



SMG Reg Watch

May 2017 / Scott R. Smith and Josiah Frey

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 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

After the Congressional health care debacle, I've pretty much written off this Congress unless or until I can see them getting their act together. For that reason, I think my

focus is going to be on actions of the Administrative Branch in the form of regulations, Executive Orders and Memoranda of Understanding between agencies. I will keep an eye on legislation but not both eyes. It used to be if you did not vote with leadership on key legislation, bad things happened to you. That could mean restricting funding for your district, removal of uncooperative members from leadership positions, even moving your office to the basement or other unmentionable locations. It will be interesting to see where some of the Congressmen will be receiving their mail and phone calls. It definitely makes for uncomfortable visits from people back home.

You are hearing a lot about the cuts in "President Trump's budget". While the Executive Branch's budget gets a lot of press and could be considered part of the Washington circus, it's really part of the side show, not the main event. Chief executives' budgets are politely "considered" but rarely carry much weight. The media are filling newspaper columns and the air waves with budget talk that will likely prove to be not that accurate. If you are really interested, watch the budget committees in the House where the heavy lifting on spending starts. The House has a Committee on Appropriations with Subcommittees on specific cabinets. For example, there is a

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Subcommittee on Interior and Environment and another on Labor, Health and Human Services and Education. These committees in the House and Senate are where the real work is done. You can follow their work on the internet.

On a brighter note, on February 28th, the White House issued an Executive Order titled, [‘Restoring the Rule of Law, Federalism and Economic Growth by Reviewing the “Waters of the United States” Rule’](#). This EO directs EPA to review the 2015 final rule and determine whether it promotes economic growth, minimizes regulatory uncertainty and shows due regard for the roles of the Congress and States under the Constitution. EPA is further directed to “publish for notice and comment” a proposed rule rescinding or revising the rule, as appropriate and consistent with law. This part of the law is going to remain an area of uncertainty until Congress revises and clarifies the portion of the Clean Water Act that deals with this issue.

On March 2, 2017, EPA Administrator Pruitt, [withdrew the Information Collection Request](#) that the Obama EPA issued last November that would have forced the oil and natural gas industry to produce substantial amounts of detailed information about methane emissions from existing oil and gas operations.

To show that the Obama Administration’s regulatory train still has some steam left, EPA issued the new [2017 Construction General Stormwater Permit \(CGP\) and a Stormwater Pollution Prevention Plan \(SWPPP\)](#). The rule was issued January 19,

2017 and the requirements took effect February 16, 2017 for Alabama, Florida, Louisiana, Mississippi, South Carolina, Tennessee and Texas. The remaining states will continue to use their current permit until it expires. Be careful, the remaining states will probably incorporate some of the new federal provisions into their permit when the time comes. This issue will be covered in more detail in SMG’s new publication, “Under the Microscope” in the next couple of weeks.

The Obama Administration’s Risk Management Program Final Rule was [delayed by EPA until June 19, 2017](#). Apparently, “numerous procedural flaws” existed in the rulemaking that prevented effective public comment. On June 9, 2017, [EPA further delayed the effective date of the RMP rule until February 19, 2019](#). During this extended review time, watch for a new Notice of Proposed Rulemaking to allow public comment on issues that have been raised regarding the rule.

The latest provisions of the [Army Corps of Engineers Nationwide Permits](#) took effect March 19, 2017. The Nationwide Permits are a streamlined permitting process that authorizes certain categories of activities that have minimal individual and cumulative impact to wetlands and other waters of the United States subject to a pre-determined set of General Conditions. The Corps made significant modifications to the following NWP: NWP 12 Utility Line Activities; NWP 13 Bank Stabilization; NWP21 Surface Coal Mining Activities; and NWP 48 Commercial Shellfish Aquaculture Activities. The Corps also made significant updates to certain

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General Conditions contained in the NWP. Some of those include: GC 18 Endangered Species; GC 19 Migratory Birds and Bald Eagles; GC 23 Mitigation; and GC 32 Pre-Construction Notification. You need to look over this document for changes or clarifications that might impact your industry. Also, remember that states can make the provisions of this permit more restrictive, so keep an eye on your state Division of Water. Kentucky has already weighed in and have made some changes, one of which is discussed in a SMG blog titled [“Proposed 2017 Kentucky Water Quality Certification Limitation.”](#)

Normally EPA Regional Administrators are appointed during the spring and summer of a new administration. These appointments are going to be very interesting under this Administration. To make sure this administration has appropriate control over the various EPA Regions, they have issued a memorandum entitled, “Delegation of Authority”. The memo states that because presidentially appointed Assistant Administrators and Regional Administrators have yet to assume their duties, “the Administrator wishes to retain approval authority for Agency actions having significant regulatory and enforcement effect.” EPA will require that any significant regional decisions or agency actions be directed to agency headquarters if they would, “limit the flexibility of the States, limit energy resource use, impose significant costs on industry or commerce or otherwise likely result in significant public attention on the proposed decisions or final agency actions.” Yes, there is a new sheriff in town.

The Rusty Patched Bumble Bee is back. US Fish and Wildlife Service published their final rule listing the bee as endangered under the Endangered Species Act. Its range includes Indiana, Kentucky, Tennessee and West Virginia. Keep your eyes peeled for the bee and its habitat. This rule was delayed but [went into effect on March 21, 2017](#).

In addition to “Scott’s Thoughts” SMG staff provides brief blog updates several times each week. Blogs can be found on our website. SMG Blog entries of note for this month are hyperlinked below:

- [EPA Delegates Class II UIC to Kentucky](#)
- [Review of EPA fuel efficiency standards](#)
- [WOTUS Rule to Be Rescinded or Revised](#)
- [Beryllium Final Rule 101](#)
- [Insights from My Recent ISO 14001 Training](#)
- [Pretreatment Program-P2](#)

State Regulation Review

On April 11, 2017 the [Administrative Review Subcommittee approved](#) amendments to Section 1 of [803 KAR 2:320](#) regarding toxic and hazardous substances to delete two (2) definitions that were not referenced in this administrative regulation; and (2) comply with the formatting requirements of KRS Chapter 13A.

Additionally, changes were approved in the April 11th meeting to [803 KAR 2:425](#) regarding toxic and hazardous substances to amend the NECESSITY, FUNCTION, AND

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CONFORMITY paragraph to comply with the drafting requirements of KRS Chapter 13A.

[On April 13, 2017, the Kentucky Division of Water submitted proposed amendments to portions of 401 KAR Chapter 8.](#) Most of the regulations contained in 401 KAR Chapter 8 are required for Kentucky to maintain primacy over its Safe Drinking Water program.

[Additionally, on May 2nd, the Kentucky Division of Water opened a comment period](#) on the draft 2016 list of impaired waters as required by the federal Water Pollution Control (or Clean Water) Act of 1972. Comments on the draft list may be sent to alicia.jacobs@ky.gov or mailed to Alicia Jacobs at the Division of Water, 300 Sower Blvd, Frankfort KY 40601 no later than July 28, 2017.

Federal Regulation Review

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AIR

[EPA, Air Plan Approval and Designation of Areas; KY; Re-designation of the Kentucky Portion of the Cincinnati-Hamilton 2008 8-Hour Ozone Nonattainment Area to Attainment](#)

Proposed Rule. On August 26, 2016, the Commonwealth of Kentucky, through the Kentucky Energy and Environment Cabinet,

Division for Air Quality (DAQ), submitted a request for EPA to re-designate the Kentucky portion of the tri-state Cincinnati-Hamilton, Ohio-Kentucky-Indiana 2008 8-hour ozone nonattainment area (referred to as the “Cincinnati-Hamilton, OH-KY-IN Area” or “Area”) to attainment for the 2008 8-hour ozone National Ambient Air Quality Standards (NAAQS) and to approve the portions of the State Implementation Plan (SIP) revision containing a maintenance plan and base year emissions inventory for the Area. EPA is proposing to approve the Commonwealth's base year emissions inventory for the Kentucky portion of the Area; to approve the Commonwealth's plan for maintaining attainment of the 2008 8-hour ozone NAAQS in the Area, including motor vehicle emission budgets (MVEBs) for nitrogen oxides (NOx) and volatile organic compounds (VOC) for the years 2020 and 2030 for the Kentucky portion of the Area; and to re-designate the Kentucky portion of the Area to attainment for the 2008 8-hour ozone NAAQS. Through separate actions, EPA has approved the re-designation request and maintenance plan for the Ohio portion of the Area and has proposed to approve the re-designation request and maintenance plan for the Indiana portion of the Area.

DATES: Comments were due by May 31, 2017.

[EPA, Air Plan Approval; Kentucky; Infrastructure Requirements for the 2012 PM2.5](#)

Proposed Rule. EPA is proposing to approve portions of the State Implementation Plan (SIP) submission, submitted by the Commonwealth of Kentucky, Energy and

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Environment Cabinet, Department for Environmental Protection, through the Kentucky Division for Air Quality (KDAQ), on February 8, 2016, to demonstrate that the Commonwealth meets the infrastructure requirements of the Clean Air Act (CAA or Act) for the 2012 Annual Particulate Matter (PM2.5) national ambient air quality standard (NAAQS). The CAA requires that each state adopt and submit a SIP for the implementation, maintenance and enforcement of each NAAQS promulgated by EPA, which is commonly referred to as an “infrastructure” SIP. KDAQ certified that the Kentucky SIP contains provisions that ensure the 2012 Annual PM2.5 NAAQS is implemented, enforced, and maintained in Kentucky. EPA is proposing to determine that Kentucky's infrastructure submission, submitted on February 8, 2016, addresses certain infrastructure elements for the 2012 Annual PM2.5 NAAQS.

DATES: Written comments were due by June 9, 2017.

EPA, [Office of Research and Development; Ambient Air Monitoring Reference and Equivalent Methods: Designation of One New Equivalent Method](#)

Notice of the designation of a new equivalent method for monitoring ambient air quality. Notice is hereby given that EPA has designated, in accordance with applicable Federal regulations, one new equivalent method for measuring concentrations of nitrogen dioxide (NO₂) in ambient air.

DATES: This notice was published in the Federal Register on May 11, 2017.

EPA, [Review of the Clean Power Plan Announcement of review.](#) The EPA announced that it is reviewing and, if appropriate will initiate proceedings to suspend, revise or rescind the Clean Power Plan.

DATES: This review was announced on April 4, 2017.

EPA, [Review of the Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Generating Units](#)

Announcement of review. The EPA announced that it is reviewing and, if appropriate, will initiate proceedings to suspend, revise or rescind the Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Generating Units.

DATES: This review was announced on April 4, 2017.

Council on Environmental Quality, [Withdrawal of Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews](#)

Notice. The Council on Environmental Quality (CEQ) is withdrawing its “Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews,” for which a Notice of Availability was published on August 5, 2016. 81 FR 51866.

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DATES: This withdrawal was effective April 5, 2017.

EPA, [Mercury and Air Toxics Standards \(MATS\) Electronic Reporting Requirements](#)

Final Rule. The EPA is amending the electronic reporting requirements for the National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units (also known as the Mercury and Air Toxics Standards (MATS)) to allow for the temporary submission, through June 30, 2018, of certain reports using the portable document file (PDF) format and to correct inadvertent errors. With this action owners or operators of Electric Utility Steam Generating Units (EGUs) will be able to continue to use temporarily a single electronic reporting system for MATS data submissions, to rely on correct language for mercury (Hg) relative accuracy test audit (RATA) requirements, and to rely on the correct acceptance criterion for ongoing quality assurance test requirements for Hg RATAs. This extension will allow the EPA the necessary time to develop, implement, and test the code necessary so that all MATS reports required to be submitted electronically can be submitted using the Emissions Collection and Monitoring Plan System (ECMPS) Client Tool.

DATES: This final rule was effective on April 6, 2017.

EPA, [Air Plan Approval; Indiana; Re-designation of the Indiana Portion of the Cincinnati, Ohio-Kentucky-Indiana Area to Attainment of the 2008 Ozone Standard](#)

Final rule. The Environmental Protection Agency (EPA) is determining that the

Cincinnati, Ohio-Kentucky-Indiana area is attaining the 2008 ozone National Ambient Air Quality Standard (NAAQS or standard) and approving a request from the Indiana Department of Environmental Management (IDEM) to re-designate the Indiana portion of the Cincinnati area to attainment for the 2008 ozone NAAQS because the request meets the statutory requirements for re-designation under the Clean Air Act (CAA). The Cincinnati area includes Lawrenceburg Township in Dearborn County, Indiana; Butler, Clermont, Clinton, Hamilton, and Warren Counties in Ohio; and, Boone, Campbell, and Kenton Counties in Kentucky. IDEM submitted this request on February 23, 2016, and supplemented that submittal with a revised emissions inventory on May 4, 2016. EPA is also approving, as a revision to the Indiana State Implementation Plan (SIP), the state's plan for maintaining the 2008 ozone standard through 2030 in the Cincinnati area. Additionally, EPA finds adequate and is approving the states' 2020 and 2030 volatile organic compound (VOC) and oxides of nitrogen (NOX) Motor Vehicle Emission Budgets (MVEBs) for the Indiana and Ohio portion of the Cincinnati area. Finally, EPA is approving the 2011 base year emissions inventory submitted by IDEM as meeting the base year emissions inventory requirement of the CAA for the Indiana portion of the Cincinnati area.

DATES: The final rule is effective on April 7, 2017.

EPA, [Air Plan Approval and Air Quality Designation; KY; Re-designation of the Kentucky Portion of the Louisville 1997 Annual PM2.5](#)

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Final Rule. On March 5, 2012, the Commonwealth of Kentucky, through the Kentucky Energy and Environment Cabinet, Division for Air Quality, submitted a request for the Environmental Protection Agency (EPA) to re-designate the portion of Kentucky that is within the bi-state Louisville, KY-IN fine particulate matter (PM2.5) nonattainment area (hereinafter referred to as the “bi-state Louisville Area” or “Area”) to attainment for the 1997 Annual PM2.5 national ambient air quality standards (NAAQS) and to approve a state implementation plan (SIP) revision containing a maintenance plan for the Area. EPA is taking final action to approve the Commonwealth's plan for maintaining the 1997 Annual PM2.5 NAAQS in the Area, including the motor vehicle emission budgets (MVEBs) for nitrogen oxide (NOX) and PM2.5 for the years 2015 and 2025 for the bi-state Louisville Area, and incorporate it into the SIP, and to re-designate the Kentucky portion of the Area to attainment for the 1997 Annual PM2.5 NAAQS. Additionally, EPA finds the 2025 MVEBs for the bi-state Louisville Area adequate for the purposes of transportation conformity.

DATES: This rule is effective April 7, 2017.

[EPA, Air Plan Approval; Ohio; Re-designation of the Ohio Portion of the Cincinnati-Hamilton, OH-IN-KY Area to Attainment of the 1997 Annual Standard for Fine Particulate Matter](#)

Final Rule. The EPA is re-designating the Ohio portion of the Cincinnati-Hamilton, OH-IN-KY, nonattainment area (hereafter, “the Cincinnati-Hamilton area”) to attainment for the 1997 fine particulate matter (PM2.5) annual national ambient air quality

standards (NAAQS or standard). The Ohio portion of the Cincinnati-Hamilton area includes Butler, Clermont, Hamilton, and Warren Counties. Because EPA has determined that the Cincinnati-Hamilton area is attaining the annual PM2.5 standard, EPA is re-designating the area to attainment and approving several additional related actions. EPA is approving the Reasonably Available Control Measures (RACM)—Reasonably Available Control Technology (RACT) portion of Ohio's Cincinnati-Hamilton area attainment plan state implementation plan (SIP) revision as providing adequate RACM/RACT. EPA is also approving an update to the Ohio SIP, by updating the state's approved plan for maintaining the 1997 annual PM2.5 NAAQS through 2027. EPA previously approved the base year emissions inventory for the Cincinnati-Hamilton area, and is approving Ohio's updated emission inventory which includes emission inventories for volatile organic compounds (VOCs) and ammonia. Ohio's approved maintenance plan submission includes a budget for the mobile source contribution of PM2.5 and nitrogen oxides (NOX) to the Cincinnati-Hamilton area for transportation conformity purposes, which EPA is approving. EPA is taking these actions in accordance with the Clean Air Act (CAA) and EPA's implementation rule regarding the 1997 PM2.5 NAAQS.

DATES: This final rule is effective April 7, 2017.

[EPA, Air Plan Approval; Ohio; Removal of Gasoline Volatility Requirements in the Cincinnati and Dayton Areas; Update on the Boutique Fuel List for Illinois and Ohio](#)

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Final rule. The Environmental Protection Agency (EPA) is approving a State Implementation Plan (SIP) revision submitted by the Ohio Environmental Protection Agency (Ohio EPA) on December 19, 2016, concerning the state's gasoline volatility standards in the Cincinnati and Dayton areas. The revision removes the 7.8 pounds per square inch (psi) low Reid Vapor Pressure (RVP) fuel requirements for the two areas as a component of the Ohio ozone SIP. The submittal also includes a section 110(l) demonstration as required by the Clean Air Act (CAA) that addresses emissions impacts associated with the removal of the program. EPA proposed to approve the state's submittal on February 15, 2017.

DATES: This final rule is effective on April 7, 2017.

EPA, [Air Plan Approval; Tennessee: Reasonable Measures Required](#)

Direct final rule. The EPA is taking direct final action to approve a State Implementation Plan (SIP) revision submitted by the State of Tennessee, through the Tennessee Department of Environment and Conservation (TDEC), on March 25, 1999. The SIP submittal includes a change to the TDEC regulation "Reasonable Measures Required." EPA is proposing to approve this SIP revision because it is consistent with the Clean Air Act (CAA or Act) and federal regulations governing SIPs.

DATES: This direct final rule is effective June 6, 2017 without further notice, unless EPA receives adverse comment by May 8, 2017. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the Federal Register and inform the public that the rule will not take effect.

EPA, [Air Plan Approval; Kentucky: Nonattainment New Source Review Requirements for the 2008 8-Hour Ozone NAAQS](#)

Direct final rule. The EPA is approving the portion of the State Implementation Plan (SIP) revision submitted by the Commonwealth of Kentucky, through the Energy and Environment Cabinet's Division of Air Quality on August 26, 2016, regarding the nonattainment new source review (NNSR) requirements for the 2008 8-hour ozone national ambient air quality standards (NAAQS) for the Kentucky portion of the Cincinnati-Hamilton, Ohio-Kentucky-Indiana 2008 8-hour ozone nonattainment area (hereinafter referred to as the "Cincinnati-Hamilton, OH-KY-IN Area" or "Area"). The Area consists of Butler, Clermont, Clinton, Hamilton, and Warren Counties in Ohio; portions of Boone, Campbell, Kenton Counties in Kentucky; and a portion of Dearborn County in Indiana. This action is being taken pursuant to the Clean Air Act (CAA or Act) and its implementing regulations.

DATES: This direct final rule is effective June 9, 2017 without further notice, unless EPA received adverse comment by May 10, 2017. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the Federal Register and inform the public that the rule will not take effect.

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WATER

Army Corps of Engineers, [Use of U.S. Army Corps of Engineers Reservoir Projects for Domestic, Municipal & Industrial Water Supply](#)

Notice of proposed rulemaking; extension of time for public comments. The U.S. Army Corps of Engineers (USACE) is extending the public comment period for the notice of proposed rulemaking that appeared in the Federal Register of December 16, 2016.

DATES: The comment period for the proposed rule published December 16, 2016 at 81 FR 91556 is extended until August 18, 2017.

EPA, [Postponement of Certain Compliance Dates for Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category](#)

Notification; postponement of compliance dates. By a letter dated April 12, 2017, the Administrator announced the EPA decision to reconsider the final rule that amends the effluent limitations guidelines and standards for the steam electric point source category under the Clean Water Act (“CWA”), published in the Federal Register on November 3, 2015. These regulations have been challenged in the U.S. Court of Appeals for the Fifth Circuit, Southwestern Electric Power Co., et al. v. EPA, No. 15-60821. The EPA is postponing these compliance dates pending judicial review.

DATES: This notification was published in the Federal Register on April 25, 2017.

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EPA, [TSCA Reporting and Recordkeeping Requirements; Standards for Small Manufacturers and Processors; Reopening of Comment Period](#)

Notice; reopening of comment period. On December 15, 2016, EPA issued a notice in the Federal Register requesting public comment on whether revision to the current size standards for small manufacturers and processors, which are used in connection with reporting regulations under the Toxic Substances Control Act (TSCA) section 8(a), is warranted. This document reopens the comment period for 15 days. The comment period is being reopened in order to allow the public to consider feedback received by EPA from the Small Business Administration (SBA) as a result of a consultation request on EPA's preliminary determination on whether revision to these standards is warranted.

DATES: Comments, identified by docket identification (ID) number EPA-HQ-OPPT-2016-0675, were due by May 24, 2017.

EPA, [Draft Guidance for Reporting of Chemical Substances When Manufactured or Processed as Nanoscale Materials; Notice of Availability and Request for Comment](#)

Draft guidance; request for comment. With this document, EPA is announcing the availability of and requesting public comment on the draft guidance document, entitled: “Guidance on EPA's Section 8(a) Information Gathering Rule on Nanomaterials in Commerce”. This guidance provides answers to questions the Agency has received from manufacturers (includes importers) and processors of certain chemical substances when they are

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manufactured or processed at the nanoscale as described in a final rule that appeared in the Federal Register of January 12, 2017. That rule involves one-time reporting for existing discrete forms of certain nanoscale materials, and a standing one-time reporting requirement for new discrete forms of certain nanoscale materials.

DATES: Comments were due by June 15, 2017.

EPA, [Stay of Standards of Performance for Municipal Solid Waste Landfills & Emission Guidelines & Compliance Times for Municipal Solid Waste Landfills](#)

Action: In a letter dated May 5, 2017, based on the criteria in CAA section 307(d)(7)(B), the Administrator convened a proceeding for reconsideration. The May 5, 2017 letter announced the convening of an administrative reconsideration proceeding to reconsider the following topics from one petition: (1) Tier 4 surface emission monitoring; (2) annual liquids reporting; (3) corrective action with RULES Federal Register / Vol. 82, No. 103 / Wednesday, May 31, 2017 / Rules and Regulations 24879 timeline procedures; (4) overlapping applicability with other rules; (5) the definition of cover penetration; and (6) design plan approval. As part of the proceeding, the EPA will prepare a notice of proposed rulemaking that will provide the petitioners and the public an opportunity to comment on the issues identified in that letter. As explained in the letter, the EPA has not taken action on the remaining issues in the petitions for reconsideration.

OTHER

OSHA, [Clarification of Employer's Continuing Obligation To Make and Maintain an Accurate Record of Each Recordable Injury and Illness](#)

Final Rule. Under the Congressional Review Act, Congress has passed, and the President has signed, Public Law 115-21, a resolution of disapproval of OSHA's final rule titled, "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of each Recordable Injury and Illness." OSHA published the rule, which contained various amendments to OSHA's recordkeeping regulations, on December 19, 2016. The amendments became effective on January 18, 2017. Because Public Law 115-21 invalidates the amendments to OSHA's recordkeeping regulations contained in the rule promulgated on December 19, 2016, OSHA is hereby removing those amendments from the Code of Federal Regulations.

DATES: This final rule became effective on May 3, 2017.

FCC, [Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment](#)

Proposed Rule. On May 10, 2017, the Federal Communications Commission (Commission) seeks comment on proposals to reduce the regulatory impediments to wireless network infrastructure investment and deployment.

DATES: Interested parties were requested to file comments on or before June 9, 2017, and reply comments on or before July 10, 2017.

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EPA, [Pesticides; Certification of Pesticide Applicators Rule; Extension of Effective Date](#) Notice of final rule; request for comments.

On January 4, 2017, EPA published a final rule revising the regulation concerning the certification of applicators of restricted use pesticides (RUPs). The original effective date of March 6, 2017 was extended to March 21, 2017 by rule issued January 26, 2017, and subsequently extended to May 22, 2017 by rule issued March 20, 2017. In accordance with the Presidential directives as expressed in the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled "Regulatory Freeze Pending Review," and the principles identified in the April 25, 2017 Executive Order "Promoting Agriculture and Rural Prosperity in America," EPA is proposing to further delay the effective date of the January 4, 2017 revisions to the Certification of Pesticide Applicators rule until May 22, 2018.

DATES: Comments were requested by May 19, 2017.

MSHA, [Agency Information Collection Activities; Submission for OMB Review; Comment Request; Qualification/Certification Program Request for Mine Safety and Health Administration Individual Identification Number](#)

Notice. The Department of Labor (DOL) is submitting the Mine Safety and Health Administration sponsored information collection request titled, "Qualification/Certification Program Request for Mine Safety and Health Administration Individual Identification Number," to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork

Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB requested written comments by June 14, 2017.

FCC, [Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment](#)

Proposed Rule. On May 16, 2017, in this document, a Notice of Proposed Rulemaking (NPRM) seeks comment on a number of actions designed to remove regulatory barriers to infrastructure investment at the federal, state, and local level, speed the transition from copper networks and legacy services to next-generation networks and services, and reform Commission regulations that increase costs and slow broadband deployment. The NPRM seeks comment on pole attachment reforms, changes to the copper retirement and other network change notification processes, and changes to the section 214(a) discontinuance application process. The Commission adopted the NPRM in conjunction with a Notice of Inquiry and Request for Comment in WC Docket No. 17-84.

DATES: Comments were requested by June 15, 2017, and reply comments are due on or before July 17, 2017.

OSHA, [Portable Fire Extinguishers \(Annual Maintenance Certification Record\); Extension of the Office of Management and Budget's \(OMB\) Approval of the Information Collection \(Paperwork\) Requirements](#)

Request for public comments. OSHA solicits public comments concerning its proposal to extend the Office of Management and Budget's (OMB) approval of the information

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collection requirement contained in the Portable Fire Extinguishers Standard (Annual Maintenance Certification Record).

DATES: Comments must be submitted (postmarked, sent or received) by June 23, 2017.

OSHA, [Rigging Equipment for Material Handling; Extension of the Office of Management and Budget's \(OMB\) Approval of Information Collection \(Paperwork\) Requirements](#)

Request for public comments. OSHA solicits public comments concerning its proposal to extend the OMB approval of the information collection requirements contained in paragraphs (b)(1), (b)(6)(i), (b)(6)(ii), (c)(15)(ii), (e)(1)(i), (ii), and (iii) and (f)(2) of the Standard on Rigging Equipment for Material Handling. These paragraphs require affixing identification tags or markings on rigging equipment, developing and maintaining inspection records, and retaining proof-testing certificates.

DATES: Comments must be submitted (postmarked, sent or received) by June 23, 2017.

OSHA, [Overhead and Gantry Cranes; Extension of the Office of Management and Budget's \(OMB\) Approval of Information Collection \(Paperwork\) Requirements](#)

Request for public comments. OSHA solicits public comment concerning its proposal to extend the Office of Management and Budget's (OMB) approval of the information collection requirements specified in the Standard on Overhead and Gantry Cranes.

DATES: Comments must be submitted (postmarked, sent or received) by June 26, 2017.

OSHA, [Standard on the Storage and Handling of Anhydrous Ammonia; Extension of the Office of Management and Budget's \(OMB\) Approval of Information Collection \(Paperwork\) Requirements](#)

Request for public comments. OSHA solicits public comments concerning its proposal to extend OMB approval of the information collection requirements specified in the Storage and Handling of Anhydrous Ammonia Standard. Paragraphs (b)(3) and (b)(4) of the Standard have paperwork requirements that apply to non-refrigerated containers and systems and refrigerated containers, respectively; employers use these containers and systems to store and transfer anhydrous ammonia in the workplace.

DATES: Comments must be submitted (postmarked, sent or received) by June 26, 2017.

OSHA, [Compliance Date Extension; Formaldehyde Emission Standards for Composite Wood Products](#)

Action: EPA is publishing this direct final action to extend the Toxic Substances Control Act (TSCA) Title VI final rule compliance dates.

Dates: Extending the December 12, 2017 date for emission standards, recordkeeping, and labeling provisions until March 22, 2018; extending the December 12, 2018 date for import certification provisions until March 22, 2019; and extending the December 12, 2023 date for provisions applicable to producers of laminated products until March 22, 2024.

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