060-AQ60

 [View Related Documents](#)

**Title:** National Emission Standards for Hazardous Air Pollutants for Hard and Decorative Chromium Electroplating, Chromium Anodizing, and Steel Pickling Residual Risk and Technology Review

**Abstract:** EPA received additional information after proposal which indicated the possibility of proposing a lower emission limit. A supplemental action was proposed 1/20/2012 which addressed those limits for six industrial source categories regulated by two National Emission Standards for Hazardous Air Pollutants (NESHAP): Steel Pickling and Chromium Electroplating. The final rule tightened limits for hexavalent chromium emissions from hard and decorative chromium electroplating and chromium anodizing tanks by 30-50 percent.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** CAA sec 112(f)(2) CAA sec 112(d)(6)**Legal Deadline:**

Action	Source	Description	Date
Other	Judicial	Promise to Court (As per representation in 6/10/2011 joint stipulation. Sierra Club v. Jackson # 09-0152 USDC Northern District of California. Modified by 6/10/2011 joint stipulation)	01/20/2012
Other	Judicial	Sierra Club v. Jackson; # 09-0152; USDC Northern District of California. Modified by 6/10/2011 joint stipulation	08/15/2012

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Supplemental NPRM	02/08/2012	77 FR 6628
Final Rule	09/19/2012	77 FR 58220

**Additional Information:** Split from RIN 2060-AO92. Split from RIN 2060-AN85.**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Sectors Affected:** 332813; 3311; 3312**Agency Contact:** Chuck French Environmental Protection Agency

Air and Radiation

D243-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-7912

FAX: 919 541-3207

E-Mail: french.chuck@epa.gov

**Agency Contact:** Steve Fruh Environmental Protection Agency

Air and Radiation

D243-02, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-2837

FAX: 919 541-4991

E-Mail: fruh.steve@epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AQ64 [View Related Documents](#)**Title:** Supplemental Determination for Renewable Fuels Produced Under the Final RFS2 Program From Sorghum**Abstract:** As indicated in the final rule for the Renewable Fuels Standard Program, while the Agency issued lifecycle greenhouse gas (GHG) threshold determinations for the major fuel pathways projected to meet the bulk of the RFS volume mandates, assessments of other new fuel pathways such as renewable fuels from sorghum could not be completed in time for the final rule. In the process of assessing these fuels, the Agency is issuing determinations through several supplemental notices to the final rule.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 86, 80 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Clean Air Act 211(o)**Legal Deadline:** None**Regulatory Plan:****Statement of Need:**

**Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Final Rule	12/17/2012	77 FR 74592

**Additional Information:** Split from RIN 2060-AQ49. Split from RIN 2060-AQ36. Split from RIN 2060-AO81; EPA Docket information: EPA-HQ- OAR-2005-0161

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** Yes

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**RIN Information**

**URL:** <http://www.epa.gov/otaq/fuels/renewablefuels/index.htm>

**Sectors Affected:** 324110

**Agency Contact:** Paul Argyropoulos Environmental Protection Agency

Air and Radiation

6401A, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-1123

E-Mail: [argyropoulos.paul@epa.gov](mailto:argyropoulos.paul@epa.gov)

**Agency Contact:** Robert Larson Environmental Protection Agency

Air and Radiation

AAFC, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4277

E-Mail: [larson.robert@epamail.epa.gov](mailto:larson.robert@epamail.epa.gov)

**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AQ65 [View Related Documents](#)

**Title:** Reasonable Further Progress Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards

**Abstract:** This action was intended to revise the rules for implementing the 1997 8-hour ozone National Ambient Air Quality Standards (NAAQS) to address the requirement for nonattainment areas to achieve continued emissions reductions until the area attains the 1997 ozone standards.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 51; 40 CFR 50 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7409; 42 USC 7410; 42 USC 7511 to 7511f; 42 USC 7601(a)(1)

**Legal Deadline:** None

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	12/22/2010	75 FR 80420
Withdrawn via Regulatory Agenda	11/18/2012	



**Additional Information:** Docket #:EPA-HQ-OAR-2010-0885. Split from RIN 2060-AP24.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Lynn Dail Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-2363

FAX: 919 541-0824

E-Mail: dail.lynn@epamail.epa.gov

**Agency Contact:** Rich Damberg Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5592

FAX: 919 541-0824

E-Mail: damberg.rich@epamail.epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AQ70 [View Related Documents](#)

**Title:** Final Confidentiality Determinations for 9 Subparts and Amendments to Subpart A and I Under the Mandatory Reporting of Greenhouse Gases Rule

**Abstract:** This action finalized confidentiality determinations for certain data elements in nine subparts under the Mandatory Greenhouse Gas Reporting Rule. In addition, EPA is finalizing amendments to subpart A to defer the reporting deadline of certain data elements in subparts FF and TT until 2013 and to defer the reporting deadline of certain data elements in subpart W until 2015. Lastly, the EPA is finalizing amendments to subpart I regarding the calculation and reporting of emissions from facilities that use best available monitoring methods. This action does not include final confidentiality determinations for data elements in the "Inputs to Emission Equations" data category.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 98 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7401 et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	01/10/2012	77 FR 1434
Final Rule	08/13/2012	77 FR 48072

**Additional Information:** Docket #:EPA-HQ-OAR-2011-0028

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information URL:** <http://www.epa.gov/ghgreporting>

**Sectors Affected:** 333415; 211111; 221121; 423610; 33531; 423620; 334111; 443111; 336391; 221210; 211112; 334419; 486210; 334413; 335313; 326150; 423730

**Agency Contact:** Lisa Bacanskas Environmental Protection Agency

Air and Radiation

6207J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9758

FAX: 202 343-2202

E-Mail: Bacanskas.Lisa@epamail.epa.gov

**Agency Contact:** Barbora Master Environmental Protection Agency

Air and Radiation

6207J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9899

FAX: 202 343-2359

E-Mail: master.barbora@epamail.epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AQ83 [View Related Documents](#)

**Title:** Protection of Stratospheric Ozone: The 2012 Critical Use Exemption From the Phaseout of Methyl Bromide

**Abstract:** Methyl bromide was phased out under the Clean Air Act and the Montreal Protocol on Substances that Deplete the Ozone Layer in 2005, except for limited exemptions. This action authorizes uses for the 2012 critical use exemption from the phase-out of methyl bromide, and the amount of methyl bromide that may be produced, imported, or supplied from inventory for those uses in 2012. Absent this rulemaking, production and import of methyl bromide for critical uses would be zero for 2012. EPA takes this action under the authority of the Clean Air Act to reflect recent consensus Decisions taken by the Parties to the Montreal Protocol in November 2010.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 82 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7671(c)(d)(6)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	10/20/2011	76 FR 65139
Final Rule	05/17/2012	77 FR 29218

**Additional Information:** Docket #:EPA-HQ-OAR-2009-0277

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Federalism:** No

**Energy Affected:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**RIN Information URL:** <http://www.epa.gov/ozone/mbr>

**Sectors Affected:** 111334; 311111; 493130; 111422; 311211; 311822; 111336; 493110; 111332; 111421; 111339; 111219; 325320; 115114; 311212; 115112; 111333; 111335

**Agency Contact:** Jeremy Arling Environmental Protection Agency

Air and Radiation

6205J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9055

FAX: 202 343-2338

E-Mail: Arling.Jeremy@epamail.epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AQ93 [View Related Documents](#)

**Title:** Portland Cement Manufacturing National Emission Standard for Hazardous Air Pollutants (NESHAP) and New Source Performance Standard (NSPS)--Proposed Amendments as a Result of Reconsideration

**Abstract:** On September 9, 2010, EPA promulgated final amendments to the Portland cement National Emission Standard for Hazardous Air Pollutants (NESHAP) and New Source Performance Standard (NSPS) rules regulating emissions of air toxics and criteria pollutants. These amendments applied to all cement kilns that do not burn waste materials. (Cement kilns that burn waste are regulated by separate rules covering hazardous waste combustors and commercial and industrial solid waste incinerators) . Subsequent to promulgation of the September 9 rule, we received four petitions for reconsideration, two from environmental groups and two from the Portland cement industry. We issued a notice denying in part and granting in part the petitions for reconsideration on May 17, 2011. We also entered into a settlement agreement with the Portland Cement Association related to proposing a compliance extension for the rule. The proposed amendments were published on July 18, 2012 and would adjust the way cement kilns continuously monitor particulate matter (PM) emissions, would adjust certain emissions limits, would revise monitoring and recordkeeping requirements, and would extend the compliance deadline for existing kilns. The comment period ended August 17, 2012 and under the settlement agreement, the final rule amendments are scheduled for promulgation on December 20, 2012.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 63.1340 to 63.1359; 40 CFR 60.60 to 60.66 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7412

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Settlement agreement	06/22/2012
Other	Judicial	Settlement agreement	12/20/2012

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
Notice	05/17/2011	76 FR 28318
NPRM	07/18/2012	77 FR 42368
Final Rule	01/31/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2002-0051

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State; Tribal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/ttn/atw/pcem/pcempg.html>

**Agency Contact:** Sharon Nizich Environmental Protection Agency

Air and Radiation

D243, RTP, NC 27711

RTP, NC 27711

Phone: 919 541-2825

FAX: 919 541-5450

E-Mail: [nizich.sharon@epamail.epa.gov](mailto:nizich.sharon@epamail.epa.gov)

**Agency Contact:** Keith Barnett Environmental Protection Agency

Air and Radiation

D243-04, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-5605

FAX: 919 541-5450

E-Mail: [barnett.keith@epa.gov](mailto:barnett.keith@epa.gov)

**Environmental Protection Agency (EPA)**

**Air and Radiation ( AR )**

**RIN:** 2060-AQ97

 [View Related Documents](#)

**Title:** Air Quality: Widespread Use for Onboard Refueling Vapor Recovery and Stage II Waiver

**Abstract:** This final rule determined that onboard refueling vapor recovery is in widespread use in the motor vehicle fleet effective May 20, 2012. The Administrator also waived the requirement for states to implement Stage II gasoline vapor recovery at service stations in Serious and above ozone attainment areas. ORVR and Stage II are largely redundant systems that capture VOC and HAP emissions that may escape during vehicle refueling. ORVR is being phased in to more and more new vehicles and its widespread use allows states to seek EPA approval to phase out Stage II control programs.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 51.126 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 23 USC 101; 42 USC 7401 to 7671(q)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	07/15/2011	76 FR 41731
Final Rule	05/16/2012	77 FR 28772

**Additional Information:** Docket #:EPA-HQ-OAR-2010-1076. This action includes retrospective review under EO 13563; see: <http://www.epa.gov/regdarrt/retrospective/history.html>.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 447110; 447190

**Agency Contact:** Lynn Dail Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-2363

FAX: 919 541-0824

E-Mail: [dail.lynn@epamail.epa.gov](mailto:dail.lynn@epamail.epa.gov)

**Agency Contact:** Krishna Viswanathan Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-0641

FAX: 919 541-0824

E-Mail: [viswanathan.krishna@epa.gov](mailto:viswanathan.krishna@epa.gov)

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**Environmental Protection Agency (EPA)**

**Air and Radiation ( AR )**

**RIN:** 2060-AR03

 [View Related Documents](#)

**Title:** Transportation Conformity Rule: MOVES Regional Grace Period Extension

**Abstract:** This rulemaking provides an extension to the current grace period before the Motor Vehicle Emission Simulator (MOVES) model is required for use in regional conformity analyses. In December 2009, EPA released the MOVES emissions model. Under the current conformity rule, new conformity analyses after March 2012 must be based on MOVES, but this will be difficult or impossible for some areas to meet. State and local governments need additional time to incorporate MOVES into their planning without negative conformity consequences. Transportation conformity is a Clean Air Act requirement that transportation activities be consistent with a State's plan for achieving EPA's national ambient air quality standards.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 51 and 93 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** CAA 176(c) (42 USC 7506(c))

**Legal Deadline:**

Action	Source	Description	Date
None			

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	10/13/2011	76 FR 63575
Direct Final Rule	10/13/2011	76 FR 63554
Notice	12/05/2011	76 FR 75797
Final Rule	02/27/2012	77 FR 11394

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Energy Affected:** No**RIN Information****URL:** <http://www.epa.gov/otaq/stateresources/transconf/index.htm>**Agency Contact:** Meg Patulski Environmental Protection Agency

Air and Radiation

AASMCG, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4842

E-Mail: [patulski.meg@epamail.epa.gov](mailto:patulski.meg@epamail.epa.gov)**Agency Contact:** Astrid Larsen Environmental Protection Agency

Air and Radiation

AASMCG, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4812

E-Mail: [larsen.astrid@epamail.epa.gov](mailto:larsen.astrid@epamail.epa.gov)**Government Levels Affected:** Federal; State; Local**Federalism:** No**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR05 [View Related Documents](#)**Title:** Revisions to Provisions Governing Alternative to Source-Specific Best Available Retrofit Technology (BART) Determinations, Limited SIP Disapprovals, and Federal Implementation Plans**Abstract:** This final action will finalize provisions in the Regional Haze Rule to substitute requirements of a regional cap-and-trade program (the Transport Rule, otherwise referred to as the Cross-State Air Pollution Rule) for source-specific Best Available Retrofit Technology (BART) determinations in certain states. This action will also finalize Federal Implementation Plans to allow this alternative approach to immediately take effect so that the Agency and states can meet their obligations to finalize Regional Haze requirements. This final action responds to comments received during the public comment period.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 51.308 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7491 to 7492**Legal Deadline:**

Action	Source	Description	Date
Other	Judicial	The Agency must meet 8 judicial deadlines for related actions that depend on the completion of the subject action by this date.	05/30/2012

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:**

**Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	12/30/2011	76 FR 82219
NPRM Comment Period Extended	01/31/2012	77 FR 4735
Final Rule	06/07/2012	77 FR 33642
Final Rule Effective	08/06/2012	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; State**Small Entities Affected:** No**Federalism:** Yes**Energy Affected:** No**RIN Information URL:** www.epa.gov/airtransport**Sectors Affected:** 221112**Agency Contact:** Martha Keating Environmental Protection Agency

Air and Radiation

C539-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-9407

E-Mail: keating.martha@epamail.epa.gov

**Agency Contact:** Todd Hawes Environmental Protection Agency

Air and Radiation

C539-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5591

FAX: 919 685-3190

E-Mail: hawes.todd@epamail.epa.gov

**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR06 [View Related Documents](#)**Title:** Air Quality Designations for the 2010 Nitrogen Dioxide National Ambient Air Quality Standards

**Abstract:** This final action established initial air quality designations for all areas of the United States under the revised 2010 NO<sub>2</sub> National Ambient Air Quality Standards (NAAQS). Designations of attainment, nonattainment, or unclassifiable are based on air quality monitoring data and other relevant information pertaining to the air quality in the affected area, including whether an area contributes to a violation of the standard in a nearby area. EPA was required to make the final initial designations no later than 2 years from the January 22, 2010 promulgation of the revised NAAQS.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 81 (Revision) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7407(d)**Legal Deadline:**

Action	Source	Description	Date
Other	Statutory	EPA is required to make the final initial designations NLT 2 yrs. from 01/22/2010 promulgation of the rev. NAAQS.	01/02/2012

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Final Rule	02/17/2012	77 FR 9532

**Additional Information:** Docket #:EPA-HQ-OAR-2011-0572**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; Local; State; Tribal

**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information****URL:** www.epa.gov/air/nitrogenoxides/designations**Agency Contact:** Rhonda Wright Environmental Protection Agency

Air and Radiation

C539-04, Research Triangle Park, NC 27709

Research Triangle Park , NC 27709

Phone: 919 541-1087

FAX: 919 541-0824

E-Mail: Wright.Rhonda@epa.gov

**Agency Contact:** Rhea Jones Environmental Protection Agency

Air and Radiation

C539-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-2940

FAX: 919 541-5489

E-Mail: jones.rhea@epamail.epa.gov

**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR10 [View Related Documents](#)**Title:** Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule Step 3 and GHG Plantwide Applicability Limits**Abstract:** This final rule fulfilled our commitment made in the Final Tailoring Rule, which stated that we would finalize a third step of the phase-in approach. This phase-in approach is designed to relieve the resource burdens by phasing in the applicability of greenhouse gas sources to the Prevention of Deterioration (PSD) and Title V (TV) programs of the Clean Air Act (CAA).**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 51; 40 CFR 52; 40 CFR 70; 40 CFR 71 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Clean Air Act**Legal Deadline:**

Action	Source	Description	Date
Other	Judicial	Compliance Date - Original Tailoring Rule stated that EPA would finalize regulations for Step 3 by 7/1/2012.	07/01/2012

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	03/08/2012	77 FR 14226
Final Rule	07/12/2012	77 FR 41051
Final Rule Effective	08/13/2012	

**Additional Information:** Docket #:EPA-HQ-OAR-2009-0517. Compliance Date Deadline - Original Tailoring Rule stated that EPA would finalize regulations for Step 3 by 7/1/2012.**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; State; Local; Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.epa.gov/nsr**Agency Contact:** Michael S Brooks Environmental Protection Agency

Air and Radiation

C504-05, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-3539

E-Mail: brooks.michaels@epamail.epa.gov

**Agency Contact:** Juan Santiago Environmental Protection Agency  
Air and Radiation  
C504-05, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-1084  
FAX: 919 541-5509  
E-Mail: santiago.juan@epamail.epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

**RIN:** 2060-AR13

 [View Related Documents](#)

**Title:** National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters; Reconsideration

**Abstract:** On March 21, 2011, EPA issued a final rule establishing standards for emissions of hazardous air pollutants (HAP) from boilers and process heaters located at major sources of HAP. EPA also issued on March 21, 2011 a Notice of Reconsideration listing issues that additional opportunity for public review and comment should be provided. Subsequently, EPA received more than 25 petitions to reconsider, clarify, and amend certain provisions of the final rule. On December 23, 2011, EPA proposed amendments to the final standards after analyzing the information submitted in the petitions. This action will finalize the reconsideration of the Boiler MACT.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** Yes

**Unfunded Mandates:** State, Local, Or Tribal Governments;  
Private Sector

**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Clean Air Act sec 112

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	12/23/2011	76 FR 80598
Final Rule	01/31/2013	

**Additional Information:** Docket #: EPA-HQ-OAR-2002-0058.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; State

**Small Entities Affected:** Business; Governmental Jurisdictions;  
Organizations

**Federalism:** Yes

**Energy Affected:** No

**Sectors Affected:** 325; 611; 322; 221; 321

**Agency Contact:** James Eddinger Environmental Protection Agency  
Air and Radiation  
D243-01, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-5426  
FAX: 919 541-5450  
E-Mail: eddinger.jim@epa.gov

**Agency Contact:** Robert J Wayland Environmental Protection Agency  
Air and Radiation  
D243-01, Research Triangle Park, NC 27711  
Research Triangle Park , NC 27711  
Phone: 919 541-1045  
FAX: 919 541-5450  
E-Mail: wayland.robertj@epamail.epa.gov

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**Environmental Protection Agency (EPA)**



**Air and Radiation ( AR )****RIN:** 2060-AR14 [View Related Documents](#)

**Title:** National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers; Reconsideration and Final Rule Amendments

**Abstract:** On March 21, 2011, EPA issued a final rule establishing standards for emissions of hazardous air pollutants from boilers located at area sources. EPA also issued on March 21, 2011 a Notice of Reconsideration listing four issues for which additional opportunity for public review and comment should be obtained. Subsequently, we received petitions to reconsider and clarify and amend certain applicability and implementation provisions of the final rule. We completed the proposed reconsideration amendments on December 23, 2011. This action will take final action on those amendments.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Clean Air Act sec 112

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	12/23/2011	76 FR 80532
Final Rule	01/31/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2006-0790. Split from RIN 2060-AM44. Related to RIN 2060-AQ25.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State; Tribal

**Small Entities Affected:** Business; Governmental Jurisdictions; Organizations

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/ttn/atw/boiler/boilerpg.html>

**Sectors Affected:** 611; 62; 44-45; 321

**Agency Contact:** Mary Johnson Environmental Protection Agency

Air and Radiation

D243-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5025

E-Mail: [johnson.mary@epa.gov](mailto:johnson.mary@epa.gov)

**Agency Contact:** Robert J Wayland Environmental Protection Agency

Air and Radiation

D243-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-1045

FAX: 919 541-5450

E-Mail: [wayland.robertj@epamail.epa.gov](mailto:wayland.robertj@epamail.epa.gov)

**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR15 [View Related Documents](#)

**Title:** NSPS and EG: Commercial and Industrial Solid Waste Incineration Units: Reconsideration and Proposed Amendments; Non-Hazardous Secondary Materials That Are Solid Waste: Final Rule

**Abstract:** On March 21, 2011, EPA issued a final rule establishing new source performance standards and emission guidelines for commercial and industrial solid waste incineration units. EPA also issued on March 21, 2011, a Notice of Reconsideration listing issues that additional opportunity for public review and comment should be obtained. Subsequently, we received more than 15 petitions to reconsider, clarify, and amend certain provisions of the final rule. This action will finalize the amendments using the information submitted in the petitions. Addressed within this final rule, the Agency is providing clarification to the Non-Hazardous Secondary

Materials Final Rule (RIN 2050-AG44) pursuant to the Resource Conservation and Recovery Act, which was issued on March 21, 2011 (76 FR 15456). This final rule identified which non-hazardous secondary materials are, or are not, solid wastes when burned in combustion units for the purpose of determining whether Clean Air Act section 112 or 129 requirements apply to the combustion of those materials.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 60; 40 CFR 62 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7401 et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	12/23/2011	76 FR 80452
Final Rule	01/31/2013	

**Additional Information:** Docket #:EPA-HQ-OAR-2003-0119. Split from RIN 2060-AO12.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**Sectors Affected:** 325; 334; 3254; 321

**Agency Contact:** Toni Jones Environmental Protection Agency

Air and Radiation

E143-03, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-0316

FAX: 919 541-3470

E-Mail: [jones.toni@epamail.epa.gov](mailto:jones.toni@epamail.epa.gov)

**Agency Contact:** David Cozzie Environmental Protection Agency

Air and Radiation

1200 Pennsylvania Ave, NW, Washington, DC 20460

Washington , DC 20460

Phone: 919 541-5356

E-Mail: [cozzie.david@epa.gov](mailto:cozzie.david@epa.gov)

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## Environmental Protection Agency (EPA)

### Air and Radiation ( AR )

RIN: 2060-AR16

 [View Related Documents](#)

**Title:** National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Prepared Feeds Manufacturing-- Amendments

**Abstract:** Section 112(k) of the Clean Air Act requires the development of standards for area sources that account for 90 percent of the emissions in urban areas of the 30 urban hazardous air pollutants (HAP) listed in the Integrated Urban Air Toxics Strategy. The Integrated Urban Air Toxics Strategy lists prepared feeds manufacturing as an area source category. EPA issued national emission standards for control of HAP for the Prepared Feeds Manufacturing area source category on January 5, 2010 (75 FR 522). In determining Generally Available Control Technology (GACT), EPA assumed that the vast majority of prepared feeds manufacturers were already meeting the cyclone design efficiency standard promulgated in the final rule. In light of issues raised by industry with regard to the certification requirements associated with the design efficiency standard, this action revised the rule to clarify, consistent with the rulemaking record and preamble of the final rule, that GACT for all large sources is the equipment practice of using a cyclone, but that the design efficiency applies only to new sources. This action also clarified certain management practices in 63.11621(a)(1) and 63.11621(d).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** CAA 112

**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	12/23/2011	76 FR 80314
Direct Final Rule	12/23/2011	76 FR 80261

**Additional Information:** Docket #:EPA-HQ-OAR-2008-0080. Split from RIN 2060-AO98.**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Sectors Affected:** 311119**Agency Contact:** Jan King Environmental Protection Agency

Air and Radiation

C404-05, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5665

FAX: 919 541-0242

E-Mail: King.Jan@epamail.epa.gov

**Agency Contact:** Chebryll Edwards Environmental Protection Agency

Air and Radiation

C404-05, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5428

FAX: 919 541-0242

E-Mail: Edwards.Chebryll@epamail.epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR20 [View Related Documents](#)**Title:** Protection of Stratospheric Ozone: Amendment to HFO-1234yf SNAP Rule for Motor Vehicle Air Conditioning Sector**Abstract:** This action updated a rule requirement in the Significant New Alternatives Policy (SNAP) Program rule for HFO-1234yf to use the latest edition of a standard from Society of Automotive Engineers (SAE) International. The revised standard requires use of a more robust fitting that is less likely to leak than that currently cited in the March 29, 2011, SNAP rule allowing use of HFO-1234yf as a refrigerant in motor vehicle air conditioning (76 FR 17488). The update to the standard referenced in the rule reduces emissions and ensures consistency with industry standards.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 82 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7671(k)**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

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Action	Date	FR Cite
NPRM	03/23/2012	77 FR 16988
Direct Final Rule	03/26/2012	77 FR 17344
NPRM Comment Period End	04/23/2012	
Direct Final Rule Effective	05/21/2012	

**Additional Information:** Docket #:EPA-HQ-OAR-2011-0776

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Energy Affected:** No

**RIN Information URL:** <http://www.epa.gov/ozone/snap>

**Sectors Affected:** 336111; 811111

**Agency Contact:** Margaret Sheppard Environmental Protection Agency

Air and Radiation

6205J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9163

FAX: 202 343-2338

E-Mail: [sheppard.margaret@epa.gov](mailto:sheppard.margaret@epa.gov)

**Agency Contact:** Yaidi Cancel Environmental Protection Agency

Air and Radiation

6205J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9512

FAX: 202 343-2338

E-Mail: [cancel.yaidi@epa.gov](mailto:cancel.yaidi@epa.gov)

**Government Levels Affected:** Federal

**Federalism:** No

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )**

**RIN:** 2060-AR22

 [View Related Documents](#)

**Title:** Revisions to Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone

**Abstract:** On August 8, 2011, EPA published in the Federal Register the final Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter (76 FR 48208). This rule uses a cap and trade approach to reduce sulfur dioxide and nitrogen oxides emissions and replaces the Clean Air Interstate Rule, which was promulgated in 2005 and remanded to EPA in 2008 by the US Court of Appeals for the DC Circuit. This final rule corrects unit-level discrepancies in some state emission budgets and new unit set-asides; amends the effective date of the assurance provisions from 2012 until 2014; and aligns allocations to units under consent decrees.

**Priority:** Other Significant

**Major:** No

**CFR Citation:** 40 CFR 52; 40 CFR 97 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7401 et seq

**Legal Deadline:** None

**Agenda Stage of Rulemaking:** Completed Action

**Unfunded Mandates:** No

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	10/14/2011	76 FR 63860
Final Rule	02/21/2012	77 FR 10324

**Additional Information:** Docket #:EPA-HQ-OAR-2009-0491. Split from RIN 2060-AR01. Split from RIN 2060-AP50.

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Energy Affected:** No

**Government Levels Affected:** No

**Federalism:** No

**RIN Information URL:** [www.epa.gov/crossstaterule](http://www.epa.gov/crossstaterule)

**Sectors Affected:** 221112

**Agency Contact:** Gabrielle Stevens Environmental Protection Agency

Air and Radiation

6204J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9252

E-Mail: [stevens.gabrielle@epa.gov](mailto:stevens.gabrielle@epa.gov)

**Agency Contact:** Meg Victor Environmental Protection Agency

Air and Radiation

6204J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9193

E-Mail: [victor.meg@epa.gov](mailto:victor.meg@epa.gov)

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR31 [View Related Documents](#)

**Title:** NESHAP From Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Electric Utility Steam Generating Units--Appropriate and Necessary Finding

**Abstract:** EPA's finding that it is appropriate and necessary to regulate electric generating units (EGUs) to address public health and environmental hazards resulting from emissions of Hg and Non-Hg hazardous air pollutants (HAP) from EGUs.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** State, Local, Or Tribal Governments;  
Private Sector

**CFR Citation:** 40 CFR 63; 40 CFR 60, subpart Da (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Clean Air Act sec 112(d); Clean Air Act sec 112(d); Clean Air Act sec 111(b)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
Final Action	02/16/2012	77 FR 9304
Final Action Effective	04/16/2012	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State; Tribal

**Federalism:** Yes

**Energy Affected:** Yes

**Related RINs:** Related to 2060-AP52

**Agency Contact:** Bill Maxwell Environmental Protection Agency

Air and Radiation

D243-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5430

FAX: 919 541-5450

E-Mail: [maxwell.bill@epa.gov](mailto:maxwell.bill@epa.gov)

**Agency Contact:** Robert Wayland Environmental Protection Agency

Air and Radiation

D243-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-1045

FAX: 919 541-5450

E-Mail: [Wayland.RobertJ@epamail.epa.gov](mailto:Wayland.RobertJ@epamail.epa.gov)

**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AR32

 [View Related Documents](#)

**Title:** Implementation of the 2008 NAAQS for Ozone: Nonattainment Area Classifications Approach, Attainment Deadlines and Revocation of the 1997 Ozone Standards for Transportation Conformity Purposes

**Abstract:** This final action implements the 2008 8-hour Ozone National Ambient Air Quality Standards (NAAQS). This final rule establishes the nonattainment area classification system, the attainment deadlines for areas designated nonattainment, and revokes the 1997 ozone NAAQS for transportation conformity purposes.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 51; 40 CFR 50 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7409; 42 USC 7410; 42 USC 7511 to 7511f; 42 USC 7601(a)(1)

**Legal Deadline:**

Action	Source	Description	Date
Other	Judicial	Proposed consent decree signed 12/12/2011; WildEarth Guardians v. Jackson, D. Ariz., 11-1661.	05/31/2012

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	02/14/2012	77 FR 8197
Final Rule	05/21/2012	77 FR 30160
Final Rule Effective	07/20/2012	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Previously Reported as 2060-AP24

**Agency Contact:** Karl Pepple Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-2683

FAX: 919 541-0824

E-Mail: [pepple.karl@epa.gov](mailto:pepple.karl@epa.gov)

**Agency Contact:** Krishna Viswanathan Environmental Protection Agency

Air and Radiation

C539-01, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-0641

FAX: 919 541-0824

E-Mail: [viswanathan.krishna@epa.gov](mailto:viswanathan.krishna@epa.gov)

**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AR35

 [View Related Documents](#)

**Title:** Revisions to Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone: Part II

**Abstract:** On October 14, 2011, EPA proposed revisions to the Cross State Air Pollution Rule (76 FR 63860) and requested comment identifying adjustments to unit-specific assumptions in the rule's state budgets. EPA is issuing this second revision to provide notice of the comments raised in the October 14, 2011, proposed rule.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 52; 40 CFR 97 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7401 et seq**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	02/21/2012	77 FR 10350
Direct Final Rule	02/21/2012	77 FR 10342
NPRM Comment Period End	03/22/2012	
Withdrawal of Direct Final Rule	05/16/2012	77 FR 29168
Final Rule	06/12/2012	77 FR 34830
Final Rule Effective	08/13/2012	

**Additional Information:** Docket #:EPA-HQ-OAR-2009-0491. Split from RIN 2060-AR22. Split from RIN 2060-AR01. Split from RIN 2060-AP50.

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** [www.epa.gov/crossstaterule](http://www.epa.gov/crossstaterule)**Related RINs:** Related to 2060-AR22**Agency Contact:** Gabrielle Stevens Environmental Protection Agency

Air and Radiation

6204J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9252

E-Mail: [stevens.gabrielle@epa.gov](mailto:stevens.gabrielle@epa.gov)**Agency Contact:** Meg Victor Environmental Protection Agency

Air and Radiation

6204J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9193

E-Mail: [victor.meg@epa.gov](mailto:victor.meg@epa.gov)**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR36 [View Related Documents](#)**Title:** Great Lakes Steamship Repower Incentive Program

**Abstract:** This rule would simplify an existing incentive program that encourages owners of Great Lakes steamships to repower those steamships with cleaner Tier 2 or later diesel engines (40 CFR 1043.95(b)(4)(iv)). This simplification will automatically permit a steamship operated exclusively on the Great Lakes as of December 31, 2011, to continue to use residual fuel oil for a limited time after it has been repowered with cleaner diesel engines. Because the diesel engines are so much cleaner than the steam engines they would replace, this program will result in reductions of particulate matter and sulfur oxides emissions from the time of replacement, even while they are operated on the higher sulfur residual fuel, and provide human health and welfare benefits for the people who live in the Great Lakes region.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 1043 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 33 USC 1909**Legal Deadline:**

Action	Source	Description	Date
None			

**Regulatory Plan:****Statement of Need:**

**Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	01/18/2012	77 FR 2497
Direct Final Rule	01/18/2012	77 FR 2472
NPRM Comment Period End	02/17/2012	
Direct Final Rule Effective	03/19/2012	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** [www.epa.gov/otaq/oceanvessels.htm](http://www.epa.gov/otaq/oceanvessels.htm)**Agency Contact:** Jean-Marie Revelt Environmental Protection Agency

Air and Radiation

OAR/OTAQ/ASD, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4822

FAX: 734 214-4816

E-Mail: [revelt.jean-marie@epa.gov](mailto:revelt.jean-marie@epa.gov)**Agency Contact:** Michael Samulski Environmental Protection Agency

Air and Radiation

USEPA, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4532

E-Mail: [Samulski.Michael@epamail.epa.gov](mailto:Samulski.Michael@epamail.epa.gov)**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR37 [View Related Documents](#)

**Title:** National Volatile Organic Compound Emission Standards for Aerosol Coatings--Addition of Dimethyl Carbonate, Benzotrifluoride, and Hexamethyldisiloxane to Table of Reactivity Factors

**Abstract:** The 2008 national emission standards for aerosol spray paints rule established national reactivity based emission standards for the aerosol coatings category (aerosol spray paints) under the Clean Air Act. A provision in the rule allows regulated entities to petition the Agency to add compounds and corresponding reactivity factors to a Table of Reactivity Factors. In response to previous petitions, EPA previously added several compounds and reactivity factors on June 23, 2009 (74 FR 29595). This proposed action and accompanying direct final action propose to add three additional compounds: dimethyl carbonate, benzotrifluoride and hexamethyldisiloxane, and their associated reactivity factors, based on petitions received from regulated entities.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 59 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Clean Air Act**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	03/09/2012	77 FR 14324
Direct Final Rule	03/09/2012	77 FR 14279
NPRM Comment Period End	04/23/2012	



Direct Final Rule Effective

06/07/2012

**Additional Information:** Docket #:EPA-HQ-OAR-2006-0971**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Kaye Whitfield Environmental Protection Agency

Air and Radiation

E-143-03, Washington, DC 20460

Washington , DC 20460

Phone: 919 541-2509

FAX: 919 541-1039

E-Mail: whitfield.kaye@epamail.epa.gov

**Agency Contact:** Kim Teal Environmental Protection Agency

Air and Radiation

D243-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5580

FAX: 919 541-5450

E-Mail: teal.kim@epamail.epa.gov

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**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR40 [View Related Documents](#)**Title:** Greenhouse Gas Reporting Program: Electronics Manufacturing (Subpart I: Revisions to Heat Transfer Fluid Provisions)**Abstract:** This rule makes technical revisions to the electronics manufacturing source category of the Greenhouse Gas Reporting Rule. Specifically, this rule amends the definition of fluorinated heat transfer fluids and the provisions to estimate and report emissions from fluorinated heat transfer fluids. This rule is narrow in scope and does not address any other changes related to the electronics manufacturing source category.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 98 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7414 and 7542**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Final Rule	02/22/2012	77 FR 10373
Final Rule Effective	03/23/2012	

**Additional Information:** Docket #:EPA-HQ-OAR-2011-0512. Split from RIN 2060-AR09.**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information****URL:** <http://www.epa.gov/climatechange/emissions/ghgrulemaking.html>**Sectors Affected:** 334111; 334419; 334413**Agency Contact:** Alexis McKittrick Environmental Protection Agency

Air and Radiation

6207J, 1200 Pennsylvania Ave NW, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9153

FAX: 202 343-2359  
E-Mail: [mckittrick.alexis@epa.gov](mailto:mckittrick.alexis@epa.gov)

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AR42

 [View Related Documents](#)

**Title:** Revisions to Final Response to Petition From New Jersey Regarding SO2 Emissions From the Portland Generating Station

**Abstract:** This final revises the Nov. 7 response to a CAA section126 petition filed by New Jersey Department of Environmental Protection (NJDEP) which requested emissions relief from a power plant in Pennsylvania that is interfering with New Jersey's efforts to meet the 1-hour national standard for sulfur dioxide. EPA granted the petition and has required the power plant to further limit its sulfur dioxide emissions within 3 years.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 52 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** sec 126 of the CAA

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	12/22/2011	76 FR 79574
Direct Final Rule	12/22/2011	76 FR 79541
Notice	03/16/2012	77 FR 15608
Final Rule	05/04/2012	77 FR 26444
Final Rule Effective	06/04/2012	

**Additional Information:** Docket #:EPA-HQ-OAR-2011-0081. Previously reported as RIN 2060-AQ69.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Previously Reported as 2060-AQ69

**Agency Contact:** Todd Hawes Environmental Protection Agency

Air and Radiation

C539-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5591

FAX: 919 685-3190

E-Mail: [hawes.todd@epamail.epa.gov](mailto:hawes.todd@epamail.epa.gov)

**Agency Contact:** Gobeail McKinley Environmental Protection Agency

Air and Radiation

C539-04, Research Triangle Park, NC 27711

Research Triangle Park , NC 27711

Phone: 919 541-5246

FAX: 919 685-3700

E-Mail: [mckinley.gobeail@epamail.epa.gov](mailto:mckinley.gobeail@epamail.epa.gov)

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

RIN: 2060-AR45

 [View Related Documents](#)

**Title:** Special Rules Governing Certain Information Obtained Under the Clean Air Act: Technical Correction

**Abstract:** On May 26, 2011, EPA published the final rule, "Confidentiality Determinations for Data Required Under the Mandatory

Greenhouse Gas Reporting Rule and Amendments to Special Rules Governing Certain Information Obtained Under the Clean Air Act," which finalizes amendments to 40 CFR 2 governing confidential business information obtained under the Greenhouse Gas Reporting Rule, 40 CFR 98. The regulatory text of that rule contained an erroneous citation, which this rule corrected.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 2; 40 CFR 98 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 5 USC 301 552 (as amended) 553; 42 USC 7414 7601 and 7607

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	10/17/2011	76 FR 64055
Direct Final Rule	10/17/2011	76 FR 64010

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Jessica Gordon Environmental Protection Agency

Air and Radiation

6207J, Washington, DC 20016

Washington , DC 20016

Phone: 202 343-9444

E-Mail: [gordon.jessica@epamail.epa.gov](mailto:gordon.jessica@epamail.epa.gov)

**Agency Contact:** Lisa Grogan-McCulloch Environmental Protection Agency

Air and Radiation

6207J, Washington, DC 20460

Washington , DC 20460

Phone: 202 343-9743

E-Mail: [grogan-mcculloch.lisa@epamail.epa.gov](mailto:grogan-mcculloch.lisa@epamail.epa.gov)

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## Environmental Protection Agency (EPA)

### Air and Radiation ( AR )

RIN: 2060-AR51

 [View Related Documents](#)

**Title:** Nonconformance Penalties for On-Highway Heavy-Duty Diesel Engines

**Abstract:** This rulemaking will establish nonconformance penalties (NCPs) for heavy-duty motor vehicle engines subject to the nitrogen oxide (NOx) standards in 40 CFR 86.007-11. As specified in section 206(g) of the Clean Air Act, the regulations would allow manufacturers paying the NCP to certify engines with NOx emissions above the applicable standard. The regulations establishing NCPs were originally adopted in 1985 and have been amended five times since to include new emission standards. This rule will allow for NCPs to apply for NOx emissions standards for model year 2012 and later engines. EPA has established per engine penalties up to \$3,775 for emission rates between 0.20 and 0.50 g/hp-hr NOx for 2012 model year heavy-duty engines. The maximum penalties will increase by several hundred dollars per engine each year for later model years.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 86 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Clean Air Act sec 206

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	01/31/2012	77 FR 4736
Interim Final Rule	01/31/2012	77 FR 4678
Final Rule	09/05/2012	77 FR 54384

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Charles Moulis Environmental Protection Agency

Air and Radiation

NFEVL, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4826

**Agency Contact:** Matt Spears Environmental Protection Agency

Air and Radiation

Mail Code: ASD1, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4921

FAX: 734 214-4816

E-Mail: spears.matt@epa.gov

**Environmental Protection Agency (EPA)****Air and Radiation ( AR )****RIN:** 2060-AR53 [View Related Documents](#)**Title:** Technical Corrections, Clarifying and Other Amendments to Greenhouse Gas Reporting Rule

**Abstract:** This action finalizes specific provisions of the Greenhouse Gas Reporting Rule to provide greater clarity and flexibility to facilities subject to reporting emissions from the following source categories, including petroleum and natural gas systems (subpart W), electronics manufacturers (subpart I), fluorinated gas production (subpart L), and industrial waste landfills (subpart TT), and to the general provisions. These source categories will report GHG data for the first time in September 2012. The amendments are not expected to increase burden to reporters.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 98 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7414 and 7542**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	05/21/2012	77 FR 29935
Final Rule	08/24/2012	77 FR 51477

**Additional Information:** Docket #:EPA-HQ-OAR-2011-0147**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.epa.gov/ghgreporting>**Sectors Affected:** 311611; 211111; 334111; 311411; 311421; 325120; 221210; 211112; 322122; 334419; 322121; 322130; 486210; 322110; 334413; 221320; 562212

**Agency Contact:** Akachi Imegwu Environmental Protection Agency  
Air and Radiation  
6207J, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 343-9709  
E-Mail: imegwu.akachi@epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

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RIN: 2060-AR54

 [View Related Documents](#)

**Title:** Heavy-Duty Highway Program: Direct Final Rulemaking on Revisions for Emergency Vehicles

**Abstract:** EPA is taking direct final action on revisions to its heavy-duty diesel regulations that will enable emergency vehicles, such as dedicated ambulances and fire trucks, to perform mission-critical lifesaving work without risking that abnormal conditions of the emission control system could lead to decreased engine power, speed, or torque. The revisions will allow manufacturers to request and EPA to approve modifications to emission control systems on emergency vehicles so they do not interfere with the vehicles' missions. This action is not expected to result in any significant changes in regulatory burdens or costs.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 85, 86, 1039 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7401 to 7671q

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	06/08/2012	77 FR 34130

**Additional Information:** Docket ID# EPA-HQ-OAR-2011-1032.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Matt Spears Environmental Protection Agency

Air and Radiation

Mail Code: ASD1, Ann Arbor, MI 48105

Ann Arbor , MI 48105

Phone: 734 214-4921

FAX: 734 214-4816

E-Mail: spears.matt@epa.gov

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

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RIN: 2060-AR55

 [View Related Documents](#)

**Title:** Regulation of Fuels and Fuel Additives: 2013 Biomass-Based Diesel Renewable Fuel Volume

**Abstract:** Under the Clean Air Act Section 211(o), the Environmental Protection Agency is required to determine the applicable volume of biomass-based diesel to be used in setting annual percentage standards under the renewable fuel standard program for years after 2012. We proposed an applicable volume requirement for 2013 of 1.28 billion gallons on July 1, 2011. In order to sufficiently evaluate the many comments on the proposal from stakeholders as well as to gather additional information to enhance our analysis, we did not finalize this volume requirement in the January 9, 2012, rulemaking setting the 2012 percentage standards. On September 27, 2012, EPA finalized an applicable volume of 1.28 billion gallons of biomass-based diesel for calendar year 2013.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** Yes **Unfunded Mandates:** No  
**CFR Citation:** 40 CFR 80 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)  
**Legal Authority:** Clean Air Act 211(o)  
**Legal Deadline:** None

**Regulatory Plan:**  
**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
Final Rule	09/27/2012	77 FR 59458

**Additional Information:** Docket #:EPA-HQ-OAR-2010-0133

**Regulatory Flexibility Analysis Required:** No **Government Levels Affected:** No  
**Small Entities Affected:** No **Federalism:** No  
**Energy Affected:** No

**Agency Contact:** Paul Argyropoulos Environmental Protection Agency  
Air and Radiation  
6401A, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 564-1123  
E-Mail: [argyropoulos.paul@epa.gov](mailto:argyropoulos.paul@epa.gov)

**Agency Contact:** David Korotney Environmental Protection Agency  
Air and Radiation  
N27, Ann Arbor, MI 48105  
Ann Arbor , MI 48105  
Phone: 734 214-4507  
E-Mail: [korotney.david@epa.gov](mailto:korotney.david@epa.gov)

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**Environmental Protection Agency (EPA)**  
**Air and Radiation ( AR )**

**RIN:** 2060-AR56

 [View Related Documents](#)

**Title:** Air Quality Designations for the 2008 Ozone National Ambient Air Quality Standards for Several Counties in Illinois, Indiana, and Wisconsin; Corrections to Inadvertent Errors in Prior Designations

**Abstract:** This action is intended to complete the initial air quality designations for the 2008 ozone NAAQS. When the EPA promulgates a new or revised NAAQS, the EPA is required to designate all areas in the country as nonattainment, attainment, or unclassifiable, pursuant to section 107(d)(1) of the Clean Air Act. As the first step in the process, each State governor is required to recommend air quality designations, including the appropriate boundaries for areas, to the EPA. If the EPA is considering modifications to a State's initial recommendation, the EPA is required to notify the State of any such intended modifications to its recommendation not less than 120 days prior to the EPA's promulgation of the final designation. EPA sent letters to all States in early December 2011 to notify them of EPA's intended designations. At about that time, the State of Illinois submitted certified air quality data for 2011 that EPA did not have time to consider before sending the early December letters. In late January 2012, after evaluating the new information, EPA sent letters to Illinois, Indiana, and Wisconsin notifying them that EPA intended to designate all or portions of certain counties in those States as the Chicago-Naperville, IL-IN-WI, nonattainment area based on the air quality information submitted by Illinois in early December 2011. In a rule signed on April 30, 2012, EPA promulgated the initial air quality designations for almost all areas in the United States, including areas of Indian country. Because 120 days had not passed since the January 2012 letters to Illinois, Indiana, and Wisconsin regarding the potential Chicago-Naperville, IL-IN-WI, nonattainment area, EPA did not designate those counties in the April 30, 2012, final rule. This rule also corrects inadvertent errors in the regulatory text regarding the designation of two areas in Kentucky and one area in Arkansas in the ozone designation rule signed on April 30, 2012.

**Priority:** Info./Admin./Other

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 81 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 USC 7401 et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Final Action	06/11/2012	77 FR 34221

**Additional Information:** Docket ID# EPA-HQ-OAR-2008-0476.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Carla Oldham Environmental Protection Agency

Air and Radiation

C539-04, Research Triangle Park, NC 27711

Research Triangle Park, NC 27711

Phone: 919 541-3347

FAX: 919 541-0824

E-Mail: oldham.carla@epamail.epa.gov

**Environmental Protection Agency (EPA)****Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

**RIN:** 2070-AJ56

 [View Related Documents](#)

**Title:** Lead; Renovation, Repair, and Painting Program for Public and Commercial Buildings

**Abstract:** Section 402(c)(3) of the Toxic Substances Control Act (TSCA) requires EPA to regulate renovation or remodeling activities that create lead-based paint hazards in target housing (most pre-1978 housing), pre-1978 public buildings, and commercial buildings. In a 2008 rule, EPA addressed lead-based paint hazards created by these activities in target housing and child-occupied facilities built before 1978 (child-occupied facilities are a subset of public and commercial buildings or facilities where children under age 6 spend a great deal of time). The 2008 rule established requirements for training renovators, other renovation workers, and dust sampling technicians; for certifying renovators, dust sampling technicians, and renovation firms; for accrediting providers of renovation and dust sampling technician training; for renovation work practices; and for recordkeeping. The current rulemaking effort will address renovation or remodeling activities in the remaining buildings described in TSCA section 402(c)(3); i.e., public buildings built before 1978 and commercial buildings that are not child-occupied facilities. In 2010, EPA issued an Advanced Notice of Proposed Rulemaking (ANPRM) that solicited public comment on lead-safe work practices and other requirements EPA should consider for renovations on the exteriors of public and commercial buildings and whether lead-based paint hazards are created by interior renovation, repair, and painting projects in public and commercial buildings. EPA is currently developing a proposal to address lead-based paint hazards that may be created by renovations on the exterior or in the interiors of public and commercial buildings. As part of a settlement agreement reached in 2009 and most recently amended in September 2012, EPA will hold a public meeting in 2013 to discuss the issues under consideration for this rulemaking. In addition, after considering the information it gathers and its related analyses, EPA has agreed to either sign a proposed rule covering renovation, repair, and painting activities in public and commercial buildings, or determine that these activities do not create lead-based paint hazards by July 1, 2015. If EPA issues a proposed rule, EPA has further agreed to take final action on or before the date 18 months after the proposal is published.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** PreRule

**Major:** Yes

**Unfunded Mandates:** Undetermined

**CFR Citation:** 40 CFR 745 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 15 USC 2682(c)(3)

**Legal Deadline:**

Action	Source	Description	Date
Other	Judicial	ANPRM - 2009 Settlement Agreement	04/22/2010
NPRM	Judicial	Deadline from 2012 amended; Settlement Agreement	07/01/2015
Other	Judicial	Deadline from 2012 amended; Settlement Agreement	01/01/2017

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:**

**Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
ANPRM	05/06/2010	75 FR 24848
Notice (Request Information)	01/00/2013	
Notice (Public Meeting)	06/00/2013	
NPRM	07/00/2015	

**Additional Information:** Docket #:EPA-HQ-OPPT-2010-0173.

**Regulatory Flexibility Analysis Required:** Business

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/lead/pubs/renovation.htm>

**Sectors Affected:** 236220; 238310; 238210; 238350; 238150; 236210; 531120; 531312; 238390; 921190; 238320; 238220; 238170; 238340

**Agency Contact:** Hans Scheifele Environmental Protection Agency  
Office of Prevention, Pesticides and Toxic Substances  
7404T, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 564-3122  
E-Mail: [Scheifele.Hans@epa.gov](mailto:Scheifele.Hans@epa.gov)

**Agency Contact:** Cindy Wheeler Environmental Protection Agency  
Office of Prevention, Pesticides and Toxic Substances  
7404T, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 566-0484  
E-Mail: [wheeler.cindy@epa.gov](mailto:wheeler.cindy@epa.gov)

**Environmental Protection Agency (EPA)**

**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

**RIN:** 2070-AJ93

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**Title:** Hydraulic Fracturing Chemicals; Chemical Information Reporting Under TSCA Section 8(a) and Health and Safety Data Reporting Under TSCA Section 8(d)

**Abstract:** EPA is developing an Advance Notice of Proposed Rulemaking (ANPRM) and intends to initiate a stakeholder process to provide input on the design and scope of possible reporting under the Toxic Substances Control Act (TSCA). EPA anticipates that States, industry, public interest groups and members of the public will be participants in the stakeholder process. The stakeholder process will bring stakeholders together to discuss the information needs and potential reporting under TSCA. As EPA considers potential reporting under TSCA, EPA intends to seek input from the stakeholders to help ensure reporting burdens and costs are minimized, and that information already available is considered in order to avoid duplication of efforts.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** PreRule

**Major:** Undetermined

**Unfunded Mandates:** Undetermined

**CFR Citation:** 40 CFR 712; 40 CFR 716 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 15 USC 2601 et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:** Stakeholder input is needed on the design and scope of possible reporting requirements under Toxic Substances Control Act (TSCA) sections 8(a) and 8(d).

**Legal Basis:** TSCA section 8(a) and 8(d).

**Alternatives:** It is expected that possible alternatives will be identified and evaluated through the ANPRM as part of the stakeholder input process.

**Costs and Benefits:** Costs and benefits will be evaluated during the development of an NPRM.

**Risks:** Potential risks will be evaluated during development of an NPRM.

**Timetable:**

Action	Date	FR Cite
ANPRM	05/00/2013	



**Additional Information:** Docket #:EPA-HQ-OPPT-2011-1019

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Energy Affected:** Undetermined

**RIN Information URL:** <http://www.epa.gov/hydraulicfracture/>

**Agency Contact:** Mark Seltzer Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7405M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-2910

E-Mail: [Seltzer.Mark@epa.gov](mailto:Seltzer.Mark@epa.gov)

**Agency Contact:** Chenise Farquharson Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7405M, Washington, DC 204060

Washington , DC 204060

Phone: 202 564-7768

FAX: 202 564-4775

E-Mail: [Farquharson.Chenise@epa.gov](mailto:Farquharson.Chenise@epa.gov)

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**Environmental Protection Agency (EPA)**

**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

**RIN:** 2070-AJ28

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**Title:** Pesticides; Expansion of Crop Grouping Program

**Abstract:** In phases, EPA is revising the current pesticide crop grouping regulations to create new crop groupings, add new subgroups, and expand existing crop groups by adding new commodities. The current crop groupings allow EPA to establish pesticide tolerances for multiple related crops based upon data for a representative set of crops. EPA expects these revisions to promote greater use of crop grouping for tolerance-setting purposes and to facilitate the availability of pesticides for minor crop uses. EPA is currently developing a proposed rule--the fourth in the series.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 180.41 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 21 USC 346(a)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	05/23/2007	72 FR 28920
Final Rule	12/07/2007	72 FR 69150
Second NPRM	01/06/2010	75 FR 807
Second Final Rule	12/08/2010	75 FR 76285
Third NPRM	11/09/2011	76 FR 69693
Third Final Rule	08/22/2012	77 FR 50617
Fourth NPRM	10/00/2013	

**Additional Information:** Docket #:EPA-HQ-OPP-2006-0766

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** [http://cfpub1.epa.gov/oppref/food\\_feed/index.cfm](http://cfpub1.epa.gov/oppref/food_feed/index.cfm)

**Sectors Affected:** 325320

**Agency Contact:** Laura Nollen Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances  
7505P, Washington, DC 20460  
Washington, DC 20460  
Phone: 703 305-7390  
FAX: 703 305-5884  
E-Mail: nollen.laura@epa.gov

**Agency Contact:** Barbara Madden Environmental Protection Agency  
Office of Prevention, Pesticides and Toxic Substances  
7505P, Washington, DC 20460  
Washington, DC 20460  
Phone: 703 305-6463  
FAX: 703 305-5884  
E-Mail: madden.barbara@epa.gov

**Environmental Protection Agency (EPA)**  
**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

RIN: 2070-AJ44

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**Title:** Formaldehyde; Third-Party Certification Framework for the Formaldehyde Standards for Composite Wood Products

**Abstract:** On July 7, 2010, the Formaldehyde Standards for Composite Wood Products Act was enacted. This law amends Toxic Substances Control Act (TSCA) to establish specific formaldehyde emission limits for hardwood plywood, particleboard, and medium-density fiberboard, which are identical to the California emission limits for these products. The law further requires EPA to promulgate implementing regulations by January 1, 2013. This rulemaking includes provisions related to third-party testing and certification. EPA intends to propose a third-party certification program that will help ensure compliance with the emissions standards. A separate Regulatory Agenda entry (RIN 2070-AJ92) covers the other regulations to implement the statutory formaldehyde emission standards for hardwood plywood, medium-density fiberboard, and particleboard sold, supplied, offered for sale, or manufactured (including imported) in the United States.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 770 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 15 USC 2697; TSCA sec 601

**Legal Deadline:**

Action	Source	Description	Date
Other	Statutory	Deadline for promulgation of regulations, per 15 USC 2697(d).	01/01/2013

**Regulatory Plan:**

**Statement of Need:** Formaldehyde is a colorless, flammable gas at room temperature that has a strong odor. It is found in resins used in the manufacture of composite wood products (i.e., hardwood plywood, particleboard, and medium-density fiberboard). It is also found in household products such as glues, permanent press fabrics, carpets, antiseptics, medicines, cosmetics, dishwashing liquids, fabric softeners, shoe care agents, lacquers, plastics, and paper product coatings. It is a by-product of combustion and certain other natural processes. Examples of sources of formaldehyde gas inside homes include cigarette smoke, unvented, fuel-burning appliances (gas stoves, kerosene space heaters), and composite wood products made using formaldehyde-based resins.

**Legal Basis:** The Formaldehyde Standards for Composite Wood Products Act, which created title VI of the Toxic Substances Control Act (TSCA), established formaldehyde emission standards for composite wood products (hardwood plywood, medium-density fiberboard (MDF), and particleboard) sold, supplied, offered for sale or manufactured in the United States. Under TSCA title VI, manufacturers of composite wood products must comply with specific formaldehyde emission standards, and their compliance must be verified by a third-party certifier (TPC).

**Alternatives:** TSCA title VI establishes national formaldehyde emission limits for hardwood plywood, particleboard, and medium-density fiberboard and EPA has not been given the authority to change the limits. However, EPA will evaluate various implementation alternatives during the course of this rulemaking.

**Costs and Benefits:** EPA is currently evaluating the costs and benefits of this action.

**Risks:** EPA is currently evaluating the risks presented by exposure to formaldehyde emissions from composite wood products (hardwood plywood, medium-density fiberboard (MDF), and particleboard) in excess of the statutory limits. Formaldehyde is both an irritant and a known human carcinogen. Depending on concentration, formaldehyde can cause eye, nose, and throat irritation, even when exposure is of relatively short duration. In the indoor environment, sensory reactions and various symptoms as a result of mucous membrane irritation are some potential effects from exposure. There is also evidence that formaldehyde may be associated with changes in pulmonary function and increased risk of asthma in children. In addition, formaldehyde is a by-product of human metabolism; therefore, endogenous levels are present in the body.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/03/2008	73 FR 73620
Second ANPRM	01/30/2009	74 FR 5632
NPRM	01/00/2013	

Final Rule

02/00/2014

**Additional Information:** Docket #:ANPRM stage: EPA-HQ-OPPT-2008-0627; NPRM Stage: EPA-HQ-OPPT-2011-0380.

**Regulatory Flexibility Analysis Required:** Business

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**RIN Information**

**URL:** <http://www.epa.gov/opptintr/chemtest/formaldehyde/index.html>

**Sectors Affected:** 541611; 541990; 561990; 813910; 541330; 813920; 321219; 541380; 3212

**Agency Contact:** Erik Winchester Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7404T, Washington, DC 20460

Washington, DC 20460

Phone: 202 564-6450

E-Mail: [winchester.erik@epa.gov](mailto:winchester.erik@epa.gov)

**Agency Contact:** Lynn Vendinello Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7404T, Washington, DC 20460

Washington, DC 20460

Phone: 202 566-0514

E-Mail: [vendinello.lynn@epa.gov](mailto:vendinello.lynn@epa.gov)

**Environmental Protection Agency (EPA)**

**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

**RIN:** 2070-AJ54

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**Title:** Nanoscale Materials; Chemical Substances When Manufactured, Imported, or Processed as Nanoscale Materials; Reporting and Recordkeeping Requirements; Significant New Use Rule

**Abstract:** EPA is developing a proposal to establish reporting and recordkeeping requirements under the Toxic Substances Control Act (TSCA) for chemical substances when manufactured (defined by statute to include import) or processed as nanoscale materials. Specifically, EPA is developing a significant new use rule (SNUR) under TSCA section 5(a)(2) that would require persons who intend to manufacture, import, or process this/these chemical substance(s) for an activity that is designated as a significant new use by the proposed rule to notify EPA at least 90 days before commencing that activity. The required notification would provide EPA with the opportunity to evaluate the intended use and, if necessary, to prohibit or limit that activity before it occurs to prevent unreasonable risk to human health or the environment. In addition, EPA is developing a proposal to require reporting and recordkeeping under TSCA section 8(a), which would require that persons who manufacture these nanoscale materials notify EPA of certain information including production volume, methods of manufacture and processing, exposure and release information, and available health and safety data. The proposed reporting of these activities will provide EPA with an opportunity to evaluate the information and consider appropriate action under TSCA to reduce any risk to human health or the environment.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 704 and 721 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 15 USC 2604(a) TSCA 5(a); 15 USC 2607(a) TSCA 8(a)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/2013	

**Additional Information:** Docket #:EPA-HQ-OPPT-2010-0572. Merged with RIN 2070-AJ67 because the rulemakings were combined into a single proposal.

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Business**Energy Affected:** No**RIN Information URL:** <http://www.epa.gov/oppt/nano/>**Sectors Affected:** 325; 324**Agency Contact:** Jim Alwood Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7405M, Washington, DC 20460

Washington, DC 20460

Phone: 202 564-8974

FAX: 202 564-9490

E-Mail: [Alwood.Jim@epa.gov](mailto:Alwood.Jim@epa.gov)**Agency Contact:** Jessica Barkas Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7405M, Washington, DC 20460

Washington, DC 20460

Phone: 202 250-8880

E-Mail: [Barkas.Jessica@epa.gov](mailto:Barkas.Jessica@epa.gov)**Government Levels Affected:** No**Federalism:** No

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**Environmental Protection Agency (EPA)****Office of Prevention, Pesticides and Toxic Substances ( OPPTS )****RIN:** 2070-AJ79 [View Related Documents](#)**Title:** Pesticides; Revisions to Minimum Risk Exemptions**Abstract:** EPA is considering options for clarifying the active ingredients and references to inert ingredients in 40 CFR 152.25(f), including both rule and non-rule actions, as well as potential changes in labeling requirements that could help to improve clarity and transparency.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 152.25 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 7 USC 136(a); 7 USC 136(w)**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	12/00/2012	

**Additional Information:** Docket #:EPA-HQ-OPP-2010-0305. Split from RIN 2070-AJ45.**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Federal; State**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.epa.gov/pesticides/>**Sectors Affected:** 3251; 325320; 32532; 3253**Agency Contact:** Ryne Yarger Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

Washington, DC 20460

Washington, DC 20460

Phone: 703 605-1193

E-Mail: [yarger.ryne@epa.gov](mailto:yarger.ryne@epa.gov)**Agency Contact:** Kathryn Boyle Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7506P, Washington, DC 20460

Washington, DC 20460

Phone: 703 305-6304

FAX: 703 305-5884  
E-Mail: Boyle.Kathryn@epa.gov

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**Environmental Protection Agency (EPA)**  
**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

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RIN: 2070-AJ89

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**Title:** Cadmium; Health and Safety Data Reporting Under the Toxic Substances Control Act (TSCA) Section 8(d)

**Abstract:** On August 30, 2010, EPA granted a TSCA section 21 citizen's petition to use section 8(d) of the Toxic Substances Control Act (TSCA) to require producers, importers, and processors of cadmium and cadmium compounds to submit to EPA lists or copies of ongoing and completed unpublished health and safety studies concerning cadmium and cadmium compounds that are reasonably likely to be incorporated into consumer products. The petition also asked the Consumer Product Safety Commission (CPSC) to take certain actions, including the establishment of standards restricting cadmium in children's products, especially metal jewelry. The health and safety studies that EPA would require under this action would be used to help determine if a potential hazard exists from cadmium or cadmium compounds and whether a product should be banned as a hazardous substance under guidelines established by CPSC. Implementing its response to the petition EPA intends to promulgate a final TSCA section 8(d) rule requiring reporting from manufacturers (including importers), and also intends to propose a rule to require reporting from processors and distributors.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 716 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 15 USC 2607(d) TSCA 8(d)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** No

**Energy Affected:** No

**RIN Information URL:** <http://www.epa.gov/lead/pubs/toyjewelry.htm>

**Agency Contact:** Robert Jones Environmental Protection Agency  
Office of Prevention, Pesticides and Toxic Substances  
7405M, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 564-8161  
FAX: 202 564-4745  
E-Mail: Jones.Robert@epa.gov

**Agency Contact:** Mark Seltzer Environmental Protection Agency  
Office of Prevention, Pesticides and Toxic Substances  
7405M, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 564-2910  
E-Mail: Seltzer.Mark@epa.gov

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**Environmental Protection Agency (EPA)**  
**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

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RIN: 2070-AJ92

 [View Related Documents](#)

**Title:** Formaldehyde Emissions Standards for Composite Wood Products

**Abstract:** On July 7, 2010, the Formaldehyde Standards for Composite Wood Products Act was enacted. This law amends TSCA to establish specific formaldehyde emission limits for hardwood plywood, particleboard, and medium-density fiberboard, which limits are identical to the California emission limits for these products. The law further requires EPA to promulgate implementing regulations by

January 1, 2013. This rulemaking will address the mandate to promulgate regulations to implement the statutory formaldehyde emission standards for hardwood plywood, medium-density fiberboard, and particleboard sold, supplied, offered for sale, or manufactured (including imported) in the United States. As directed by the statute, EPA will also consider provisions relating to, among other things, laminated products, products made with no added formaldehyde resins, testing requirements, product labeling, chain of custody documentation and other recordkeeping requirements, and product inventory sell-through provisions. A separate Regulatory Agenda entry (RIN 2070-AJ44) covers the mandate for EPA to promulgate regulations to address requirements for accrediting bodies and third-party certifiers.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Yes

**Unfunded Mandates:** Private Sector

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 15 USC 2697; TSCA sec 601

**Legal Deadline:**

Action	Source	Description	Date
Other	Statutory	Deadline for promulgation of regulations, per 15 USC 2697(d).	01/01/2013

#### Regulatory Plan:

**Statement of Need:** Formaldehyde is a colorless, flammable gas at room temperature that has a strong odor. It is found in resins used in the manufacture of composite wood products (i.e., hardwood plywood, particleboard, and medium-density fiberboard). It is also found in household products such as glues, permanent press fabrics, carpets, antiseptics, medicines, cosmetics, dishwashing liquids, fabric softeners, shoe care agents, lacquers, plastics, and paper product coatings. It is a by-product of combustion and certain other natural processes. Examples of sources of formaldehyde gas inside homes include cigarette smoke, unvented, fuel-burning appliances (gas stoves, kerosene space heaters), and composite wood products made using formaldehyde-based resins.

**Legal Basis:** The Formaldehyde Standards for Composite Wood Products Act, which created title VI of the Toxic Substances Control Act (TSCA), established formaldehyde emission standards for composite wood products (hardwood plywood, medium-density fiberboard (MDF), and particleboard) sold, supplied, offered for sale or manufactured in the United States. Under TSCA title VI, manufacturers of composite wood products must comply with specific formaldehyde emission standards, and their compliance must be verified by a third-party certifier (TPC). In addition, Congress directed EPA to consider a number of elements for inclusion in implementing the regulations. These elements include: labeling, chain of custody requirements, sell-through provisions, ultra low-emitting formaldehyde resins, no added formaldehyde-based resins, finished goods, third-party testing and certification, auditing and reporting of TPCs, recordkeeping, enforcement, laminated products, and exceptions from the requirements of regulations promulgated for products and components containing de minimis amounts of composite wood products.

**Alternatives:** TSCA title VI establishes national formaldehyde emission limits for hardwood plywood, particleboard, and medium-density fiberboard and EPA has not been given the authority to change the limits. However, EPA will evaluate various implementation alternatives during the course of this rulemaking.

**Costs and Benefits:** EPA is currently evaluating the costs and benefits of this action.

**Risks:** EPA is currently evaluating the risks presented by exposure to formaldehyde emissions from composite wood products (hardwood plywood, medium-density fiberboard (MDF), and particleboard) in excess of the statutory limits. Formaldehyde is both an irritant and a known human carcinogen. Depending on concentration, formaldehyde can cause eye, nose, and throat irritation, even when exposure is of relatively short duration. In the indoor environment, sensory reactions and various symptoms as a result of mucous membrane irritation are some potential effects from exposure. There is also evidence that formaldehyde may be associated with changes in pulmonary function and increased risk of asthma in children. In addition, formaldehyde is a by-product of human metabolism; therefore, endogenous levels are present in the body.

#### Timetable:

Action	Date	FR Cite
NPRM	01/00/2013	

**Regulatory Flexibility Analysis Required:** Business

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

#### RIN Information

**URL:** <http://www.epa.gov/opptintr/chemtest/formaldehyde/index.html>

**Sectors Affected:** 325199; 423110; 337212; 321213; 423210; 442110; 444130; 321211; 444110; 337127; 423310; 453930; 321991; 336213; 337122; 444190; 423390; 325211; 321992; 321219; 441210; 337215; 321212; 336214; 337121; 337110; 337211; 337129

**Agency Contact:** Cindy Wheeler Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7404T, Washington, DC 20460

Washington, DC 20460

Phone: 202 566-0484

E-Mail: [wheeler.cindy@epa.gov](mailto:wheeler.cindy@epa.gov)

**Agency Contact:** Lynn Vendinello Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7404T, Washington, DC 20460

Washington, DC 20460

Phone: 202 566-0514  
E-Mail: vendinello.lynn@epa.gov

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**Environmental Protection Agency (EPA)**  
**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

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RIN: 2070-AJ96

 [View Related Documents](#)

**Title:** Certain Nonylphenols and Nonylphenol Ethoxylates; Significant New Use Rule

**Abstract:** EPA intends to propose a significant new use rule (SNUR) under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for related chemicals known commonly as nonylphenols (NPs) and nonylphenol ethoxylates (NPEs). The SNUR would require persons who intend to manufacture, import, or process certain NP and NPE chemicals for an activity that is designated as a significant new use by the proposed rule to notify EPA at least 90 days before commencing that activity. The required notification would provide EPA with the opportunity to evaluate the intended use and, if necessary, to prohibit or limit that activity before it occurs to prevent unreasonable risk to human health or the environment. The NP and NPE chemicals that would be subject to this SNUR are toxic to aquatic organisms, and can be used in a variety of industrial and consumer applications that lead to releases to the environment.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 721 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 15 USC 2604(a) TSCA 5(a)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/oppt/existingchemicals/pubs/actionplans/np-npe.html>

**Sectors Affected:** 325; 324110

**Agency Contact:** John Schaeffer Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7405M, Washington, DC 20460

Washington, DC 20460

Phone: 202 564-8173

FAX: 202 564-4765

E-Mail: [Schaeffer.John@epa.gov](mailto:Schaeffer.John@epa.gov)

**Agency Contact:** Jeffrey Taylor Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7405M, Washington, DC 20004

Washington, DC 20004

Phone: 202 564-8828

FAX: 202 564-4775

E-Mail: [taylor.jeffrey@epa.gov](mailto:taylor.jeffrey@epa.gov)

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**Environmental Protection Agency (EPA)**  
**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

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RIN: 2070-AC46

 [View Related Documents](#)

**Title:** Groundwater and Pesticide Management Plan Rule

**Abstract:** As proposed, this regulation would have established Pesticide Management Plans (PMPs) as a new regulatory requirement

for certain pesticides. Unless a State or tribal authority had an EPA-approved Plan specifying risk reduction measures, use of the chemical would be prohibited. The rule would also specify procedures and deadlines for development, approval, and modification of plans by States and tribal authorities. Several parameters of the program described in the proposed rule were reconsidered to determine whether the program could address water quality issues rather than groundwater only, and to determine the best partnership approach to implementation. During this period, the risk level associated with the named pesticides was reexamined and reduced. Moreover, since the proposal in 1996, many States have adopted the original concept and framework of Pesticide Management Plans and these programs are operational today. This experience and growth in knowledge has exceeded the requirements and specifications of the original proposal. Accordingly, EPA intends to withdraw the proposed rule in the near future.

**Priority:** Info./Admin./Other

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 152.170 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 USC 136(a) FIFRA sec 3; 7 USC 136(w)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	06/26/1996	61 FR 33259
Notice	02/23/2000	65 FR 8925
Notice	03/24/2000	65 FR 15885
Notice	01/00/2013	

**Additional Information:** EPA publication information: NPRM - <http://www.epa.gov/fedrgstr/EPA-PEST/1996/June/Day-26/pr-768.html>

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information URL:** <http://www.epa.gov/pesticides/>

**Sectors Affected:** 9241

**Agency Contact:** Rose Kyprianou Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7506P, Washington, DC 20460

Washington, DC 20460

Phone: 703 305-5354

FAX: 703 305-5884

E-Mail: [kyprianou.rose@epa.gov](mailto:kyprianou.rose@epa.gov)

**Agency Contact:** Scott Drewes Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7506P, Washington, DC 20460

Washington, DC 20460

Phone: 703 347-0107

E-Mail: [drewes.scott@epa.gov](mailto:drewes.scott@epa.gov)

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**Environmental Protection Agency (EPA)**

**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

**RIN:** 2070-AD14

 [View Related Documents](#)

**Title:** Pesticides; Registration Requirements for Antimicrobial Pesticide Products

**Abstract:** In 1999, EPA proposed to establish procedures primarily directed at implementing provisions of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) requiring EPA to issue regulations streamlining its management of the registration process for antimicrobial pesticides, and the main body of the proposal addressed antimicrobial procedures and policies. EPA also proposed to implement a number of general provisions of FIFRA that were not specific to antimicrobial pesticides. In 2001, EPA finalized the provisions not specific to antimicrobial pesticides. This final rule did not promulgate proposed provisions aimed at addressing antimicrobial registration procedures and policies. The implementation of Pesticide Registration Improvement Act (PRIA) addressed registration procedures and policies for all pesticides, including antimicrobial pesticides, and the Agency has determined that a final rule for the remaining provisions in the 1999 proposal is not necessary. Accordingly, EPA intends to withdraw the unfinalized proposed provisions covered by this action in the near future.



**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 152 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 7 USC 136a(h); 7 USC 136(w)**Legal Deadline:**

Action	Source	Description	Date
None			

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	09/17/1999	64 FR 50671
Final Rule	12/14/2001	66 FR 64759
Notice	02/00/2013	

**Additional Information:** Docket #:OPP-300890**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.epa.gov/oppad001/regpolicy.htm>**Sectors Affected:** 325199; 325320; 325510; 325611**Agency Contact:** Rose Kyprianou Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7506P, Washington, DC 20460

Washington, DC 20460

Phone: 703 305-5354

FAX: 703 305-5884

E-Mail: [kyprianou.rose@epa.gov](mailto:kyprianou.rose@epa.gov)**Agency Contact:** Scott Drewes Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7506P, Washington, DC 20460

Washington, DC 20460

Phone: 703 347-0107

E-Mail: [drewes.scott@epa.gov](mailto:drewes.scott@epa.gov)**Environmental Protection Agency (EPA)****Office of Prevention, Pesticides and Toxic Substances ( OPPTS )****RIN:** 2070-AD30 [View Related Documents](#)**Title:** Pesticides; Data Requirements for Antimicrobials

**Abstract:** In 2008, EPA proposed revisions to its pesticide data requirements for antimicrobial pesticide products. The existing antimicrobial data requirements are in 40 CFR part 161. This action will revise the existing data requirements to reflect current regulatory and scientific standards. The data requirements will cover all scientific disciplines for antimicrobial pesticides, including product chemistry and residue chemistry, toxicology, and environmental fate and effects. In general, pesticide data requirements are codified in 40 CFR part 158, which describes the minimum data and information EPA typically requires to support an application for pesticide registration or amendment; to support the maintenance of a pesticide registration by means of the data call-in process, e.g., as used in the registration review program; or to establish or maintain a tolerance or exemption from the requirements of a tolerance for a pesticide chemical residue. This part also establishes procedures and other general requirements associated with the submission of data in support of a pesticide regulatory action. It does not, however, include study protocols, methodology, or standards for conducting or reporting test results; nor does this part describe how the Agency uses or evaluates the data and information in its risk assessment and risk management decisions, or the regulatory determinations that may be based upon the data. Once this regulatory change takes effect, data requirements for antimicrobial pesticides will be set forth in subpart W of 40 CFR part 158, and part 161 will be removed.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 158 and 161 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 USC 136 to 136(y)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:** 7 U.S.C. 136 to 136y

**Alternatives:** The Agency is required by its various statutory mandates to establish data requirements that support its regulatory decisions. The Agency reevaluates those data requirements in light of scientific advances, analytical improvements, and new technology, to provide a sound scientific basis for those decisions. On a case-by-case basis, the Agency considers whether alternative regulatory methods, such as restrictions on use, would obviate the need for data, and explores means of introducing flexibility and clarity to reduce burdens on the regulated community. For this rule, EPA will analyze keeping the current data requirements as specified in part 161, using the data requirements promulgated for conventional chemicals, and promulgating new data requirements specifically for antimicrobials.

**Costs and Benefits:** The Agency is conducting an economic analysis to support the rule. Anticipated benefits include less uncertainty and clearer understanding of the actual risk, increased clarity and transparency to the regulated community, improved scientific basis for pesticide regulatory decisions, and enhanced international harmonization with less duplication of data. The increased costs of the rule are estimated as greater than \$3 million each year for the companies that hold registrations or have applied for a registration for an antimicrobial product.

**Risks:** The revisions to the data requirements to be proposed, like the existing requirements in part 158, would require an applicant for pesticide registration to supply the Agency with information on the pesticide: composition, toxicity, potential human exposure, environmental properties and ecological effects, and, in certain cases, efficacy. This information is used to assess the human health and environmental risks associated with the product. The data that will be required by this regulation are the foundation of EPA's risk assessment for antimicrobial pesticides, and provide a sound scientific basis for any licensing decisions that impose requirements that mitigate or reduce risks. Under FIFRA, the applicant for registration must demonstrate to the Agency's satisfaction that the pesticide product will not cause "unreasonable adverse effects" to humans or to the environment.

**Timetable:**

Action	Date	FR Cite
NPRM	10/08/2008	73 FR 59381
Final Rule	02/00/2013	

**Additional Information:** Docket #:EPA-HQ-OPP-2008-0110

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Business

**Energy Affected:** No

**RIN Information URL:** <http://www.epa.gov/oppad001/>

**Sectors Affected:** 325510; 325320

**Agency Contact:** Kathryn Boyle Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7506P, Washington, DC 20460

Washington , DC 20460

Phone: 703 305-6304

FAX: 703 305-5884

E-Mail: [Boyle.Kathryn@epa.gov](mailto:Boyle.Kathryn@epa.gov)

**Agency Contact:** Scott Drewes Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7506P, Washington, DC 20460

Washington , DC 20460

Phone: 703 347-0107

E-Mail: [drewes.scott@epa.gov](mailto:drewes.scott@epa.gov)

**Government Levels Affected:** Federal

**Federalism:** No

**Environmental Protection Agency (EPA)**

**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

**RIN:** 2070-AD55

 [View Related Documents](#)

**Title:** Plant Incorporated Protectants (PIPs); Exemption for Those Derived Through Genetic Engineering From Sexually Compatible Plants

**Abstract:** In 2010, EPA determined that the record for this action, which was originally proposed in 1994, does not address the scientific information developed since the original proposal. Consequently, the record would not provide adequate, up-to-date support for the proposed rule. In 1994, EPA believed that the proposed exemption for plant-incorporated protectants (PIPs) derived through genetic engineering from plants sexually compatible with the recipient plant had the potential to cover a number of low-risk products. However, experience in the last decade has shown that such PIPs have not been developed in great numbers. If EPA were to pursue such an exemption in the future, the Agency would issue a new proposed rule. As such, EPA intends to withdraw the proposals.

Withdrawing the proposals does not preclude EPA's pursuing the same approach in the future. If withdrawn, the Agency would create a new entry in the Regulatory Agenda once the Agency decided to pursue such a rulemaking in the future.

**Priority:** Info./Admin./Other

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 174 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 USC 136 et seq; 21 USC 346(a) et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	11/23/1994	59 FR 60496
Supplemental NPRM	07/22/1996	61 FR 37891
Supplemental NPRM	05/16/1997	62 FR 27132
Supplemental NPRM	04/23/1999	64 FR 19958
Supplemental NPRM	07/19/2001	66 FR 37855
Supplemental NPRM	08/20/2001	66 FR 43552
Notice	02/00/2013	

**Additional Information:** SAN No. 4611

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/pesticides/biopesticides/pips/index.htm>

**Subjects Affected:** 611310; 325320

**Agency Contact:** Elizabeth Milewski Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7202M, Washington, DC 20460

Washington, DC 20460

Phone: 202 564-8492

FAX: 202 564-8501

E-Mail: [Milewski.Elizabeth@epa.gov](mailto:Milewski.Elizabeth@epa.gov)

**Agency Contact:** Keith Matthews Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7511P, Washington, DC 20460

Washington, DC 20460

Phone: 703 308-8712

FAX: 703 308-7026

E-Mail: [Matthews.Keith@epa.gov](mailto:Matthews.Keith@epa.gov)

**Environmental Protection Agency (EPA)**

**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

**RIN:** 2070-AD56

 [View Related Documents](#)

**Title:** Plant Incorporated Protectants (PIPs); Exemption for PIPs That Act by Primarily Affecting the Plant

**Abstract:** EPA has determined that the record for this action, which was originally proposed in 1994, does not address the scientific information developed since the original proposal. Consequently, the record would not provide adequate, up-to-date support for the proposed rule. In 1994, EPA believed that the proposed exemption for plant-incorporated protectants (PIPs) that act by primarily affecting the plant had the potential to cover a number of low-risk products. However, experience in the last decade has shown that such PIPs have not been developed in great numbers. If EPA were to pursue such an exemption in the future, the Agency would issue a new proposed rule. As such, EPA intends to withdraw the proposals. Withdrawing the proposals does not preclude EPA's pursuing the same approach in the future. If withdrawn, the Agency would create a new entry in the Regulatory Agenda once the Agency decided to pursue such a rulemaking in the future.

**Priority:** Info./Admin./Other

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 174 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 7 USC 136 et seq; 21 USC 346a et seq**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	11/23/1994	59 FR 60496
Supplemental NPRM	07/22/1996	61 FR 37891
Supplemental NPRM	05/16/1997	62 FR 27132
Supplemental NPRM	04/23/1999	64 FR 19958
Supplemental NPRM	07/19/2001	66 FR 37855
Notice	02/00/2013	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information****URL:** <http://www.epa.gov/pesticides/biopesticides/pips/index.htm>**Sectors Affected:** 325320**Agency Contact:** Elizabeth Milewski Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7202M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-8492

FAX: 202 564-8501

E-Mail: [Milewski.Elizabeth@epa.gov](mailto:Milewski.Elizabeth@epa.gov)**Agency Contact:** Keith Matthews Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7511P, Washington, DC 20460

Washington , DC 20460

Phone: 703 308-8712

FAX: 703 308-7026

E-Mail: [Matthews.Keith@epa.gov](mailto:Matthews.Keith@epa.gov)**Environmental Protection Agency (EPA)****Office of Prevention, Pesticides and Toxic Substances ( OPPTS )****RIN:** 2070-AJ08 [View Related Documents](#)**Title:** Certain Polybrominated Diphenylethers; Significant New Use Rule (SNUR) and Test Rule

**Abstract:** On March 28, 2012, EPA proposed a significant new use rule (SNUR) under section 5(a)(2) of the Toxic Substances Control Act (TSCA), as well as a test rule under section 4 of TSCA, for certain polybrominated diphenylethers (PBDEs). Under a SNUR, persons who intend to engage in any significant new use would be required to notify EPA at least 90 days before commencing that new use. The required notification would enable EPA to evaluate the significant new use uses of these chemical substances and, if necessary, appropriately address risks to human health or the environment by limiting or prohibiting those uses before they occur. EPA proposed to designate processing as a significant new use of tetraBDE, pentaBDE, hexaBDE, heptaBDE, octaBDE, and nonaBDE. EPA also proposed that manufacturing, importing, or processing of these 6 PBDEs as part of an article be designated as a significant new use. In addition, EPA proposed to designate manufacturing, importing (including as part of an article), and processing of a seventh PBDE, decabromodiphenyl ether (decaBDE) for any use, as a significant new use. Finally, EPA proposed to require that anyone who manufactures, imports, or processes c-pentaBDE, c-octaBDE, or c-decaBDE after December 31, 2013 conduct testing to obtain and subsequently submit to EPA specific data on health effects, environmental effects, and chemical fate. PBDEs are a family of chemicals with a common structure of a brominated diphenyl ether molecule which may have anywhere from one to ten bromine atoms attached. PBDEs have been widely used as flame retardants in a number of applications: c-pentaBDE was used primarily as an additive flame retardant in flexible polyurethane foams; c-octaBDE was used in acrylonitrile-butadiene-styrene (ABS) plastic which was used as casing for certain electric and electronic devices used in both offices and homes. Domestic manufacture of c-pentaBDE and c-octaBDE ceased in 2004 when the Great Lakes Chemical Corporation (now Chemtura Corporation) voluntarily phased out their production. On December 17, 2009, as the result of negotiations with EPA, the two U.S. producers of decaBDE, Albemarle Corporation and Chemtura

Corporation, and the largest U.S. importer, ICL Industrial Products, Inc., announced commitments to phase out manufacture and importation of decaBDE for most uses in the United States by December 31, 2012, and to end manufacture and import for all uses by the end of 2013.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 721; 40 CFR 790 to 799 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 15 USC 2601 et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	06/25/1991	56 FR 29140
Second NPRM	04/02/2012	77 FR 19862
Final Rule	10/00/2013	

**Additional Information:** Docket #:EPA-HQ-OPPT-2010-1039. <http://www.epa.gov/oppt/existingchemicals/pubs/actionplans/pbde.html>

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**Public Comment**

**RIN Information URL:** [www.epa.gov/oppt/chemtest](http://www.epa.gov/oppt/chemtest)

**URL:** <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OPPT-2010-1039-0001>

**Sectors Affected:** 325520; 325188; 325199; 325998; 335999; 339999; 314999; 326199; 326299; 334310; 336111; 337920; 313210; 322221; 322222; 334112; 334113; 331421; 331422; 335931; 314121; 325991; 335211; 334111; 313320; 562211; 336120; 335221; 335224; 335222; 335212; 326130; 336112; 337910; 327993; 313230; 337214; 331319; 335929; 334119; 335228; 322121; 325211; 334220; 326220; 325212; 313312; 337121; 326150

**Agency Contact:** Catherine Roman Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7405M, Washington, DC 20460

Washington, DC 20460

Phone: 202 564-8172

FAX: 202 564-4765

E-Mail: [Roman.Catherine@epa.gov](mailto:Roman.Catherine@epa.gov)

**Agency Contact:** Kirsten Hesla Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

4410-E, Washington, DC 20460

Washington, DC 20460

Phone: 202 564-2984

FAX: 202 564-4775

E-Mail: [hesla.kirsten@epa.gov](mailto:hesla.kirsten@epa.gov)

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#### Environmental Protection Agency (EPA)

Office of Prevention, Pesticides and Toxic Substances ( OPPTS )

RIN: 2070-AJ26

 [View Related Documents](#)

**Title:** Prions; Amendment of EPA's Regulatory Definition of Pests to Include Prion

**Abstract:** In 2003, the Agency decided that a prion (proteinaceous infectious particles) is a "pest" under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and that a product intended to reduce the infectivity of prions on inanimate surfaces (i.e., "prion product") is considered to be a pesticide. Any company seeking to distribute or sell such a product is required to register the product with EPA unless the product is exempt from registration requirements before it can be distributed or sold in the United States. In 2011, EPA proposed to formally declare a prion to be a pest and to amend its regulations to add prion to the list of pests (40 CFR part 152). A supplemental notice also proposed to amend the product performance data requirements (i.e., efficacy data) to specifically list prion-related products and announced the availability of draft efficacy testing guidance for comment. EPA believes that regulating prion-related products protects human health and the environment against unreasonable adverse effects and ensures that such products are effective.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 152.5(d) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 7 USC 136; 7 USC 136(w)**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	01/26/2011	76 FR 4602
Supplemental NPRM	11/17/2011	76 FR 71294
Final Rule	02/00/2013	

**Additional Information:** Docket #:EPA-HQ-OPP-2010-0427**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; State**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.epa.gov/pesticides/>**Sectors Affected:** 621511; 621210; 621111; 325320; 541940**Agency Contact:** Carlton Kempter Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7510P, Washington, DC 20460

Washington , DC 20460

Phone: 703 305-5448

FAX: 703 308-6467

E-Mail: [kempter.carlton@epa.gov](mailto:kempter.carlton@epa.gov)**Agency Contact:** Tajah Blackburn Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7510P, Washington, DC 20460

Washington , DC 20460

Phone: 703 308-0372

E-Mail: [Blackburn.Tajah@epa.gov](mailto:Blackburn.Tajah@epa.gov)

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**Environmental Protection Agency (EPA)****Office of Prevention, Pesticides and Toxic Substances ( OPPTS )****RIN:** 2070-AJ52 [View Related Documents](#)**Title:** Significant New Use Rule for Glymes**Abstract:** In 2011, EPA issued a proposed significant new use rule (SNUR) under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for 14 glymes. The proposed SNUR would require persons who intend to manufacture, import, or process these chemical substances for the designated significant new uses to notify EPA at least 90 days before commencing such manufacture, import, or processing. The required notification would provide EPA with the opportunity to evaluate the intended use and, if necessary, to prohibit or limit that activity before it occurs.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 721 (Revision) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 15 USC 2601 et seq**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:**

**Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	07/12/2011	76 FR 40860
Final Rule	06/00/2013	

**Additional Information:** Docket #:EPA-HQ-OPPT-2009-0767**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.epa.gov/oppt/existingchemicals/>**Sectors Affected:** 325520; 325199; 336340; 325510; 335912; 325910**Agency Contact:** Kirsten Hesla Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

4410-E, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-2984

FAX: 202 564-4775

E-Mail: [hesla.kirsten@epa.gov](mailto:hesla.kirsten@epa.gov)**Agency Contact:** Leslie Cronkhite Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

4606, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-3878

E-Mail: [cronkhite.leslie@epa.gov](mailto:cronkhite.leslie@epa.gov)**Environmental Protection Agency (EPA)****Office of Prevention, Pesticides and Toxic Substances ( OPPTS )****RIN:** 2070-AJ53 [View Related Documents](#)**Title:** Pesticides; Regulation to Clarify Labeling of Pesticides for Export**Abstract:** In April 2011, EPA proposed to clarify, restructure, and add specificity to existing labeling regulations for the export of unregistered pesticide products and devices. EPA also proposed adding a minor new requirement for the labeling of unregistered pesticide products and devices shipped between establishments operated by the same producer to ensure that they are clearly marked as unregistered products intended for export in order to prevent them from inadvertently entering the U.S. market.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 168.65 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 7 USC 136 to 136(y)**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	04/06/2011	76 FR 18995
Final Rule	01/00/2013	

**Additional Information:** Docket #:EPA-HQ-OPP-2009-0607**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No

**Energy Affected:** No**RIN Information****URL:** <http://epa.gov/compliance/monitoring/programs/fifra/importexport.html>**Sectors Affected:** 325320**Agency Contact:** Vera Au Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7506P, Washington, DC 20460

Washington , DC 20460

Phone: 703 308-9069

FAX: 703 305-5884

E-Mail: [Au.Vera@epa.gov](mailto:Au.Vera@epa.gov)**Agency Contact:** Martha Shimkin Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7506P, Washington, DC 20460

Washington , DC 20460

Phone: 703 305-5160

E-Mail: [Shimkin.martha@epa.gov](mailto:Shimkin.martha@epa.gov)**Environmental Protection Agency (EPA)****Office of Prevention, Pesticides and Toxic Substances ( OPPTS )****RIN:** 2070-AJ58 [View Related Documents](#)**Title:** Pesticides; Satisfaction of Data Requirements; Minor Revisions to the Procedures to Ensure Protection of Data Submitters' Rights

**Abstract:** In January 2011, EPA proposed revisions to its regulations governing procedures for the satisfaction of data requirements under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), which are codified in 40 CFR part 152, subpart E. These provisions include, among other things, procedures for the protection of exclusive use and data compensation rights of data submitters. EPA proposed to update the regulations to accommodate statutory and procedural changes that have occurred since 1984; to make minor changes to clarify the regulations; and to make changes that would simplify the procedures and reduce burdens for certain data submitters. The proposal did not otherwise propose to make substantive changes to the requirements.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 152(e) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 7 USC 136(a)**Legal Deadline:**

Action	Source	Description	Date
None			

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	11/05/2010	75 FR 68297
NPRM Comment Period Extended	01/04/2011	76 FR 302
Final Rule	08/00/2013	

**Additional Information:** Docket #:EPA-HQ-OPP-2009-0456**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.epa.gov/pesticides/registrationkit/>**Sectors Affected:** 325320**Agency Contact:** Scott Drewes Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7506P, Washington, DC 20460

Washington , DC 20460

Phone: 703 347-0107



E-Mail: [drewes.scott@epa.gov](mailto:drewes.scott@epa.gov)

**Agency Contact:** Mark Dyner Environmental Protection Agency  
Office of Prevention, Pesticides and Toxic Substances  
2333, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 564-1754  
E-Mail: [dyner.mark@epa.gov](mailto:dyner.mark@epa.gov)

**Environmental Protection Agency (EPA)**  
**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

RIN: 2070-AJ65

 [View Related Documents](#)

**Title:** Microorganisms: General Exemptions From Reporting Requirements; Revisions of Recipient Organisms Eligible for Tier I and Tier II Exemptions

**Abstract:** In 1997, EPA promulgated a final rule under section 5 of Toxic Substances and Control Act (TSCA) to establish the notification procedures for review of certain new microorganisms before they are introduced into commerce. "New" microorganisms are those formed by deliberate combinations of genetic material from organisms classified in different taxonomic genera. This review process is designed to prevent unreasonable risk of injury to human health and the environment without imposing unnecessary regulatory burdens on the biotechnology industry. The rule also established TSCA section 5(h)(4) exemptions from full reporting when 10 specific microorganisms are used as the recipient microorganisms for the introduced genetic material and placed requirements on these recipient microorganism, the introduced genetic material, and the physical containment (40 CFR 725, subpart G). The rule established a mechanism (40 CFR 725.67) for the public to petition the Agency to propose additional recipient microorganisms for such exemptions. Those regulations also describe the appropriate supporting information that must be submitted with the petition to provide EPA with a starting point for determining whether the recipient should be listed as a candidate for the tiered exemption. EPA received petitions to add *Trichoderma reesei* and *Bacillus amyloliquefaciens* to the list of microorganisms that may be used as recipient microorganisms in order to qualify for the exemption from full notification and reporting procedures under the TSCA for new microorganisms that are being manufactured (defined by statute to include import) for introduction into commerce. Based on EPA's evaluation of these petitions, EPA has made a preliminary determination that certain strains of both microorganisms will not present an unreasonable risk of injury to health or the environment when used as a recipient microorganism provided that certain criteria for the introduced genetic material and the physical containment conditions are met. Therefore, EPA proposed to add two additional microorganisms to the list of recipient microorganisms that are eligible for exemptions from full reporting for the manufacture (including import) of new microorganisms.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 15 USC 2601 et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	09/05/2012	77 FR 54499
Final Rule	07/00/2013	

**Additional Information:** SAN No. 5418

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**RIN Information URL:** <http://www.epa.gov/oppt/>

**Sectors Affected:** 325

**Agency Contact:** Brian Lee Environmental Protection Agency  
Office of Prevention, Pesticides and Toxic Substances  
7405M, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 564-6293  
E-Mail: [lee.brian@epa.gov](mailto:lee.brian@epa.gov)

**Agency Contact:** Greg Schweer Environmental Protection Agency  
Office of Prevention, Pesticides and Toxic Substances  
7405M, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 564-8469  
FAX: 202 564-9094  
E-Mail: Schweer.Greg@epa.gov

**Environmental Protection Agency (EPA)**  
**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

RIN: 2070-AJ73

 [View Related Documents](#)

**Title:** Significant New Use Rule (SNUR); Benzidine-Based Dyes; Di-n-pentyl phthalate (DnPP); and Alkanes, C12-13, Chloro

**Abstract:** On March 28, 2012, EPA proposed a significant new use rule (SNUR) under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for 9 benzidine-based chemical substances (dyes), di-n-pentyl-phthalate (DnPP) and alkanes, C12-13, chloro (CASRN 71011-12-6). Under a SNUR, persons who intend to engage in any significant new use would be required to notify EPA at least 90 days before commencing that new use. The required notification would enable EPA to evaluate the significant new use uses of these chemical substances and, if necessary, appropriately address risks to human health or the environment by limiting or prohibiting those uses before they occur. EPA proposed to add nine chemicals (dyes) to the benzidine-based chemical substances (dyes) Significant New Use Rule (SNUR) at 40 CFR section 721.1660. That amendment would not revoke the exemptions granted at 40 CFR section 721.1660(a)(2) for uses as laboratory stains and other analytical reagents. However, the amendment would revoke the Article Exemption described in 40 CFR section 721.45(f) for the chemicals previously listed in 40 CFR section 721.1660(a)(2) as well as for the nine benzidine-based dyes identified in the proposed SNUR. EPA also proposed to designate any use of DnPP, except as a chemical standard for laboratory use, as a significant new use. In addition, EPA proposed to designate any use of alkanes, C12-13, chloro (CASRN 71011-12-6) a significant new use.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 721 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 15 USC 2601 et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	03/28/2012	77 FR 18752
Final Rule	06/00/2013	

**Additional Information:** Docket #:EPA-HQ-OPPT-2010-0573. This action has been merged with 2070-AJ78 and 2070-AJ81.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/oppt/newchems/pubs/snun.htm>

**Public Comment**

**URL:** <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OPPT-2010-0573-0001>

**Sectors Affected:** 325998; 4243; 325; 316; 322; 324191; 324; 325211; 313

**Agency Contact:** Sara Kemme Environmental Protection Agency  
Office of Prevention, Pesticides and Toxic Substances  
7404T, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 566-0511  
FAX: 202 566-0473  
E-Mail: kemme.sara@epa.gov

**Agency Contact:** Lynn Vendinello Environmental Protection Agency  
Office of Prevention, Pesticides and Toxic Substances  
7404T, Washington, DC 20460  
Washington , DC 20460

Phone: 202 566-0514  
E-Mail: vendinello.lynn@epa.gov

**Environmental Protection Agency (EPA)**  
**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

RIN: 2070-AJ75

 [View Related Documents](#)

**Title:** Electronic Reporting Under the Toxic Substances Control Act (TSCA)

**Abstract:** EPA proposed to require electronic reporting of certain information that must be submitted under the Toxic Substance Control Act (TSCA). Under this proposal, EPA would require that test data developed under a TSCA section 4 test rule or an enforceable consent agreements, TSCA section 8(a) Preliminary Assessment Information Rule (PAIR) information, and TSCA section 8(d) health and safety data be submitted electronically. In addition, EPA also proposed amendments to TSCA section 5 reporting regulations at 40 CFR 720, 40 CFR 723, and 40 CFR 725 to require electronic reporting for Notices of Commencement of Manufacture of Import (NOCs) and support documents (e.g. correspondence, amendments, test data) relating to TSCA section 5 notices submitted to EPA prior to April 6, 2010, the effective date of the electronic-PMN final rule. This action is intended to streamline the reporting process, reduce the administrative costs associated with submission and recordkeeping required for the rules, and establish standards for using EPA's Central Data Exchange (CDX), which provides a single portal to enable electronic submission of forms, reports, and other documents to the Agency.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 712; 40 CFR 716; 40 CFR 790 to 799; 40 CFR 720; 40 CFR 725 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 15 USC 2601 et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	04/17/2012	77 FR 22707
Final Rule	05/00/2013	

**Additional Information:** Docket #:EPA-HQ-OPPT-2011-0519. This action includes retrospective review under EO 13563; see: <http://www.epa.gov/regdarrt/retrospective/history.html>.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business; Organizations

**Federalism:** No

**Energy Affected:** No

**Public Comment**

**RIN Information URL:** <http://www.epa.gov/oppt/>

**URL:** <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OPPT-2011-0519-0001>

**Sectors Affected:** 325; 324110

**Agency Contact:** Katherine Sleasman Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7405M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-7716

FAX: 202 564-4775

E-Mail: [sleasman.katherine@epa.gov](mailto:sleasman.katherine@epa.gov)

**Agency Contact:** Barbara Leczynski Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7407M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-8164

FAX: 202 564-7490

E-Mail: [leczynski.barbara@epa.gov](mailto:leczynski.barbara@epa.gov)

**Environmental Protection Agency (EPA)  
Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

RIN: 2070-AJ76

 [View Related Documents](#)**Title:** Protections for Subjects in Human Research Involving Pesticides**Abstract:** Under a settlement agreement resolving litigation on EPA's 2006 rule regarding protections for subjects in human research involving pesticides, EPA proposed changes in January 2011 that included broadening the applicability of the rules to cover human testing with pesticides submitted to EPA under any regulatory statute it administers; disallowing participation in third-party pesticide studies by subjects who cannot consent for themselves; and identifying considerations to be addressed in EPA science and ethics reviews of proposed and completed human research with pesticides.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 26 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** PL 109-54; sec 201; 5 USC 301; 42 USC 300(v)-1(b); 7 USC 136 to 136(y); 21 USC 346(a)**Legal Deadline:**

Action	Source	Description	Date
NPRM	Judicial	Settlement Agreement Deadline for the Administrator's Signature	01/18/2011
Other	Judicial	settlement deadline requires expedited schedule	12/18/2011

**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	02/02/2011	76 FR 5735
Final Rule	02/00/2013	

**Additional Information:** Docket #:EPA-HQ-OPP-2010-0785. NPRM Settlement Agreement: 01/18/2011; Settlement Agreement Final Rule: 12/18/2011.**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information****URL:** <http://www.epa.gov/oppfead1/guidance/human-test.htm>**Sectors Affected:** 325320**Agency Contact:** Kelly Sherman Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7501P, Washington, DC 20460

Washington , DC 20460

Phone: 703 305-8401

FAX: 703 308-7042

E-Mail: [sherman.kelly@epa.gov](mailto:sherman.kelly@epa.gov)**Agency Contact:** William Jordan Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7501P, Washington, DC 20460

Washington , DC 20460

Phone: 703 305-1049

FAX: 703 308-4776

E-Mail: [Jordan.William@epa.gov](mailto:Jordan.William@epa.gov)**Environmental Protection Agency (EPA)  
Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

RIN: 2070-AJ88

 [View Related Documents](#)**Title:** Significant New Use Rule (SNUR); HBCD (Hexabromocyclododecane) Used in Textiles**Abstract:** On March 23, 2012, EPA proposed a significant new use rule (SNUR) under section 5(a)(2) of the Toxic Substances Control

Act (TSCA) for hexabromocyclododecane (HBCD) and 1,2,5,6,9,10- hexabromocyclododecane (collectively referred to as HBCD). Under a SNUR, persons who intend to engage in any significant new use would be required to notify EPA at least 90 days before commencing that new use. The required notification would enable EPA to evaluate the significant new use uses of these chemical substances and, if necessary, appropriately address risks to human health or the environment by limiting or prohibiting those uses before they occur. EPA proposed to designate as a significant new use any use of HBCD in consumer textiles other than for use in motor vehicles (which is ongoing). EPA also proposed to revoke the Article Exemption described in 40 CFR 721.45(f) for persons who would import or process HBCD in consumer textiles other than for use in motor vehicles. HBCD is a brominated flame retardant used in polystyrene foam for thermal insulation boards, in electrical and electronic applications, and textiles. The chemical is found world-wide in the environment and wildlife. HBCD is transported long distances in the environment, it bioaccumulates and biomagnifies in the food chain, and is highly toxic to aquatic organisms. Human exposure is evidenced from its presence in breast milk, adipose tissue, and blood. Animal test results indicate that HBCD causes potential reproductive, developmental, and neurological effects. EPA has evidence to suggest that the use of HBCD in textiles may be limited to specialty commercial applications.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 721 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 15 USC 2601 et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	03/26/2012	77 FR 17386
Final Rule	07/00/2013	

**Additional Information:** Docket #:EPA-HQ-OPPT-2011-0489

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Public Comment**

**RIN Information URL:** <http://www.epa.gov/oppt/existingchemicals/>

**URL:** <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OPPT-2011-0489-0001>

**Sectors Affected:** 314999; 337920; 325; 314121; 423210; 423220; 337125; 337910; 314129; 238320; 811420; 313312

**Agency Contact:** Sue Slotnick Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7404T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-1973

E-Mail: [slotnick.sue@epa.gov](mailto:slotnick.sue@epa.gov)

**Agency Contact:** Lynn Vendinello Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7404T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-0514

E-Mail: [vendinello.lynn@epa.gov](mailto:vendinello.lynn@epa.gov)

**Environmental Protection Agency (EPA)**

**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

**RIN:** 2070-AJ95

 [View Related Documents](#)

**Title:** Significant New Use Rule for Perfluoroalkyl Sulfonates and Long-Chain Perfluoroalkyl Carboxylates Used as Part of Carpets

**Abstract:** On August 15, 2012, EPA proposed a significant new use rule (SNUR) under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for certain perfluoroalkyl sulfonates (PFAS) and certain long-chain perfluoroalkyl carboxylates (LCPFAC) chemical substances. Under a SNUR, persons who intend to engage in any significant new use would be required to notify EPA at least 90 days before commencing that new use. The required notification would enable EPA to evaluate the significant new use uses of these chemical substances and, if necessary, appropriately address risks to human health or the environment by limiting or prohibiting those uses before they occur. EPA proposed to designate processing as a significant new use of certain PFAS chemical substances that have

completed the TSCA new chemical review process but have not yet commenced production or import. EPA also proposed to designate manufacturing, importing, or processing for use as part of carpets or for treating carpet (e.g., for use in the carpet aftercare market) as a significant new use of certain LCPFAC chemical substances. EPA also proposed to revoke the Article Exemption described in 40 CFR section 721.45(f) for persons that import the LCPFAC chemical substances as part of carpets. Studies have found PFAS chemicals in very small amounts in the blood of the general human population as well as in wildlife. Although most of the health and environmental studies have focused primarily on perfluorooctyl sulfonates (PFOS) and perfluorooctanoic acid (PFOA), analysis of the structure of these compounds indicates that the results of those studies may be applied to a larger category of PFAS and LCPFAC chemicals. EPA believes that the chemical similarity between PFOS and PFAS raises the likelihood that health and environmental concerns are present for PFAS, and that LCPFAC compounds may degrade to PFOA.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 721 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 15 USC 2604(a) TSCA 5(a)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	08/15/2012	77 FR 48924
Final Rule	11/00/2013	

**Additional Information:** Docket #:EPA-HQ-OPPT-2012-0268

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**Public Comment**

**RIN Information URL:** <http://www.epa.gov/oppt/existingchemicals/>

**URL:** <http://www.regulations.gov/#!docketDetail;D=EPA-HQ-OPPT-2012-0268>

**Sectors Affected:** 314110; 561740; 325; 31311; 423220; 324110

**Agency Contact:** Katherine Sleasman Environmental Protection Agency  
Office of Prevention, Pesticides and Toxic Substances  
7405M, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 564-7716  
FAX: 202 564-4775  
E-Mail: [sleasman.katherine@epa.gov](mailto:sleasman.katherine@epa.gov)

**Agency Contact:** Leslie Cronkhite Environmental Protection Agency  
Office of Prevention, Pesticides and Toxic Substances  
4606, Washington, DC 20460  
Washington , DC 20460  
Phone: 202 564-3878  
E-Mail: [cronkhite.leslie@epa.gov](mailto:cronkhite.leslie@epa.gov)

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**Environmental Protection Agency (EPA)**

**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

**RIN:** 2070-AJ97

 [View Related Documents](#)

**Title:** MDI and TDI; Health and Safety Data Reporting Under TSCA 8(d)

**Abstract:** EPA is developing a rule to require chemical manufacturers (including importers) to submit unpublished health and safety data on diisocyanates. These chemicals have been identified by the Office of Pollution Prevention and Toxics (OPPT) and recommended for testing consideration by the Interagency Testing Committee (ITC). Sixty-nine diisocyanates from the ITC list will be added to the 8(d) Health and Safety Rule. There is also an established regulation and process for imposing this one-time reporting requirement.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 716 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 15 USC 2607(d) TSCA 8(d)**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Final Rule	08/00/2013	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Katherine Sleasman Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7405M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-7716

FAX: 202 564-4775

E-Mail: sleasman.katherine@epa.gov

**Agency Contact:** Mark Seltzer Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7405M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-2910

E-Mail: Seltzer.Mark@epa.gov

**Environmental Protection Agency (EPA)****Office of Prevention, Pesticides and Toxic Substances ( OPPTS )****RIN:** 2070-AJ83 [View Related Documents](#)**Title:** Testing of Bisphenol A (BPA)

**Abstract:** Bisphenol A (BPA), a high production volume chemical, is a reproductive, developmental, and systemic toxicant in animal studies and is weakly estrogenic. Following consideration of public comments received on an advance notice of proposed rulemaking (ANPRM) published July 26, 2011, EPA will determine whether to develop a notice of proposed rulemaking (NPRM) seeking comment on testing requirements under consideration. As discussed in the ANPRM, the NPRM would identify specific protocols for toxicity testing to determine the potential for BPA to cause adverse effects in environmental organisms at low concentrations, and/or identify specific protocols for environmental sampling and monitoring to determine whether potentially sensitive organisms may currently be exposed to concentrations of BPA in the environment that are at or above levels of concern for adverse effects, including endocrine-related effects.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 40 CFR 799 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 15 USC 2603**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM		
ANPRM	07/26/2011	76 FR 44535

**Additional Information:** Docket #:EPA-HQ-OPPT-2010-0812**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**RIN Information****URL:** <http://www.epa.gov/oppt/existingchemicals/pubs/actionplans/bpa.html>**Sectors Affected:** 324110**Agency Contact:** Mary Dominiak Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7405M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-8104

E-Mail: Dominiak.Mary@epa.gov

**Agency Contact:** Rebecca Edelstein Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7406M, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-8566

E-Mail: Edelstein.Rebecca@epa.gov

**Environmental Protection Agency (EPA)****Office of Prevention, Pesticides and Toxic Substances ( OPPTS )****RIN:** 2070-AJ51 [View Related Documents](#)**Title:** Mercury; Incorporation of Revised ASTM Standards Into EPA Regulations That Provide Flexibility in the Use of Alternatives to Mercury-Containing Thermometers**Abstract:** EPA has completed a rulemaking that incorporates the most recent versions of the American Society for Testing and Materials (ASTM) International standards (ASTM standards) into EPA regulations that provide flexibility to use alternatives to mercury-containing industrial thermometers. The amendments allow the use of such alternatives in certain limited field and laboratory applications previously impermissible as part of compliance with EPA regulations. In addition, EPA sought public input on the need to address the remaining EPA regulations that incorporate by reference ASTM standards that do not allow the use of alternatives to mercury-containing industrial thermometers. EPA believes these ASTM standards may unnecessarily impede the use of effective, comparable, and available mercury alternatives. Due to elemental mercury's high toxicity, EPA is working to reduce potential mercury exposures to humans and the environment by reducing the overall use of mercury-containing products, including mercury-containing thermometers.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 40 CFR 49; 40 CFR 60; 40 CFR 63; 40 CFR 75; 40 CFR 86; 40 CFR 89; 40 CFR 92; 40 CFR 93; 40 CFR 761; 40 CFR 1065 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 USC 7401 to 7671q; 15 USC 1601 et seq**Legal Deadline:** None**Regulatory Plan:****Statement of Need:****Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
NPRM	01/12/2011	76 FR 2056
Final Rule	01/18/2012	77 FR 2456

**Additional Information:** Docket #:EPA-HQ-OPPT-2010-0518



**Regulatory Flexibility Analysis Required:** No  
**Small Entities Affected:** Business; Organizations  
**Energy Affected:** No

**Government Levels Affected:** No  
**Federalism:** No

**RIN Information URL:** <http://www.epa.gov/mercury/>

**Public Comment URL:** <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OPPT-2010-0518-0001>

**Sectors Affected:** 334516; 324110; 541380

**Agency Contact:** Robert Courtage Environmental Protection Agency  
 Office of Prevention, Pesticides and Toxic Substances  
 7404T, Washington, DC 20460  
 Washington , DC 20460  
 Phone: 202 566-1081  
 E-Mail: [courtage.robert@epa.gov](mailto:courtage.robert@epa.gov)

**Agency Contact:** Hiroshi Dodahara Environmental Protection Agency  
 Office of Prevention, Pesticides and Toxic Substances  
 7404T, Washington, DC 20460  
 Washington , DC 20460  
 Phone: 202 566-0507  
 E-Mail: [dodahara.hiroshi@epa.gov](mailto:dodahara.hiroshi@epa.gov)

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**Environmental Protection Agency (EPA)**  
**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

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RIN: 2070-AJ71

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**Title:** Mercury; Significant New Use Rule; Elemental Mercury Used in Barometers, Manometers, and Hygrometers/Psychrometers

**Abstract:** Under section 5(a)(2) of the Toxic Substances Control Act (TSCA), EPA intends to promulgate a Significant New Use Rule (SNUR) to require persons to notify EPA at least 90 days before commencing the manufacture, import, or processing of elemental mercury for use in three types of measuring devices, namely barometers, manometers, and hygrometers/psychrometers. Elemental mercury is converted to methyl mercury in the environment and is a potent neurotoxin. Mercury is no longer used in these products (except one battery-powered, motor-aspirated psychrometer which is currently manufactured and not covered by the rule). Elemental mercury in products can be released to the environment during manufacturing, use, recycling, and/or disposal. EPA considers a resumption of manufacture, import, or processing of any of the covered devices to be a significant new use.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 721 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 15 USC 2604; 2607; and 2625(c)

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	05/06/2011	76 FR 26225
Final Rule	05/30/2012	77 FR 31728
Final Rule Effective	06/29/2012	

**Additional Information:** Docket #:EPA-HQ-OPPT-2010-0630

**Regulatory Flexibility Analysis Required:** No  
**Small Entities Affected:** Business  
**Energy Affected:** No  
**RIN Information URL:** <http://www.epa.gov/oppt/existingchemicals>  
**Sectors Affected:** 334513  
**Agency Contact:** Sue Slotnick Environmental Protection Agency  
 Office of Prevention, Pesticides and Toxic Substances  
 7404T, Washington, DC 20460  
 Washington , DC 20460

**Government Levels Affected:** No  
**Federalism:** No

Phone: 202 566-1973

E-Mail: [slotnick.sue@epa.gov](mailto:slotnick.sue@epa.gov)

**Agency Contact:** Lynn Vendinello Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7404T, Washington, DC 20460

Washington , DC 20460

Phone: 202 566-0514

E-Mail: [vendinello.lynn@epa.gov](mailto:vendinello.lynn@epa.gov)

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**Environmental Protection Agency (EPA)****Office of Prevention, Pesticides and Toxic Substances ( OPPTS )****RIN:** 2070-AJ77 [View Related Documents](#)

**Title:** Synchronizing the Expiration Dates of the Pesticide Applicator Certificate With the Underlying State or Tribal Applicator Certificate

**Abstract:** Applicators of restricted-use pesticides (RUP) can be certified by States, Tribes, or non-EPA Federal agencies that have an EPA-approved certification plan (authorized agencies). As part of a Federal Plan, pesticide applicators may be issued an EPA certificate which allows them to apply RUPs in areas not covered by an authorized agency (e.g., parts of Indian Country) by submitting an application form and providing documentation of an existing valid certification issued by an authorized agency, without further demonstration of competency. The EPA certificate is valid for 2 years for commercial applicators and 3 years for private applicators, or until the expiration date of the original certificate issued by the authorized agencies, whichever occurs first. Some authorized agencies now issue certificates that are valid for up to 5 years. Under the current regulations, the EPA certificate may expire before the expiration of the underlying certificate that it was based on, thereby requiring the applicator to resubmit the same information to EPA, showing no new demonstration of competency, in order to renew the EPA certificate. Through this action, EPA will synchronize the expiration dates so that the EPA certificate expires at the same time as the underlying State, tribal, or non-EPA Federal certificate. This action did not involve any other substantive changes to the regulations.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 171.11(e) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 USC 136(a) et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	06/24/2011	76 FR 37045
Final Rule	07/05/2012	77 FR 39640

**Additional Information:** Docket #:EPA-HQ-OPP-2011-0049

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; State; Tribal

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**RIN Information**

**URL:** <http://www.epa.gov/oppfead1/safety/applicators/applicators.htm>

**Sectors Affected:** 112; 111; 561710

**Agency Contact:** Joe Hogue Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7506C, Washington, DC 20460

Washington , DC 20460

Phone: 703 308-9072

FAX: 703 305-5884

E-Mail: [hogue.joe@epamail.epa.gov](mailto:hogue.joe@epamail.epa.gov)

**Agency Contact:** Nicole Zinn Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7506P, Washington, DC 20460

Washington , DC 20460

Phone: 703 308-7076

FAX: 703 308-7070  
E-Mail: zinn.nicole@epa.gov

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**Environmental Protection Agency (EPA)**  
**Office of Prevention, Pesticides and Toxic Substances ( OPPTS )**

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RIN: 2070-AJ80

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**Title:** Pesticides; Microbial Pesticide Definitions and Applicability; Clarification and Availability of Test Guideline

**Abstract:** In 2011, EPA proposed to clarify the distinction between "isolates" and "strains," and the requirements applicable to new isolates, which are considered to be new active ingredients under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Additional proposed revisions to regulatory text include several minor corrections to words and references. EPA also announced and sought comment on the final microbial pesticide test guideline that further explains the existing data requirement to deposit a sample in a nationally recognized culture collection. Collectively, the changes are expected to enhance the ability of industry to efficiently manage their microbial pesticide registration submissions.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 40 CFR 158.2100(c)(1); 40 CFR 158.2100(c)(2); 40 CFR 158.2120(c) table note (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 USC 136(a) et seq

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	04/15/2011	76 FR 21295
Final Rule	08/30/2012	77 FR 52610

**Additional Information:** Docket #:EPA-HQ-OPP-2010-0670

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**RIN Information URL:** <http://www.epa.gov/pesticides/biopesticides/>

**Sectors Affected:** 325320

**Agency Contact:** Rose Kyprianou Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7506P, Washington, DC 20460

Washington , DC 20460

Phone: 703 305-5354

FAX: 703 305-5884

E-Mail: [kyprianou.rose@epa.gov](mailto:kyprianou.rose@epa.gov)

**Agency Contact:** Jeannine Kausch Environmental Protection Agency

Office of Prevention, Pesticides and Toxic Substances

7511P, Washington, DC 20460

Washington , DC 20460

Phone: 703 347-8920

E-Mail: [kausch.jeannine@epa.gov](mailto:kausch.jeannine@epa.gov)

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**Environmental Protection Agency (EPA)**  
**Office of the Administrator ( AdmO )**

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RIN: 2090-AA39

 [View Related Documents](#)

**Title:** Part 7--Nondiscrimination in Programs or Activities Receiving Federal Assistance From the Environmental Protection Agency

**Abstract:** EPA's nondiscrimination regulations prohibit discrimination on the basis of race, color, national origin, age, disability, and sex

(gender) in the program and activities that received Federal Financial Assistance. Promulgating this amendment will bring EPA in line with US Department of Justice and other Federal Agencies to ensure that all complaints are promptly investigated.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Not Yet Determined

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2013	
Final Rule	08/00/2013	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Helena Wooden-Aguilar Environmental Protection Agency

Office of the Administrator

1201A, Washington, DC 20460

Washington , DC 20460

Phone: 202 564-0792

E-Mail: [Wooden-Aguilar.Helena@epamail.epa.gov](mailto:Wooden-Aguilar.Helena@epamail.epa.gov)