



SMG Reg Watch

December 2015 / Scott R. Smith and Kori J. Andrews

Reg Watch is a periodic summary of regulations that we are currently tracking. The regulations we watch address energy, environmental, health, safety, educational issues relating to sustainability and public utilities.

This is not an all-encompassing list of all regulations being considered at the state or federal level. Contact me if you want to add additional issues, need copies of the proposed or final regulations or have questions about these or other regulations you've heard about.

DO YOU KNOW SOMEONE WHO WANTS TO RECEIVE THESE UPDATES?

Contact us at
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QUESTIONS, COMMENTS, ADDITIONAL INFORMATION

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Scott's Thoughts

SMG provides brief blog updates several times each week. Blogs are written by SMG employees, and can be found on our website. SMG Blog Entries of Note for this month are hyperlinked below:

- [Proposed Cross-State Air Pollution Update Rule](#)

- [National Steam Electric Power Effluent Guidelines Finalized](#)
- [Update on Proposed Changes to RCRA](#)
- [KDEP to hold workshop on Compliance Certifications and Monitoring Reports](#)
- [2015 EPCRA Tier 2 Hazardous Chemical Inventory Reports](#)
- [2016 EPCRA "How to Comply"](#)
- [EPA Launches Nutrient Recycling Challenge](#)
- [Kentucky Chamber 14th Annual Environmental Conference](#)
- [SMG Recognized for Energy Star Award by LEA](#)
- [SMG supports DiscoverE and Kentucky's 2016 Future City Competition](#)
- [EPA Enforcement for FY 2015](#)
- [LOCAL LIMITS: Collection and Analysis of Data](#)

As the legislative session begins, watch for our Legislative Updates which are posted on our website.

State Review

The following regulations were approved by the Administrative Regulation Review Subcommittee:

**ENERGY AND ENVIRONMENT CABINET:
 Department for Environmental Protection:
 Division of Water: Water Quality Standards**

[401 KAR 10:026](#). Designation of uses of surface waters.

A motion was made and seconded to approve the following amendments: to amend Sections 2 and 5 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

[401 KAR 10:029](#). General provisions.

[401 KAR 10:030](#). Antidegradation policy implementation methodology.

A motion was made and seconded to approve the following amendments: to amend Section 1 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

[401 KAR 10:031](#). Surface water standards.

Division of Waste Management: Underground Storage Tanks

[401 KAR 42:045](#). Delivery prohibition.

The Kentucky Energy and Environment Cabinet will conduct a [public hearing](#) on Jan. 6, 2016, at 10 a.m. (EST) in the conference room of the Division for Air Quality, 200 Fair Oaks Lane, 1st Floor, Frankfort, KY. This hearing is being held to receive comments on a [2010 SO2 National Ambient Air Quality Standard redesignation request](#) for Campbell County, Kentucky.

Federal Regulation Review

EPA, [Cross-State Air Pollution Rule Update for the 2008 Ozone NAAQS](#)

Notice of public hearing. The Environmental Protection Agency (EPA) is announcing a public hearing to be held for the proposed rule “Cross-State Air Pollution Rule Update for the 2008 Ozone NAAQS” which will publish in the **Federal Register**. The hearing will be held on Thursday, December 17, 2015, in Washington, DC.

DATES: The public hearing will be held on December 17, 2015.

EPA, [Request for Scientific Views on the Draft Recommended Aquatic Life Ambient Water Quality Criteria for Cadmium—2015](#)

Notice of availability. The Environmental Protection Agency (EPA) is announcing its draft recommended aquatic life water quality criteria for cadmium for public comment. EPA is updating its national recommended ambient water quality criteria for cadmium in order to reflect the latest scientific information, and current EPA policies and methods. Following closure of this public comment period, EPA will consider scientific views from the public on this draft document as well as any new data or information received. EPA will then publish a **Federal Register** notice announcing the availability of the final cadmium criteria. Once finalized, EPA’s water quality criteria for cadmium will provide recommendations to states and tribes authorized to establish water quality standards under the Clean Water Act. In adopting water quality standards, states set exposure protections for aquatic life; chronic exposure to cadmium negatively impacts growth, development,

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behavior, reproduction, and immune and endocrine systems in aquatic life.

DATES: Comments must be received on or before February 1, 2016.

EPA, [Extension of Public Comment Period for the National Wetland Condition Assessment 2011 Draft Report](#)

Notice; extension of comment period.

The Environmental Protection Agency (EPA) is extending the comment period for the draft report on the National Wetland Condition Assessment (NWCA 2011). In response to stakeholder requests, the comment period will be extended for an additional 30 days, from December 7, 2015 until January 6, 2016.

DATES: Comments must be received on or before January 6, 2016.

EPA, [Cross-State Air Pollution Rule Update for the 2008 Ozone NAAQS](#)

Proposed rule. The primary purpose of this proposal is to address interstate air quality impacts with respect to the 2008 ozone National Ambient Air Quality Standards (NAAQS). The EPA promulgated the Cross-State Air Pollution Rule (CSAPR) on July 6, 2011, to address interstate transport of ozone pollution under the 1997 ozone NAAQS and fine particulate matter (PM_{2.5}) under the 1997 and 2006 PM_{2.5} NAAQS. The EPA is proposing to update CSAPR to address interstate emission transport with respect to the 2008 ozone NAAQS. This proposal also responds to the July 28, 2015 remand by the Court of Appeals for the District of Columbia Circuit of certain states' ozone-season nitrogen oxides (NO_x) emissions budgets established by CSAPR. This proposal also updates the status of certain

states' outstanding interstate ozone transport obligations with respect to the 1997 ozone NAAQS, for which CSAPR provided a partial remedy. This proposal finds that ozone season emissions of NO_x in 23 eastern states affect the ability of downwind states to attain and maintain the 2008 ozone NAAQS. These emissions can be transported downwind as NO_x or, after transformation in the atmosphere, as ozone. For these 23 eastern states, the EPA proposes to issue Federal Implementation Plans (FIPs) that generally update the existing CSAPR NO_x ozone-season emissions budgets for electricity generating units (EGUs) and implement these budgets via the CSAPR NO_x ozone-season allowance trading program. The EPA would finalize a FIP for any state that does not have an approved SIP addressing its contribution by the date this rule is finalized. The EPA is proposing implementation starting with the 2017 ozone season. In conjunction with other federal and state actions, these requirements would assist downwind states in the eastern United States in attaining and maintaining the 2008 ozone standard.

DATES: Comments must be received on or before January 19, 2016.

EPA, [Significant New Use Rule on Certain Chemical Substances](#)

Final rule. EPA is finalizing significant new use rules (SNURs) under the Toxic Substances Control Act (TSCA) for 29 chemical substances that were the subject of premanufacture notices (PMNs). This action requires persons who intend to manufacture (including import) or process any of the chemical substances for an activity that is designated as a

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significant new use by this 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 the activity before it occurs.

DATES: This final rule is effective February 2, 2016.

Fish and Wildlife Service, [Draft Long Range Transportation Plan for U.S. Fish and Wildlife Service Lands in the Southeast Region](#)

Notice of availability; request for comments. The U.S. Fish and Wildlife Service (Service), announces the availability of a draft long range transportation plan for public review and comment. The Draft Long Range Transportation Plan outlines a strategy for improving and maintaining transportation assets that provide access to Service-managed lands in the Southeast Region (Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico, and the Virgin Islands) over the next 20 years.

DATES: The Service must receive written comments on or before January 7, 2016.

EPA, [Agency Information Collection Activities; Proposed Collection; Comment Request; Identification of Non-Hazardous Secondary Materials That Are Solid Waste \(Renewal\)](#)

Notice. The Environmental Protection Agency (EPA) is planning to submit an information collection request (ICR), Identification of Non-Hazardous Secondary Materials That Are Solid Waste (Renewal) (EPA ICR No. 2382.04, OMB

Control No. 2050-0205) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). Before doing so, EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a proposed extension of the ICR, which is currently approved through March 31, 2016. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Comments must be submitted on or before February 8, 2016.

EPA, [Revisions to the Unregulated Contaminant Monitoring Rule \(UCMR 4\) for Public Water Systems and Announcement of a Public Meeting](#)

Proposed rule and notice of public meeting. The U.S. Environmental Protection Agency (EPA) is proposing a Safe Drinking Water Act (SDWA) rule that requires public water systems to collect occurrence data for contaminants that may be present in tap water but are not yet subject to EPA's drinking water standards set under SDWA. This rule, revised every five years as required by SDWA, benefits public health by providing EPA and other interested parties with scientifically valid data on the national occurrence of selected contaminants in drinking water, such as cyanotoxins associated with harmful algal blooms. This data set is one of the primary sources of information on occurrence, levels of exposure and population exposure the Agency uses to develop regulatory decisions for emerging contaminants in the public drinking water

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supply. This proposal identifies eleven analytical methods to support water system monitoring for a total of 30 chemical contaminants/ groups, consisting of ten cyanotoxins/ groups; two metals; eight pesticides plus one pesticide manufacturing byproduct (hereinafter collectively referred to as “pesticides”); three brominated haloacetic acid groups of disinfection byproducts; three alcohols; and three semivolatile organic chemicals. EPA is also announcing a public webinar to discuss this proposal of the fourth Unregulated Contaminant Monitoring Rule.

DATES: Comments must be received on or before February 9, 2016.

Fish & Wildlife, [Management of Non-Federal Oil and Gas Rights](#)

Proposed rule. The U.S. Fish and Wildlife Service (Service), are proposing to revise regulations governing the exercise of non-Federal oil and gas rights in order to improve their ability to protect refuge resources, visitors, and the general public’s health and safety from potential impacts associated with non-Federal oil and gas operations located within U.S. Fish and Wildlife Service refuge units. Non-Federal oil and gas development refers to oil and gas activities associated with any private, State, or tribally owned mineral interest where the surface estate is administered by the Service as part of the Refuge System. The existing non-Federal oil and gas regulations have remained unchanged for more than 50 years and provide vague guidance to staff and operators. This proposed rule would make the regulations consistent with existing laws, policies and industry practices. It is designed to provide regulatory clarity and

guidance to oil and gas operators and refuge staff, provide a simple process for compliance, incorporate technological improvements in exploration and drilling technology, and ensure that non-Federal oil and gas operations are conducted in a manner that avoids or minimizes impacts to refuge resources.

DATES: Comments on this proposed rule must be received on or before February 9, 2016. Comments on the information collection aspects of this rule must be received on or before January 11, 2016.

[EPA, Renewable Fuel Standard Program: Standards for 2014, 2015, and 2016 and Biomass-Based Diesel Volume for 2017](#)

Final rule. Under section 211 of the Clean Air Act, the Environmental Protection Agency (EPA) is required to set renewable fuel percentage standards every year. This action establishes the annual percentage standards for cellulosic biofuel, biomass-based diesel, advanced biofuel, and total renewable fuel that apply to all motor vehicle gasoline and diesel produced or imported in the years 2014, 2015, and 2016. The EPA is establishing a cellulosic biofuel volume for all three years that is below the applicable volume specified in the Act, and is also rescinding the cellulosic biofuel standard for 2011. Relying on statutory waiver authorities, the EPA is adjusting the applicable volumes of advanced biofuel and total renewable fuel for all three years. The 2016 standards are expected to spur further progress in overcoming current constraints in renewable fuel distribution infrastructure, which in turn is expected to lead to substantial growth over time in the production and use of renewable fuels. In

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this action, EPA is also establishing the applicable volume of biomass-based diesel for 2017. Finally, EPA is setting the compliance and attest reporting deadlines for the years 2013, 2014, and 2015, as well as finalizing regulatory amendments to clarify the scope of the existing algal biofuel pathway.

DATES: This final rule is effective on February 12, 2016.

EPA, [Allocations of Cross-State Air Pollution Rule Allowances From New Unit Set-Asides for 2015 Control Periods](#)

Notice of data availability (NODA). The Environmental Protection Agency (EPA) is providing notice of the availability of preliminary lists of units eligible for allocations of emission allowances under the Cross-State Air Pollution Rule (CSAPR). Under the CSAPR federal implementation plans (FIPs), portions of each covered state's annual emissions budgets for each of the four CSAPR emissions trading programs are reserved for allocation to electricity generating units that commenced commercial operation on or after January 1, 2010 (new units) and certain other units not otherwise obtaining allowance allocations under the FIPs. The quantities of allowances allocated to eligible units from each new unit setaside (NUSA) under the FIPs are calculated in an annual one- or two round allocation process. EPA previously completed the first round of NUSA allowance allocations for the 2015 control periods for all four CSAPR trading programs, as well as the second round of allocations for the CSAPR NOX Ozone Season Trading Program, and is now making available preliminary lists of units

eligible for allocations in the second round of the NUSA allocation process for the CSAPR NOX Annual, SO2 Group 1, and SO2 Group 2 Trading Programs. EPA has posted spreadsheets containing the preliminary lists on EPA's Web site. EPA will consider timely objections to the lists of eligible units contained in the spreadsheets and will promulgate a notice responding to any such objections no later than February 15, 2016, the deadline for recording the second-round allocations of CSAPR NOX Annual, SO2 Group 1, and SO2 Group 2 allowances in sources' compliance accounts. This notice of availability may concern CSAPR affected units in the following states: Alabama, Georgia, Illinois, Indiana, Iowa, Kansas, **Kentucky**, Maryland, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin.

DATES: Objections to the information referenced in this notice of availability must be received on or before January 14, 2016.

EPA, [Fall 2015 Regulatory Agenda](#)
Semiannual regulatory flexibility agenda and semiannual regulatory agenda. The Environmental Protection Agency (EPA) publishes the semiannual regulatory agenda online (the e-Agenda) at <http://www.reginfo.gov> and at www.regulations.gov to update the public about:

- Regulations currently under development,
- Reviews of existing regulations, and

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- Rules completed or canceled since the last agenda.

EPA, Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Disinfectants/Disinfection Byproducts, Chemical and Radionuclides Rules

Notice. The U.S. Environmental Protection Agency (EPA) has submitted an Information Collection Request (ICR) for the Disinfectants/Disinfection Byproducts, Chemical and Radionuclides Rules (EPA ICR No. 1896.10, OMB Control No. 2040-0204) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (PRA; 44 U.S.C. 3501 *et seq.*). This is a proposed extension of the ICR, which is currently approved through December 31, 2015. Public comments were previously requested via the **Federal Register** (80 FR 17040) on March 31, 2015, during a 60-day comment period. This notice allows for an additional 30 days for public comments. A description of the ICR is provided in this renewal notice, including its estimated burden and cost to the public. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before January 15, 2016.

EPA, Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Categorical Non-Waste Determination for Selected Non Hazardous Secondary Materials (NHSM): Construction and

Demolition Wood, Paper Recycling Process Residuals, and Creosote-Treated Railroad Ties (Additions to List of Section 241.4 Categorical Non-Waste Fuels)

Notice. The Environmental Protection Agency has submitted an information collection request (ICR), ‘Categorical Non-Waste Determination for Selected Non Hazardous Secondary Materials (NHSM): Construction and Demolition Wood, Paper Recycling Process Residuals, and Creosote-Treated Railroad Ties (Additions to List of Section 241.4 Categorical Non-Waste Fuels)’ (EPA ICR No. 2493.01, OMB Control No. 2050-XXXX) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). This is a request for approval of a new collection. Public comments were previously requested via the **Federal Register** (79 FR 21006) on April 14, 2014 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before January 15, 2016.

EPA, Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Generic Clearance for Citizen Science and Crowdsourcing Projects (New)

Notice. The Environmental Protection Agency has submitted an information

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collection request (ICR), “Generic Clearance for Citizen Science and Crowdsourcing Projects (New)” (EPA ICR No. 2521.01, OMB Control No. 2080—NEW) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). This is a request for approval of a new collection. Public comments were previously requested via the **Federal Register** (80 FR 59148) on October 1, 2015 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A full description of the ICR is given in the Federal Register including its estimated burden and cost to the public. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before January 15, 2016.

EPA, [Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Water Quality Standards Regulation \(Renewal\)](#)

Notice. The Environmental Protection Agency has submitted an information collection request (ICR), “Water Quality Standards Regulation (Renewal)” (EPA ICR No. 0988.12, OMB Control No. 2040-0049) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). This is a proposed extension of the ICR, which is currently approved through December 31, 2015. Public comments were previously requested via the **Federal Register** (80 FR

37616 on July 1, 2015), during a 60-day comment period. This notice allows for an additional 30 days for public comments. A full description of the ICR is given below. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before January 15, 2016.

OSHA, [Streamlining of Provisions on State Plans for Occupational Safety and Health](#)

Final rule; confirmation of effective date; approval of collections of information under the Paperwork Reduction Act of 1995. On August 18, 2015 OSHA published in the Federal Register a direct final rule that streamlined provisions on State Plans. OSHA stated in that document that it would withdraw the companion proposed rule and confirm the effective date of the final rule if the Agency received no significant adverse comments on the direct final rule or the proposal. Since OSHA received no comments on the direct final rule or the proposal, the Agency now confirms that the direct final rule became effective as a final rule on October 19, 2015. The proposed rule and the direct final rule also requested comments on the collections of information contained in State Plan regulations under the Paperwork Reduction Act of 1995. The Office of Management and Budget (OMB) approved those collections of information. **DATES:** The effective date for the direct final rule that published on August 18, 2015 (80 FR49897) is confirmed as October 19, 2015.

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[EPA, Access by EPA Contractors to Information Claimed as Confidential Business Information \(CBI\) Submitted under Title II of the Clean Air Act and Related Regulations](#)

Notice. The Environmental Protection Agency (EPA)'s Office of Transportation and Air Quality (OTAQ) plans to authorize various contractors to access information which will be submitted to the EPA under Title II of the Clean Air Act that may be claimed as, or may be determined to be, confidential business information (CBI). Access to this information, which is related to registration of fuels and fuel additives under 40 CFR part 79; various fuels reporting programs under 40 CFR part 80; and reporting of various greenhouse gas reporting items under the mandatory reporting rule of 40 CFR part 98, subparts A, LL and MM will begin on December 31, 2015.

DATES: The EPA will accept comments on this Notice through December 28, 2015.

[EPA, Lead: Renovation, Repair and Painting Program; Lead Test Kit; Notice of Opening of Comment Period](#)

Notice. EPA is opening a comment period to allow for further public comment on lead test kits and other field testing options as suggested in EPA's Fiscal Year 2015 Appropriations Act policy rider. Among other things, the 2008 Lead Renovation, Repair, and Painting rule (RRP) established performance recognition criteria for lead test kits for use as an option to determine if regulated lead-based paint is not present in target housing and child-occupied facilities. The use of an EPA-recognized lead test kit, when used by a trained professional, can

reliably determine that regulated lead-based paint is not present by virtue of a negative result. The RRP rule also established negative response and positive response criteria for lead test kits recognized by EPA. No lead test kit has been developed that meets the positive response criterion. On June 4, 2015, EPA hosted a public meeting and webinar to solicit input from stakeholders in an effort to understand the current state of the science for lead test kits and lead-based paint field testing alternatives, as well as the existing market and potential availability of additional lead test kits. To date, no company's lead test kit has met both the negative response and positive response criteria outlined in the RRP rule. Based on stakeholder input, EPA is unaware of any lead test kit available now or in the foreseeable future that would meet both of the performance criteria. **DATES:** Comments must be received on or before February 19, 2016.

[EPA, Information Collection Request Submitted to OMB for Review and Approval; Comment Request; EPA Strategic Plan Information on Source Water Protection](#)

Notice. The U.S. Environmental Protection Agency (EPA) has submitted an information collection request (ICR), "EPA Strategic Plan Information on Source Water Protection" (EPA ICR No. 1816.06, OMB Control No. 2040-0197) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). This is a proposed extension of the ICR, which is currently approved through December 31, 2015. Public comments were previously requested via

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the **Federal Register** (80 FR 56465) on September 18, 2015, during a 60-day comment period. This notice allows for an additional 30 days for public comments. A full description of the ICR is given in this renewal notice, including its estimated burden and cost to the public. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before January 22, 2016.

[Fish & Wildlife Service, Endangered and Threatened Wildlife and Plants; Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions](#)

Notice of review. In this Candidate Notice of Review (CNOR), the U.S. Fish and Wildlife Service (Service), presents an updated list of plant and animal species native to the United States that it regards as candidates for or has proposed for addition to the Lists of Endangered and Threatened Wildlife and Plants under the Endangered Species Act of 1973, as amended. Those species identified in Kentucky are the arrow darter (proposed threatened species status) and the rattlesnake-master borer moth (petitioned candidate species). Identification of candidate species can assist environmental planning efforts by providing advance notice of potential listings, and by allowing landowners and resource managers to alleviate threats and thereby possibly remove the need to list species as endangered or threatened. Even

if the Service subsequently lists a candidate species, the early notice provided here could result in more options for species management and recovery by prompting candidate conservation measures to alleviate threats to the species. This CNOR summarizes the status and threats that the Service evaluated in order to determine that species qualify as candidates, to assign a listing priority number (LPN) to each species, and to determine whether a species should be removed from candidate status. Additional material that the Service relied on is available in the Species Assessment and Listing Priority Assignment Forms (species assessment forms) for each candidate species. This CNOR changes the LPN for two candidates and removes two species from candidate status. Combined with other decisions for individual species that were published separately from this CNOR in the past year, the current number of species that are candidates for listing is 60. This document also includes the Service's findings on resubmitted petitions and describes our progress in revising the Lists of Endangered and Threatened Wildlife and Plants (Lists) during the period October 1, 2014, through September 30, 2015. Moreover, the Service requests any additional status information that may be available for the candidate species identified in this CNOR.

DATES: The Service will accept information on any of the species in this Candidate Notice of Review at any time.

[EPA, Information Collection Request Submitted to OMB for Review and Approval; Comment Request; National Pollutant Discharge Elimination System \(NPDES\) Program \(Renewal\)](#)

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Notice. The Environmental Protection Agency has submitted an information collection request (ICR), “National Pollutant Discharge Elimination System (NPDES) Program (Renewal)” (EPA ICR No. 0229.21, OMB Control No. 2040-0004) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.). This is a proposed extension of the ICR, which is currently approved through December 31, 2015. Public comments were previously requested via the Federal Register (80 FR 60142) on October 5, 2015 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A full description of the ICR is given in the hyperlinked document, including its estimated burden and cost to the public. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. This renewal includes the addition of the burden and costs for the Airport Deicing Category previously contained in a separate ICR.

DATES: Additional comments may be submitted on or before January 27, 2016.

[EPA, Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Cooling Water Intake Structures New Facility Final Rule \(Renewal\)](#)

Notice. The Environmental Protection Agency has submitted an information collection request (ICR), “Cooling Water Intake Structures New Facility Final Rule (Renewal)” (EPA ICR No. 1973.06, OMB Control No. 2040-0241) to the Office of Management and Budget (OMB) for

review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.). This is a proposed extension of the ICR, which is currently approved through December 31, 2015. Public comments were previously requested via the Federal Register (80 FR 60142) on October 5, 2015 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before January 27, 2016.

[EPA, Information Collection Request Submitted to OMB for Review and Approval; Comment Request; National Pretreatment Program \(Renewal\)](#)

Notice. The Environmental Protection Agency has submitted an information collection request (ICR), “National Pretreatment Program” (EPA ICR No. 0002.16, OMB Control No. 2040-0009) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.). This is a proposed extension of the ICR, which is currently approved through December 31, 2015. Public comments were previously requested via the Federal Register (80 FR 60142) on October 5, 2015 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. An Agency

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may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before January 27, 2016.

[EPA, Revisions to the Public Notice Provisions in Clean Air Act Permitting Programs](#)

Proposed rule. The U.S. Environmental Protection Agency (EPA) proposes to revise the public notice rule provisions for the New Source Review (NSR), title V and Outer Continental Shelf (OCS) permit programs of the Clean Air Act (CAA) and the corresponding onshore area (COA) determinations for implementation of the OCS air quality regulations. This action would remove the mandatory requirement to provide public notice of a draft air permit, as well as certain other program actions, through publication in a newspaper and would instead allow for electronic noticing (e-notice) of these actions. The proposed rule revisions would apply to major source air permits issued by the EPA, by EPA-delegated air agencies, and by air agencies with EPA-approved programs (with the exception of permits that are issued pursuant to the Tribal NSR Rule, which already allows for enotice methods).

DATES: Comments. Comments must be received on or before February 29, 2016.

[EPA, Cross-State Air Pollution Rule Update for the 2008 Ozone NAAQS](#)

Proposed rule; extension of comment period. The Environmental Protection Agency (EPA) is extending the comment period for the proposed rule titled “Cross-State Air Pollution Rule Update for the

2008 Ozone NAAQS” that was published in the Federal Register on December 3, 2015. The proposal provided for a public comment period ending January 19, 2016. The EPA received several requests from the public to extend this comment period. The EPA is extending the comment period to a 60-day public comment period ending February 1, 2016.

DATES: The comment period for the proposed rule published December 3, 2015, at 80 FR 75706, is extended. Comments, identified by docket identification (ID) number EPA-HQ-OAR-2015-0500, must be received on or before February 1, 2016.

[EPA, Notification of Teleconferences of the Science Advisory Board; Hydraulic Fracturing Research Advisory Panel](#)

Notice. The EPA Science Advisory Board (SAB) Staff Office announces four public teleconferences of the SAB Hydraulic Fracturing Research Advisory Panel as part of the peer review of the EPA draft report, Assessment of the Potential Impacts of Hydraulic Fracturing for Oil and Gas on Drinking Water Resources, (May, 2015 External Review Draft, EPA/600/R-15/047).

DATES: The public teleconferences will be held on the following dates: Monday, February 1, 2016 from 11:00 a.m. to 6:00 p.m. (Eastern Time); Tuesday, February 2, 2016 from 11:00 a.m. to 6:00 p.m. (Eastern Time); Monday, March 7, 2016 from 11:00 a.m. to 6:00 p.m. (Eastern Time); and Thursday, March 10, 2016 from 12:00 p.m. to 6:00 p.m. (Eastern Time).

[EPA, Information Collection Request Submitted to OMB for Review and Approval; Comment Request; National](#)

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[Water Quality Inventory Reports \(Reinstatement\)](#)

Notice. The Environmental Protection Agency has submitted an information collection request (ICR), “National Water Quality Inventory Reports (Renewal)” (EPA ICR No. 1560.11, OMB Control No. 2040-0071) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.). This is a request for reinstatement of a previously discontinued collection. Public comments were previously requested via the Federal Register (80 FR 38684) on July 7, 2015 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before January 29, 2016.

[OSHA, Occupational Exposure to Beryllium](#)

Proposed rule; notice of informal public hearing. OSHA is scheduling an informal public hearing on its proposed rule “Occupational Exposure to Beryllium and Beryllium Compounds.” The proposed rule was published in the Federal Register on August 7, 2015 and the 90-day public comment period ended on November 5, 2015. This document describes the procedures that will govern this hearing.

DATES: Informal public hearing. The hearing will begin on February 29, 2016 at 2 p.m. If necessary, the hearing will

continue from 9:30 a.m. to 5:00 p.m., local time, on subsequent days, in Washington, DC.

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