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Canada Federal

## **Amendments to Transportation of Dangerous Goods Regulations (SOR/2001-286)**

Comes into effect: 5 Dec 2012

Published: 21 Dec 2012

On December 5, 2012, the government passed regulations to amend the [Transportation of Dangerous Goods Regulations \(SOR/2001-286\)](#). Notable, but technical, changes include:

- \*The allowable amount of aerosol containers containing a Class 2 gas to be transported without requiring that they be specially packed;
- \*Changes to [s.5.5](#) to reflect changes to the filing limits on means of containment when those limits were already specified in a safety standard or safety requirement;
- \*A re-instatement of the option to change the dangerous goods safety marks for means of containment on ships.
- \*The regulation also clarifies that if the goods are not regulated in Canada, then the placards on the large means of containment are not required.

For more information please click [here](#)

Canada Federal

## **Draft of Update to National Implementation Plan on POPs released for comment**

Comes into effect:

Published: 21 Dec 2012

The Canadian government has released a draft of its Update to the National Implementation Plan for the additional 9 Persistent Organic Pollutants (POPs) added to the Stockholm Convention in 2010. The Stockholm Convention is a global treaty which aims to eliminate the production, use, trade, release and storage of POPs.

You can learn more about the Stockholm Convention [here](#)

In April 2011, Canada ratified the addition of nine POPs and the Update to the National Implementation Plan was released in accompaniment to meet the obligations of the ratification. Interested parties are invited to review and comment on the draft document.

To read the document, click [here](#)

Comments can be submitted on the draft of the Update to the National Implementation Plan by mail at the following address:

Risk Management of Persistent Organic Pollutants Section  
Chemicals Management Division  
Environment Canada  
351 St. Joseph Boulevard, 10th Floor  
Gatineau, QC K1A 0H3

Or, to this email address:GR-RM@ec.gc.ca

Canada Federal	<b>2012 Edition of NFPA Standard 484 and 1003 released</b>
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Comes into effect:

Published: 17 Dec 2012

The National Fire Protection Association has released the 2012 edition for the NFPA 484 Standard for Combustible Metals (NFPA484) and NFPA 1003 Standard for Airport Fire Fighter Professional Qualifications ([NFPA1003](#)).

The new standards have been updated to Nimonik's system.

Canada Federal	<b>Supreme Court of Canada rules against NL in environmental clean-up case</b>
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Comes into effect:

Published: 7 Dec 2012

December 7, 2012: The Supreme Court of Canada has ruled against the province of Newfoundland in the Newfoundland and Labrador v. AbitibiBowater Inc case. The top court ruled that the province, which had expropriated the company's assets, is responsible for cleaning-up pollution caused by AbitibiBowater's paper mill in Newfoundland, before its' closure in 2009.

To read the full text of the decision, please click [here](#)

Canada Federal	<b>Proposed: Bill C-45 to further amend environmental laws</b>
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Comes into effect:

Published: 4 Dec 2012

The incoming budget, Jobs and Growth Act, 2012, proposes changes to three environmental laws. The most significant change will be to the [Navigable Waters Protection Act \(RSC1985,cN-22\)](#). This act will be newly named the Navigation Protection Act and it will be more lenient in terms of how development is restricted on or surrounding lakes and rivers. There will also be amendments to the [Fisheries Act \(RSC1985,cF-14\)](#), including a redefinition of the term "aboriginal fishery" and changes to the administration of the Environmental Damages Fund. Finally, there will be amendments to the [Canadian Environmental Assessment Act \(CEAA\) \(SC2012,c19,s52\)](#), these changes make the new rules apply to projects that would have otherwise been subject to the older rules under CEAA.

More information can be found [here](#)

Canada Federal	<b>Permission to manufacture and import 1,3 Benzenedimethanamine,N-(2-phenylethyl) derivatives</b>
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Comes into effect: 22 Nov 2012

Published: 4 Dec 2012

The Department of Environment has given permission to manufacture and import 1,3 Benzenedimethanamine,N-(2-phenylethyl) derivatives, Chemical Abstracts Service No. 404362-22-7. The permission is subject to conditions of disclosure, restrictions on the handling, disposal and environmental release as well as requirements of record-keeping.

More information can be found [here](#)

Canada Federal

## Notice: changes to Transportation of Dangerous Goods Regulations

Comes into effect:

Published: 4 Dec 2012

Notice is given to persons who wish to make comments on the proposed changes to the [Transportation of Dangerous Goods Regulations \(SOR/2001-286\)](#). Notable impacts of the proposed changes include: the introduction of the notion of overpack, a new placarding scheme and safety marks.

Comments must be made in writing, by February 14, 2013, and sent to Geneviève Sansoucy, Legislation and Regulations, Transport Dangerous Goods Directorate, Department of Transport, Place de Ville, Tower C, 9th Floor, 330 Sparks Street, Ottawa, Ontario K1A 0N5.  
email: TDGRegulatoryProposal-TMDPropositionReglementaire@tc.gc.ca

More information can be found [here](#)

US Federal

## Determination of Attainment: 2006 Fine Particle Standard (New York-N. New Jersey-Long Island, NY-NJ-CT)

Comes into effect: 30 Dec 2012

Published: 30 Dec 2012

Applies to: [40CFR-52](#)

The Environmental Protection Agency (EPA) is determining that the New York-N. New Jersey-Long Island, NY-NJ-CT fine particle (PM<sub>2.5</sub>) nonattainment area for the 2006 24-hour PM<sub>2.5</sub> National Ambient Air Quality Standard (NAAQS) has attained the 2006 24-hour PM<sub>2.5</sub>; NAAQS. The determination of attainment will suspend the requirements for the New York-N. New Jersey-Long Island, NY-NJ-CT PM<sub>2.5</sub> nonattainment area to submit an attainment demonstration, associated reasonably available control measures, reasonable further progress, contingency measures, and other planning state implementation plans (SIPs) related to attainment of the 2006 24-hour PM<sub>2.5</sub> NAAQS for so long as the area continues to attain the 2006 24-hour PM<sub>2.5</sub> NAAQS.

US Federal

## Approval and Promulgation: Haze SIP (Colorado)

Comes into effect: 29 Jan 2013

Published: 30 Dec 2012

Applies to: [40CFR-52](#)

EPA is approving a State Implementation Plan (SIP) revision submitted by the State of Colorado on May 25, 2011 that addresses regional haze. Colorado submitted this SIP revision to meet the requirements of the Clean Air Act (CAA or "the Act") and our rules that require states to prevent any future and remedy any existing man-made impairment of visibility in mandatory Class I areas caused by emissions of air pollutants from numerous sources located over a wide geographic area (also referred to as the "regional haze program"). EPA is taking this action pursuant to section 110 of the CAA.

US Federal

## Approval and Promulgation: Redesignation of Huntington-Ashland for Air Quality SIP (Ohio)

Comes into effect: 30 Dec 2012

Published: 30 Dec 2012

Applies to: [40CFR-52](#), [40CFR-81](#)

EPA is approving, under the Clean Air Act (CAA), the state of Ohio's request to redesignate the Ohio portion of the Huntington-Ashland (OH-WV-KY) nonattainment area (Lawrence, Scioto, and portions of Adams and Gallia Counties) to attainment for the 1997 annual National Ambient Air Quality Standard (NAAQS or standard) for fine particulate matter (PM<sub>2.5</sub>). The Ohio Environmental Protection Agency (Ohio EPA) submitted its request on May 4, 2011. EPA determined that the entire Huntington-Ashland area has attained the 1997 annual PM<sub>2.5</sub> standard, and proposed to approve Ohio's request to redesignate the Ohio portion of the area on December 22, 2011. EPA's final rulemaking involves several related actions. EPA has determined that the entire Huntington-Ashland area continues to attain the 1997 annual PM<sub>2.5</sub> standard. EPA is approving, as a revision to the Ohio State Implementation Plan (SIP), the state's plan for maintaining the 1997 annual PM<sub>2.5</sub> NAAQS in the area through 2022. EPA is also approving the 2005 and 2008 emissions inventories for the Ohio portion of the Huntington-Ashland area as meeting the comprehensive emissions inventory requirement of the CAA. EPA finds adequate and is making a finding of insignificance for Ohio motor vehicle emissions of nitrogen oxides (NOX) and direct PM<sub>2.5</sub> for the Huntington-Ashland area. EPA, therefore, grants Ohio's request to redesignate the Ohio portion of the Huntington-Ashland area to attainment for the 1997 PM<sub>2.5</sub> annual standard.

US Federal

## Removal of Significant New Use Rules: Premanufacture Notices of Four Chemical Substances under TSCA

Comes into effect: 30 Dec 2012

Published: 30 Dec 2012

Applies to: [40CFR-721](#),40CFR-9

EPA is removing significant new use rules (SNURs) promulgated under the Toxic Substances Control Act (TSCA) for four chemical substances which were the subject of premanufacture notices (PMNs). EPA published these SNURs using direct final [rulemaking procedures](#). EPA received notice of intent to submit adverse comments on these rules. Therefore, the Agency is removing these SNURs, as required under the expedited SNUR rulemaking process. EPA intends to publish in the near future proposed SNURs for these four chemical substances under separate notice and comment procedures.

US Federal

## Proposed: Revisions to Pesticide Minimum Risk Exemption Label Requirements

Comes into effect: 30 Dec 2012

Published: 30 Dec 2012

Applies to: [40CFR-152](#)

EPA is proposing to more clearly describe the active and inert ingredients permitted in products eligible for the exemption from regulation for minimum risk pesticides. EPA is proposing to reorganize these lists with a focus on clarity and transparency by adding specific chemical identifiers. The identifiers would make it clearer to manufacturers; the public; and Federal, state, and tribal inspectors which ingredients are permitted in minimum risk pesticide products. EPA is also proposing to modify the label requirements in the exemption to require the use of specific common chemical names in lists of ingredients on minimum risk pesticide product labels, and to require producer contact information on the label. Once final, these proposed changes would maintain the availability of minimum risk pesticide products while providing more consistent information for consumers, clearer regulations for producers, and easier identification by states, tribes and EPA as to whether a product is in compliance with the exemption.

US Federal

## Proposed: Lead in Renovation, Repair, and Painting Program for Public and Commercial Buildings

Comes into effect: 30 Dec 2012

Published: 30 Dec 2012

Applies to: [40CFR-745](#)

In 2010, EPA issued an advance notice of proposed rulemaking (2010 ANPRM) concerning renovation, repair, and painting activities on and in public and commercial buildings. EPA is in the process of determining whether these activities create [lead](#)-based paint hazards, and, for those that do, developing certification, training, and work practice requirements as directed by the Toxic Substances Control Act (TSCA). This document opens a comment period to allow for additional data and other information to be submitted by the public and interested stakeholders. This document also provides advance notice of EPA's plan to hold a public meeting on June 26, 2013.

US Federal

## Approval and Promulgation: Air Quality SIP (Huntington-Ashland, WV-KY-OH, West Virginia)

Comes into effect: 27 Dec 2012

Published: 27 Dec 2012

Applies to: [40CFR-52](#)

EPA is approving a redesignation request and State Implementation Plan (SIP) revision submitted by the State of West Virginia. The West Virginia Department of Environmental Protection (WVDEP) requested that the West Virginia portion of the Huntington- Ashland, WV-KY-OH fine particulate matter (PM<sub>2.5</sub>) nonattainment area ("Huntington-Ashland Area" or "Area") be redesignated as attainment for the 1997 annual PM<sub>2.5</sub> national ambient air quality standard (NAAQS). In this rulemaking action, EPA is approving the 1997 annual PM<sub>2.5</sub> redesignation request for the West Virginia portion of the Area. EPA is also approving the maintenance plan SIP revision that the State submitted in conjunction with its redesignation request. The maintenance plan provides for continued attainment of the 1997 annual PM<sub>2.5</sub> NAAQS for 10 years after redesignation of the West Virginia portion of the Area. The maintenance plan includes an insignificance determination for the onroad motor vehicle contribution of PM<sub>2.5</sub> nitrogen oxides (NOX), and sulfur dioxide (SO<sub>2</sub>) for the West Virginia portion of the Area for purposes of [transportation](#) conformity. EPA is approving West Virginia's insignificance determination for [transportation](#) conformity. EPA is also finding that the Area continues to attain the standard. This rulemaking action approving the 1997 annual PM<sub>2.5</sub> NAAQS redesignation request,

maintenance plan, and insignificance determination for [transportation](#) conformity for the West Virginia portion of the Area is based on EPA's determination that the Area has met the criteria for redesignation to attainment specified in the Clean Air Act (CAA).

US Federal

## Approval and Promulgation: Air Quality SIP (Idaho)

Comes into effect: 27 Dec 2012

Published: 27 Dec 2012

Applies to: [40CFR-52](#)

EPA is updating the materials submitted by Idaho that are incorporated by reference (IBR) into the Idaho State Implementation Plan (SIP). The regulations affected by this update have been previously submitted by the Idaho Department of Environmental Quality (IDEQ) and approved by EPA. This update affects the SIP materials that are available for public inspection at the National Archives and Records Administration (NARA), the Air and Radiation Docket and Information Center located at EPA Headquarters in Washington, DC, and the EPA Regional Office.

US Federal

## Withdrawal of Final Rule: Health and Safety Data Reporting (Cadmium)

Comes into effect: 27 Dec 2012

Published: 27 Dec 2012

Applies to: [40CFR-716](#)

EPA is withdrawing the final Toxic Substances Control Act (TSCA) section 8(d) [Health and Safety Data Reporting](#) Rule that it issued on December 3, 2012. The [health and safety data reporting](#) rule would have required manufacturers (including importers) of [cadmium](#) or [cadmium](#) compounds, including as part of an article, that have been, or are reasonably likely to be, incorporated into consumer products to report certain unpublished health and safety studies to EPA.

US Federal

## Proposed: Approval and Promulgation of Air SIP (Milwaukee-Racine, Wisconsin)

Comes into effect: 27 Dec 2012

Published: 27 Dec 2012

Applies to: [40CFR-52](#)

On April 24, 2012, EPA proposed to determine that the Milwaukee-Racine, Wisconsin area had attained the 2006 24-hour fine particle (2006 PM<sub>2.5</sub>) National Ambient Air Quality Standard (NAAQS). EPA received several comments on the original proposal, including one suggesting that the suspension of certain Clean Air Act (CAA) requirements cannot be applied in this instance because it only pertains to the 1997 PM<sub>2.5</sub> NAAQS and not to the 2006 PM<sub>2.5</sub> NAAQS. As a result, we are reproposing a narrow portion of our original determination to address this issue. We will address all comments received on the original proposal and this proposal in our final notice.

US Federal

## Approval and Promulgation: Air Quality SIP (Wisconsin)

Comes into effect: 27 Dec 2012

Published: 27 Dec 2012

Applies to: [40CFR-52](#)

EPA is proposing to approve revisions to the Wisconsin State Implementation Plan (SIP), submitted by the Wisconsin Department of Natural Resources (WDNR) to EPA on May 4, 2011, June 20, 2012, and September 28, 2012. The proposed revisions modify Wisconsin's Prevention of Significant Deterioration (PSD) program to establish appropriate emission thresholds for determining which new stationary sources and modification projects become subject to Wisconsin's PSD permitting requirements for their greenhouse gas (GHG) emissions. Additionally, these revisions propose to defer until July 21, 2014, the application of the PSD permitting requirements to biogenic carbon dioxide (CO<sub>2</sub>) emissions from bioenergy and other biogenic stationary sources in the State of Wisconsin. EPA is proposing approval of Wisconsin's revisions because the Agency has made the preliminary determination that these revisions are in accordance with the Clean Air Act (CAA) and EPA regulations regarding PSD permitting for GHGs.

US Federal

## Emergency Exemption: Pesticide Tolerance for Residues of Spirotetramat in or on Watercress

Comes into effect: 25 Dec 2012

Published: 25 Dec 2012

Applies to: [40CFR-180](#)

This regulation establishes a time-limited tolerance for residues of spirotetramat in or on watercress. This action is in response to EPA's granting of an emergency exemption under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) authorizing use of the pesticide on watercress. This regulation establishes a maximum permissible level for residues of spirotetramat in or on watercress. The time-limited tolerance expires on December 31, 2015.

US Federal

### **Extension of Time-Limited Pesticide Tolerances for Pyraflufen-Ethyl**

Comes into effect: 25 Dec 2012

Published: 25 Dec 2012

Applies to: [40CFR-180](#)

This regulation extends already established time-limited tolerances for residues of pyraflufen-ethyl in or on cattle, meat byproducts; goat, meat byproducts; horse, meat byproducts; sheep, meat byproducts; and milk. Nichino America, Inc. requested the tolerance extensions under the Federal Food, Drug, and Cosmetic Act (FFDCA).

US Federal

### **Approval and Promulgation: Air Quality SIP (Charlotte-Gastonia-Rock Hill, North Carolina-South Carolina)**

Comes into effect: 25 Dec 2012

Published: 25 Dec 2012

Applies to: [40CFR-52](#),40CFR-81

EPA is taking final action to approve a request submitted on June 1, 2011, from the State of South Carolina, through the South Carolina Department of Health and Environmental Control (SC DHEC), to redesignate the portion of York County, South Carolina that is within the bi-state Charlotte-Gastonia-Rock Hill, North Carolina-South Carolina ozone nonattainment area (hereafter referred to as the "bi-state Charlotte Area," or "Area") to attainment for the 1997 8-hour ozone National Ambient Air Quality Standards (NAAQS). The bi-state Charlotte Area consists of Cabarrus, Gaston, Lincoln, Mecklenburg, Rowan, Union and a portion of Iredell County (Davidson and Coddle Creek Townships) in North Carolina; and a portion of York County in South Carolina, including the Catawba Indian Nation reservation lands (hereafter referred to as "the York County Area"). EPA's approval of the redesignation request is based on the determination that South Carolina has met the criteria for redesignation to attainment set forth in the Clean Air Act (CAA or Act). Additionally, EPA is approving a revision to the South Carolina State Implementation Plan (SIP) to include the 1997 8-hour ozone maintenance plan for the York County Area that contains the new 2013 and 2022 motor vehicle emission budgets (MVEBs) for nitrogen oxides (NOx) and volatile organic compounds (VOC) for the years 2013 and 2022. EPA will take action on the North Carolina submission for the 1997 8-hour ozone redesignation request and maintenance plan for its portion of the bi-state Charlotte Area in a separate action. EPA did not receive comments on the November 15, 2012, proposed rulemaking.

US Federal

### **Approval and Promulgation: Air Quality SIP (Huntington-Ashland, WV-KY-OH, Kentucky)**

Comes into effect: 25 Dec 2012

Published: 25 Dec 2012

Applies to: [40CFR-52](#),40CFR-81

EPA is taking final action to approve a request submitted on February 12, 2012, by the Commonwealth of Kentucky, through the Kentucky [Energy](#) and Environment Cabinet, Division for Air Quality (DAQ), to redesignate the Kentucky portion of the tri-state Huntington- Ashland, West Virginia-Kentucky-Ohio fine particulate matter (PM2.5) nonattainment area (hereafter referred to as the "Huntington-Ashland Area" or "Area") to attainment for the 1997 Annual PM2.5 National Ambient Air Quality Standards (NAAQS). The Huntington-Ashland Area is composed of Boyd County and a portion of Lawrence County in Kentucky; Lawrence and Scioto Counties and portions of Adams and Gallia Counties in Ohio; and Cabell and Wayne Counties and a portion of Mason County in West Virginia. EPA's approval of the redesignation request is based on the determination that Kentucky has met the criteria for redesignation to attainment set forth in the Clean Air Act (CAA or Act). EPA is approving a revision to the Kentucky State Implementation Plan (SIP) to include the 1997 Annual PM2.5 maintenance plan for the Kentucky portion of the Huntington-Ashland Area. EPA is also approving the on-road motor vehicle insignificance finding for direct PM2.5 and nitrogen oxides (NOx) for the Kentucky portion of the Huntington-Ashland Area.

US Federal

### **Amendments to the Transmix Provisions Under the Diesel Sulfur Program**



Comes into effect: 24 Feb 2013

Published: 25 Dec 2012

Applies to: [40CFR-80](#)

EPA is amending the requirements under EPA's diesel sulfur program related to the sulfur content of locomotive and marine (LM) diesel fuel produced by transmix processors and pipeline facilities. These amendments will reinstate the ability of locomotive and marine diesel fuel produced from transmix by transmix processors and pipeline operators to meet a maximum 500 parts per million (ppm) sulfur standard outside of the Northeast Mid-Atlantic Area and Alaska and expand this ability to within the Northeast Mid-Atlantic Area provided that: the fuel is used in older technology locomotive and marine engines that do not require 15 ppm sulfur diesel fuel, and the fuel is kept segregated from other fuel. These amendments will provide significant regulatory relief for transmix processors and pipeline operators to allow the petroleum distribution system to function efficiently while continuing to transition the market to virtually all ultra-low sulfur diesel fuel (ULSD, i.e. 15 ppm sulfur diesel fuel) and the environmental benefits it provides.

US Federal

### **Proposed: Approval and Promulgation of Air Quality SIP (Steubenville-Weirton, West Virginia)**

Comes into effect: 25 Dec 2012

Published: 25 Dec 2012

Applies to: [40CFR-52](#)

EPA is proposing to approve the 2002 base year emissions inventory portion of the West Virginia State Implementation Plan (SIP) revision submitted by the State of West Virginia through the West Virginia Department of Environmental Protection (WVDEP) on June 24, 2009 for the Steubenville-Weirton, OH-WV nonattainment area (the Steubenville- Weirton Area) for the 1997 annual fine particulate matter (PM2.5) National Ambient Air Quality Standard (NAAQS). The emissions inventory is part of a SIP revision that was submitted to meet West Virginia's nonattainment requirements related to the Steubenville-Weirton Area. EPA is proposing to approve the 2002 base year emissions inventory for the West Virginia portion of the Steubenville-Weirton Area in accordance with the requirements of the Clean Air Act (CAA).

US Federal

### **Approval and Promulgation : Haze SIP (Washington)**

Comes into effect: 25 Dec 2012

Published: 25 Dec 2012

Applies to: [40CFR-52](#)

EPA is proposing to partially approve and partially disapprove a Washington Regional Haze Implementation Plan (SIP) submitted by the State of Washington on December 22, 2010, that addresses regional haze for the first implementation period. This plan was submitted to meet the requirements of Clean Air Act (CAA) sections 169A and 169B that require states to prevent any future and remedy any existing man-made impairment of visibility in mandatory Class I areas. EPA is proposing to: (1) Approve portions of this SIP submittal as meeting most of the requirements of the regional haze program, (2) propose a limited approval and limited disapproval of the SO2 Best Available Retrofit Technology (BART) determination for Intalco Aluminum Corp. (Intalco) potline operation and propose a federal "Better than BART" alternative, and (3) propose to disapprove the NOx BART determination for five BART emission units at the Tesoro Refining and Marketing refinery (Tesoro) and propose a federal Better than BART alternative. This combined rule package of proposed SIP approved elements and proposed federal elements will meet the requirements of CAA sections 169A and 169B. On August 20, 2012, EPA approved those provisions of the Washington SIP addressing the BART determination for TransAlta Centralia Generation L.L.C. coal fired power plant (TransAlta).

US Federal

### **Technical Correction: Pesticide Tolerances for Chlorantraniliprole**

Comes into effect: 20 Dec 2012

Published: 20 Dec 2012

Applies to: [40CFR-180](#)

EPA issued a final rule in the Federal Register of October 3, 2012, concerning the establishment of tolerances for the insecticide chlorantraniliprole on multiple commodities. This document corrects inadvertent errors and omissions. The corrections are further discussed in Unit II.

US Federal

### **Rules and Regulations: Pesticide Tolerances Established for Residues of Quinclorac**

Comes into effect: 20 Dec 2012

Published: 20 Dec 2012

Applies to: [40CFR-180](#)

This regulation establishes tolerances for residues of quinclorac in or on berry, low growing, except strawberry, subgroup 13- 07 H and rhubarb. Interregional Research Project Number 4 (IR-4) requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

US Federal

### **Withdrawal of Significant New Use Rules: Significant New Use Rule on Certain Chemical Substances**

Comes into effect: 1 Jan 2013

Published: 20 Dec 2012

Applies to: [40CFR-721](#),40CFR-9

EPA is withdrawing significant new use rules (SNURs) promulgated under the Toxic Substances Control Act (TSCA) for chemical substances which were the subject of premanufacture notices (PMNs). EPA published these SNURs using direct final [rulemaking procedures](#). EPA received notices of intent to submit adverse comments on these rules. Therefore, the Agency is withdrawing these SNURs, as required under the expedited SNUR rulemaking process. EPA intends to publish in the near future proposed SNURs for these eight chemical substances under separate notice and comment procedures.

US Federal

### **Proposed: Approval and Disapproval of Air Quality SIP (Arizona)**

Comes into effect: 20 Dec 2012

Published: 20 Dec 2012

Applies to: [40CFR-51](#)

EPA is proposing to approve in part and disapprove in part a revision of Arizona's State Implementation Plan (SIP) to implement the regional haze program for the first planning period through July 31, 2018. This proposed action includes all portions of the SIP except for three electric generating stations that were addressed in a final rule published in the Federal Register on December 5, 2012. Today, EPA is taking action on Arizona's Best Available Retrofit Technology (BART) control analysis and determinations, Reasonable Progress Goals (RPGs) for the State's 12 Class I areas, Long-term Strategy (LTS), and other elements of the State's regional haze plan. If EPA takes final action to disapprove any portion of the SIP, EPA will work with the State to develop plan revisions to address the disapproved provisions. Regional haze is caused by emissions of air pollutants from numerous sources located over a broad geographic area. The Clean Air Act (CAA) requires states to adopt and submit to EPA SIPs that assure reasonable progress toward the national goal of achieving natural visibility conditions in 156 national parks and wilderness areas designated as Class I areas.

US Federal

### **Proposed: National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources**

Comes into effect: 20 Dec 2012

Published: 20 Dec 2012

Applies to: [40CFR-63](#)

On January 30, 2012, the EPA proposed revisions to several provisions of the final [National Emission Standards for Hazardous Air Pollutants](#) for Chemical Manufacturing Area Sources. The proposed revisions were made, in part, in response to a petition for reconsideration received by the Administrator following the promulgation of the October 29, 2009, final rule ("2009 final rule"). In this action, the EPA is finalizing those amendments, lifting the stay of the title V permit requirement issued on March 14, 2011, and lifting the stay of the final rule issued on October 25, 2012. In addition, this final action includes revisions to the EPA's approach for addressing malfunctions and standards applicable during startup and shutdown periods. This final action also includes amendments and technical corrections to the final rule to clarify applicability and compliance issues raised by stakeholders subject to the 2009 final rule. The revisions to the final rule do not reduce the level of environmental protection or emissions control on sources regulated by this rule but provide flexibility and clarity to improve implementation. This action also extends the compliance date for existing sources and the EPA's final response to all issues raised in the petition for reconsideration.

US Federal

### **Approval and Promulgation: Air Quality SIP (Virginia) Permits**

Comes into effect: 21 Jan 2013

Published: 19 Dec 2012

Applies to: [40CFR-52](#)

EPA is approving a State Implementation Plan (SIP) revision submitted by the Virginia Department of Environmental Quality (VADEQ). These revisions allow the terms and conditions of various elements of the preconstruction program in Virginia to be combined into a single permit, establish limitations for issuance of Plantwide Applicability Limits (PALs), provide clarification to the exemption to Virginia's permitting rules regarding the use of alternate fuels and make minor administrative amendments. This action is being taken under the Clean Air Act (CAA).

US Federal

### **Approval and Promulgation: Air Quality SIP (Illinois); Infrastructure SIP Requirements for the 2006 PM2.5**

Comes into effect: 19 Dec 2012

Published: 19 Dec 2012

Applies to: [40CFR-52](#)

This document corrects errors in the codification of final rules published on July 13, 2011, August 8, 2011, February 21, 2012, and October 29, 2012. The July 13, 2011, and October 29, 2012, actions pertain to State Implementation Plan (SIP) submissions by Illinois regarding the infrastructure requirements of the Clean Air Act (CAA) for the 1997 eight-hour ground level ozone national ambient air quality standards (NAAQS), the 1997 fine particle (PM2.5) NAAQS, and the 2006 24-hour PM2.5 NAAQS. The August 8, 2011, and February 21, 2012, actions pertain to Federal Implementation Plans (FIPs) to reduce interstate transport of PM2.5 and ozone.

US Federal

### **Approval and Promulgation of Air Quality SIP (Delaware County (Muncie), Indiana), Indiana Ozone Maintenance Plan Revision**

Comes into effect: 21 Jan 2013

Published: 19 Dec 2012

Applies to: [40CFR-52](#)

EPA is approving Indiana's request to revise the Delaware County (Muncie), Indiana 1997 8-hour ozone maintenance State Implementation Plan (SIP) by replacing the previously approved motor vehicle emissions budgets (budgets) with budgets developed using EPA's Motor Vehicle Emissions Simulator (MOVES) emissions model. EPA proposed approval on October 26, 2012, and did not receive any public comments on the proposal.

US Federal

### **Correction: EPA's Approval of the Revised Motor Vehicle Emissions Budgets (Fredericksburg Area)**

Comes into effect: 19 Dec 2012

Published: 19 Dec 2012

Applies to: [40CFR-52](#)

This document corrects an error in the rule language of a final rule pertaining to EPA's approval of the revised motor vehicle emissions budgets (MVEBs) for the Fredericksburg 8-Hour Ozone Maintenance Area (Fredericksburg Area). The previous rulemaking updated the 2009 and 2015 MVEBs using EPA's Motor Vehicle Emissions Simulator emissions model (MOVES2010a).

US Federal

### **Approval and Promulgation: Air Quality SIP (Colorado) for the Motor Vehicle Emissions Inspection Program**

Comes into effect: 19 Dec 2012

Published: 19 Dec 2012

Applies to: [40CFR-52](#)

EPA is approving a State Implementation Plan (SIP) revision that was submitted by the State of Colorado on August 8, 2006. The August 8, 2006, revision updates Regulation Number 11, "Motor Vehicle Emissions Inspection Program," by removing the light duty vehicle emission testing limits that went into effect on January 1, 2006, for 1996 and newer model year vehicles. This action is being taken under section 110 of the Clean Air Act.

US Federal

### **Significant New Use Rules on Certain Chemical Substances**

Comes into effect: 18 Feb 2013

Published: 19 Dec 2012

Applies to: [40CFR-721](#),40CFR-9

EPA is promulgating significant new use rules (SNURs) under the Toxic Substances Control Act (TSCA) for 9 chemical substances which were the subject of premanufacture notices (PMNs). This action requires persons who intend to manufacture, import, or process any of these 9 chemical substances for an activity that is designated as a significant new use by this rule to notify EPA at least 90 days before commencing that activity. The required notification will provide EPA with the opportunity to evaluate the intended use and, if necessary, to prohibit or limit that activity before it occurs.

US Federal

## Approval and Promulgation: Air Quality SIP (South Carolina)

Comes into effect: 18 Dec 2012

Published: 18 Dec 2012

Applies to: [40CFR-52](#)

EPA published in the Federal Register of August 1, 2012, a final rule approving the State Implementation Plan (SIP) submissions submitted by the State of South Carolina, through the South Carolina Department of Health and Environmental Control (SC DHEC), as demonstrating that the South Carolina SIP met certain requirements of the Clean Air Act (CAA or the Act) for the 1997 annual and 2006 24-hour fine particulate matter (PM<sub>2.5</sub>) national ambient air quality standards (NAAQS). This rulemaking corrects several errors identified in the August 1, 2012, final rule.

US Federal

## Data Call-in Order for Difenzoquat Pesticide Tolerances

Comes into effect: 18 Dec 2012

Published: 18 Dec 2012

Applies to: [40CFR-180](#)

This order requires the submission of various data to support the continuation of the tolerances for the pesticide, difenzoquat. Pesticide tolerances are established under the Federal Food, Drug, and Cosmetic Act (FFDCA). Following publication of this order, persons who are interested in the continuation of the difenzoquat tolerances must notify the Agency by completing and submitting the required section 408(f) Order Response Form (available in the docket) within 90 days. If the Agency does not receive within 90 days after publication of the final order a section 408(f) Response Form identifying a person who agrees to submit the required data, EPA will revoke the difenzoquat tolerances.

US Federal

## Pesticide Tolerances Established for Propiconazole

Comes into effect: 18 Dec 2012

Published: 18 Dec 2012

Applies to: [40CFR-180](#)

This regulation establishes tolerances for residues of propiconazole in or on sugarcane, cane. Syngenta Crop Protection, LLC requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

US Federal

## Proposed: Notice of Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities

Comes into effect: 18 Dec 2012

Published: 18 Dec 2012

Applies to: [40CFR-180](#)

This document announces the Agency's receipt of several initial filings of pesticide petitions requesting the establishment or modification of regulations for residues of [pesticide chemicals](#) in or on various commodities.

US Federal

## Proposed Significant New Use Rule under Toxic Substances Control Act

Comes into effect: 18 Dec 2012

Published: 18 Dec 2012

Applies to: [40CFR-721](#)

EPA is proposing a significant new use rule (SNUR) under the Toxic Substances Control Act (TSCA) for the chemical substance identified generically as ethoxylated, propoxylated diamine diaryl substituted

phenylmethane ester with alkenylsuccinate, dialkylethanolamine salt, which was the subject of premanufacture notice (PMN) P-01-384. This action would require persons who intend to manufacture, import, or process this chemical substance for an activity that is designated as a significant new use by this 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 the activity before it occurs.

US Federal

### **Proposed: Disapproval Air Quality SIP (Wisconsin) Disapproval of PM2.5**

Comes into effect: 17 Dec 2012

Published: 17 Dec 2012

Applies to: [40CFR-52](#)

EPA is proposing to disapprove a revision to Wisconsin's State Implementation Plan (SIP) submitted by the Wisconsin Department of Natural Resources (WDNR) in a letter dated May 12, 2011. The revision concerns permitting requirements relating to particulate matter of less than 2.5 micrometers (PM2.5) EPA is proposing to disapprove the revisions because they do not meet the 2008 PM2.5 SIP requirements.

US Federal

### **Proposed: Approval and Promulgation MVEB SIP (Knox County, Tennessee)**

Comes into effect: 17 Dec 2012

Published: 17 Dec 2012

Applies to: [40CFR-52](#)

EPA is proposing to approve, through parallel processing, a draft revision to the Tennessee State Implementation Plan (SIP), submitted to EPA on October 12, 2012, by the State of Tennessee, through the Tennessee Department of Environment and Conservation (TDEC). Tennessee's October 12, 2012, draft SIP revision includes changes to the maintenance plan for the Knox County 1-hour ozone area submitted on August 26, 1992, and approved by EPA on September 27, 1993, and a subsequent SIP revision approved by EPA on August 5, 1997. The Knox County 1-hour ozone area was comprised of Knox County in its entirety. The October 12, 2012, draft revision proposes to increase the safety margin allocated to motor vehicle emissions budgets (MVEB) for nitrogen oxides (NOX) and volatile organic compounds (VOC) for Knox County to account for changes in the emissions model and vehicle miles traveled (VMT) projection model. EPA is proposing approval of this draft SIP revision pursuant to section 110 of the Clean Air Act (CAA or Act).

US Federal

### **Proposed Rules: Water Quality Standards for Florida's Waters**

Comes into effect: 17 Dec 2012

Published: 17 Dec 2012

Applies to: [40CFR-131](#)

The U.S. Environmental Protection Agency (EPA or Agency) is proposing numeric water quality criteria to protect ecological systems, aquatic life, and human health from nitrogen and phosphorus pollution in estuaries and coastal waters within the State of Florida not covered by EPA-approved State rulemaking, and south Florida inland flowing waters. These proposed criteria apply to Florida waters that are designated as Class I, Class II, or Class III waters and they are intended to protect these designated uses as well as implement for the purposes of the [Clean Water Act](#) the State's narrative nutrient provision at Subsection 62-302.530(47)(b), Florida Administrative Code (F.A.C.), which provides that "[i]n no case shall nutrient concentrations of a body of water be altered so as to cause an imbalance in natural populations of aquatic flora or fauna."

US Federal

### **Proposed: Water Quality Standards for Florida's Streams and Downstream Protection Values for Lakes**

Comes into effect: 17 Dec 2012

Published: 17 Dec 2012

Applies to: [40CFR-131](#)

The Environmental Protection Agency (EPA or Agency) is proposing a rule that addresses an order by the U.S. District Court for the Northern District of Florida from February 18, 2012, which remanded to EPA two portions of its numeric [water quality standards](#) for nutrients in Florida that were promulgated and published on December 6, 2010. For this proposal, EPA is re-proposing the same numeric nutrient criteria for total nitrogen (TN) and total phosphorus (TP) for Florida streams not covered by EPA-approved State rulemaking, as included in EPA's final rule, with further explanation of how the proposed numeric streams criteria will ensure

the protection of the Florida's Class I and III designated uses. EPA is also proposing default approaches available for use when modeling cannot be performed to derive downstream protection values (DPVs) that will ensure the attainment and maintenance of the numeric nutrient criteria that protect Florida's lakes. The default approaches would be applicable to streams that flow into unimpaired lakes, but could also be used for streams that flow into impaired lakes.

US Federal

### **Approval and Promulgation: Air Quality SIP (South Bend/Elkhart, Indiana)**

Comes into effect: 15 Jan 2013

Published: 16 Dec 2012

Applies to: [40CFR-52](#)

EPA is approving Indiana's request to revise the South Bend/ Elkhart, Indiana 1997 8-hour ozone maintenance state air quality implementation plan (SIP) by replacing the previously approved motor vehicle emissions budgets (budgets) with budgets developed using EPA's Motor Vehicle Emissions Simulator (MOVES) emissions model. EPA proposed approval on October 4, 2012, and did not receive any public comments on the proposal.

US Federal

### **Regulations: Supplemental Determination of Grain Sorghum for Renewable Fuels Program**

Comes into effect: 16 Dec 2012

Published: 16 Dec 2012

Applies to: [40CFR-80](#)

EPA is issuing a supplemental rule associated with the Renewable Fuel Standard (RFS) program. This final rule contains a lifecycle GHG analysis for grain sorghum ethanol and a regulatory determination that grain sorghum ethanol qualifies as a renewable fuel under the RFS Program. EPA's analysis indicates that ethanol made from grain sorghum at dry mill facilities that use natural gas for process [energy](#) meets the lifecycle greenhouse gas emissions reduction threshold of 20 percent compared to the baseline petroleum fuel it would replace, and therefore qualifies as renewable fuel. It also contains our regulatory determination that grain sorghum ethanol produced at dry mill facilities using specified forms of biogas for both process [energy](#) and most electricity production, has lifecycle GHG emission reductions of more than 50 percent compared to the baseline petroleum fuel it would replace, and that such grain sorghum ethanol qualifies as an advanced biofuel under the RFS Program.

US Federal

### **Approval: Air Quality SIP (San Joaquin Valley, California)**

Comes into effect: 13 Dec 2012

Published: 13 Dec 2012

Applies to: [40CFR-52](#)

EPA is making a technical amendment to the Code of Federal Regulations (CFR) to reflect the Agency's March 1, 2012 final approval of the California State Implementation Plan for attainment of the 1997 8-hour ozone National Ambient Air Quality Standards in the San Joaquin Valley. This technical amendment corrects the CFR to properly codify the California Air Resources Board's commitment to update the air quality modeling in the San Joaquin Valley 8-Hour Ozone SIP by December 31, 2014.

US Federal

### **Approval, Disapproval and Promulgation of Haze SIP (Utah)**

Comes into effect: 13 Jan 2013

Published: 13 Dec 2012

Applies to: [40CFR-52](#)

EPA is partially approving and partially disapproving a State Implementation Plan (SIP) revision submitted by the State of Utah on May 26, 2011 that addresses regional haze. EPA is also approving specific sections of a State of Utah SIP revision submitted on September 9, 2008 to address regional haze. These SIP revisions were submitted to address the requirements of the Clean Air Act (CAA or Act) and our rules that require states to prevent any future and remedy any existing man-made impairment of visibility in mandatory Class I areas caused by emissions of air pollutants from numerous sources located over a wide geographic area (also referred to as the "regional haze program"). States are required to assure reasonable progress toward the national goal of achieving natural visibility conditions in Class I areas. EPA is taking this action pursuant to section 110 of the CAA.

US Federal

### **Approval: Revisions to the Air Quality SIP (South Coast,**

US Federal

**California)**

Comes into effect: 13 Jan 2013

Published: 13 Dec 2012

Applies to: [40CFR-52](#)

In this action, EPA is finalizing approval of South Coast Air Quality Management District (SCAQMD) Rule 317, "Clean Air Act Non- Attainment Fee," as a revision to SCAQMD's portion of the California State Implementation Plan (SIP). This action was proposed in the Federal Register on January 12, 2012 and concerns volatile organic compounds (VOC) and oxides of nitrogen (NOX). Rule 317 is a local fee rule submitted to address section 185 of the Clean Air Act (CAA or Act) with respect to the 1-hour ozone standard for anti- backsliding purposes. EPA is finalizing approval of Rule 317 as an alternative to the program required by section 185 of the Act. EPA has determined that SCAQMD's alternative fee-equivalent program is not less stringent than the program required by section 185, and, therefore, is approvable as an equivalent alternative program, consistent with the principles of section 172(e) of the Act.

US Federal

**Proposed: Listing of Substitutes for Ozone Depleting Substances-Fire Suppression and Explosion Protection**

Comes into effect: 13 Dec 2012

Published: 13 Dec 2012

Applies to: [40CFR-82](#)

On September 19, 2012, the Federal Register published a direct final rule and a companion proposed rule issuing listings for three fire suppressants under EPA's Significant New Alternatives Policy program. Because EPA received adverse comment concerning C7 Fluoroketone, we are withdrawing that part of the direct final rule that listed C7 Fluoroketone acceptable subject to narrowed use limits as a substitute for halon 1211. Other listings in that direct final rule will take effect on December 18, 2012.

US Federal

**Proposed: Approval and Promulgation of Air Quality SIP (New Jersey) for PM2.5**

Comes into effect: 13 Dec 2012

Published: 13 Dec 2012

Applies to: [40CFR-52](#)

The Environmental Protection Agency (EPA) is proposing action on New Jersey's State Implementation Plan (SIP) revision for attaining the 1997 fine particle (PM2.5) national ambient air quality standards (NAAQS), which was submitted to EPA on April 1, 2009. EPA is proposing to fully approve elements of the New Jersey SIP for the New Jersey portion of two nonattainment areas in the State: The New York-N. New Jersey-Long Island, NY-NJ-CT, PM2.5 nonattainment area, and the Philadelphia-Wilmington, PA-NJ-DE, PM2.5 nonattainment area. EPA is taking action on several elements of the SIP, including proposed approval of New Jersey's attainment demonstration and motor- vehicle emissions budgets used for [transportation](#) conformity purposes, as well as the Reasonably Available Control Technology and Reasonably Available Control Measures (RACT/RACM) analysis, and base-year and projection-year modeling emission inventories. This action is being taken in accordance with the Clean Air Act and the Clean Air Fine Particle Implementation Rule issued by EPA.

US Federal

**Proposed: Amendments under Clean Air Act to Phaseout of Methyl Bromide**

Comes into effect: 13 Dec 2012

Published: 13 Dec 2012

Applies to: [40CFR-82](#)

EPA is proposing uses that qualify for the 2013 critical use exemption. EPA is also proposing to amend the regulatory framework to determine the amount of methyl bromide that may be produced, imported, or supplied from existing pre-phaseout inventory for those uses in 2013. EPA is taking action under the authority of the Clean Air Act to reflect a recent consensus decision taken by the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer at the Twenty-Third Meeting of the Parties. EPA is seeking comment on the list of critical uses and on EPA's determination of the specific amounts of methyl bromide that may be produced and imported, or sold from pre- phaseout inventory for those uses.

US Federal

**Proposed: Stay of Water Quality Standards for the State of Florida's Lakes and Flowing Waters**

Comes into effect: 13 Dec 2012

Published: 13 Dec 2012

Applies to: [40CFR-131](#)

The Environmental Protection Agency (EPA) proposes to temporarily stay our regulation the "[Water Quality Standards](#) for the State of Florida's Lakes and Flowing Waters; Final Rule" (inland waters rule) to November 15, 2013. EPA's inland waters rule currently includes an effective date of January 6, 2013, for the entire regulation except for the site-specific alternative criteria provision, which took effect on February 4, 2011. This proposed stay of its regulations is until November 15, 2013, does not affect or change the February 4, 2011, effective date for the site-specific alternative criteria provision.

US Federal

## Approval and Promulgation of Air Quality SIP (Pennsylvania)

Comes into effect: 13 Jan 2013

Published: 12 Dec 2012

Applies to: [40CFR-52](#)

EPA is approving the fine particulate matter (PM<sub>2.5</sub>) 2002 base year emissions inventory portion of the Pennsylvania State Implementation Plan (SIP) revision submitted by the Commonwealth of Pennsylvania, through the Pennsylvania Department of Environmental Protection (PADEP), on November 10, 2009. The emissions inventory is part of the November 10, 2009 SIP revision that was submitted to meet nonattainment requirements related to the Pittsburgh- Beaver Valley nonattainment area (hereafter referred to as the Area) for the 1997 PM<sub>2.5</sub>; National Ambient Air Quality Standard (NAAQS). EPA is approving the 2002 base year PM<sub>2.5</sub>; emissions inventory in accordance with the requirements of the Clean Air Act (CAA).

US Federal

## Regulations: Extension of Tolerances for Emergency Exemptions (Multiple Chemicals)

Comes into effect: 12 Dec 2012

Published: 12 Dec 2012

Applies to: [40CFR-180](#)

This regulation extends time-limited tolerances for the pesticides listed in "this text": <http://www.gpo.gov/fdsys/pkg/FR-2012-12-13/html/2012-30109.htm>. These actions are in response to EPA's granting of emergency exemptions under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) authorizing use of these pesticides. The Federal Food, Drug, and Cosmetic Act (FFDCA) requires EPA to establish a time-limited tolerance or exemption from the requirement for a tolerance for pesticide chemical residues in food that will result from the use of a pesticide under an emergency exemption granted by EPA.

US Federal

## Proposed: Approval and Promulgation of Air Quality SIP (Texas)

Comes into effect: 12 Dec 2012

Published: 12 Dec 2012

Applies to: [40CFR-52](#)

EPA is proposing to approve revisions to the Texas State Implementation Plan (SIP) that establish the public participation requirements for air quality permits. EPA proposes to find that these revisions to the Texas SIP comply with the Federal Clean Air Act (the Act or CAA) and EPA regulations and are consistent with EPA policies. Texas submitted the public participation provisions in four separate revisions to the SIP on July 22, 1998; October 25, 1999; July 2, 2010; and March 11, 2011. EPA is proposing this action under section 110 and parts C and D of the Clean Air Act (the Act).

US Federal

## Approval and Promulgation of Air Quality SIP (Charleston, West Virginia)

Comes into effect: 10 Jan 2013

Published: 11 Dec 2012

Applies to: [40CFR-52](#)

EPA is approving the fine particulate matter (PM<sub>2.5</sub>) 2002 base year emissions inventory portion of the West Virginia State Implementation Plan (SIP) revision submitted by the State of West Virginia, through the West Virginia Department of Environmental Protection (WVDEP), on November 4, 2009. The emissions inventory is part of the November 4, 2009 SIP revision that was submitted to meet nonattainment requirements for the Charleston, West Virginia nonattainment area (hereafter referred to as the Charleston Area) for the 1997 PM<sub>2.5</sub>; national ambient air quality standard (NAAQS). EPA is approving the 2002 base year PM<sub>2.5</sub>; emissions inventory in accordance with the requirements of the Clean Air Act (CAA).



US Federal

## Approval and Promulgation of Air Quality SIP (Parkersburg-Marietta, WV-OH, West Virginia)

Comes into effect: 10 Jan 2013

Published: 11 Dec 2012

Applies to: [40CFR-52](#)

EPA is approving the fine particulate matter (PM<sub>2.5</sub>) 2002 base year emissions inventory portion of the West Virginia State Implementation Plan (SIP) revision submitted by the State of West Virginia, through the West Virginia Department of Environmental Protection (WVDEP), on September 9, 2008. The emissions inventory is part of the September 9, 2008 SIP revision that was submitted to meet nonattainment requirements related to the West Virginia portion of the Parkersburg-Marietta, WV-OH nonattainment area (hereafter referred to as the Parkersburg Area) for the 1997 PM<sub>2.5</sub>; National Ambient Air Quality Standard (NAAQS). EPA is approving the 2002 base year PM<sub>2.5</sub>; emissions inventory in accordance with the requirements of the Clean Air Act (CAA).

US Federal

## Approval and Promulgation of Haze SIP (Wyoming)

Comes into effect: 10 Jan 2013

Published: 11 Dec 2012

Applies to: [40CFR-52](#)

EPA is approving Wyoming State Implementation Plan (SIP) revisions submitted on January 12, 2011 and April 19, 2012 that address regional haze. These SIP revisions were submitted to address the requirements of the Clean Air Act (CAA or Act) and our rules that require states to prevent any future and remedy any existing man-made impairment of visibility in mandatory Class I areas caused by emissions of air pollutants from numerous sources located over a wide geographic area (also referred to as the "regional haze program"). States are required to assure reasonable progress toward the national goal of achieving natural visibility conditions in Class I areas. EPA is taking this action pursuant to section 110 of the CAA.

US Federal

## Amendment to an Exemption From the Requirement of a Tolerance for Bacillus subtilis Strain QST 713

Comes into effect: 11 Dec 2012

Published: 11 Dec 2012

Applies to: [40CFR-180](#)

This regulation amends the existing exemption from the requirement of a tolerance for residues of the Bacillus subtilis strain QST 713 in or on all food commodities by including residues of Bacillus subtilis strain QST 713 variant soil. Agraquest, Inc. submitted a petition to the EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), requesting an amendment to an existing exemption from the requirement of a tolerance for Bacillus subtilis strain QST 713 to include residues of products containing Bacillus subtilis strain QST 713 variant soil in or on all agricultural commodities. This regulation eliminates the need to establish a maximum permissible level for residues of Bacillus subtilis strain QST 713 variant soil under the FFDCA.

US Federal

## Pesticide Tolerances Established For Spirodiclofen

Comes into effect: 11 Dec 2012

Published: 11 Dec 2012

Applies to: [40CFR-180](#)

This regulation modifies currently established tolerances for residues of spirodiclofen, 3-(2,4-dichlorophenyl)-2-oxo-1-oxaspiro[4.5]dec-3-en-4-yl 2,2-dimethylbutanoate in or on apple, wet pomace and grape, raisin to 2.4 and 6.0 parts per million (ppm) respectively, and deletes the tolerance for grape juice. Bayer CropScience requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

US Federal

## Pesticide Tolerances Established For Flubendiamide

Comes into effect: 11 Dec 2012

Published: 11 Dec 2012

Applies to: [40CFR-180](#)

This regulation modifies tolerances for residues of flubendiamide in or on multiple food commodities which are identified, and discussed in detail later in the regulatory text. Bayer CropScience LP in c/o Nichino America, Inc. (U.S. subsidiary of Nihon Nohyaku Co., Ltd.) requested these tolerances, and revisions to tolerances under the Federal Food, Drug and Cosmetic Act (FFDCA).

US Federal

## Pesticide Tolerances Established For Fenpyroximate

Comes into effect: 11 Dec 2012

Published: 11 Dec 2012

Applies to: [40CFR-180](#)

This regulation establishes tolerances for residues of the insecticide fenpyroximate in or on multiple commodities identified and discussed later in the regulatory text. In addition, this regulation removes established tolerances for certain commodities/groups superseded by this action. The Interregional Research Project Number 4 (IR-4) requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

US Federal

## Pesticide Tolerances Established For Pyriproxyfen

Comes into effect: 11 Dec 2012

Published: 11 Dec 2012

Applies to: [40CFR-180](#)

This regulation establishes tolerances for residues of pyriproxyfen in or on multiple commodities which are identified and discussed later in this document. Interregional Research Project Number 4 (IR-4) requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

US Federal

## 7- Day Extension for Public Comment on Proposed Reconsideration of Certain New Source and Startup/Shutdown Issues

Comes into effect: 11 Dec 2012

Published: 11 Dec 2012

Applies to: [40CFR-60](#),[40CFR-63](#)

The EPA is announcing that the period for providing public comments on the November 30, 2012, proposed ``Reconsideration of Certain New Source and Startup/Shutdown Issues: [National Emission Standards for Hazardous Air Pollutants](#) from Coal- and Oil-fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial- Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units'' is being extended by 7 days.

US Federal

## Proposed: Amendments to the Abandoned Plan Regulations

Comes into effect: 11 Dec 2012

Published: 11 Dec 2012

Applies to: [29CFR-2520](#),[29CFR-2550](#),[29CFR-2578](#)

This document contains proposed amendments to three regulations previously published under the Employee Retirement Income Security Act of 1974 that facilitate the termination of, and distribution of benefits from, individual account pension plans that have been abandoned by their sponsoring employers. The principal amendments propose to permit bankruptcy trustees to use the Department's Abandoned Plan Program to terminate and wind up the plans of sponsors in liquidation under chapter 7 of the U.S. Bankruptcy Code. In addition, other technical amendments are proposed to improve the operation of the regulations. If adopted, the amendments would affect employee benefit plans, primarily small defined contribution plans, participants and beneficiaries, service providers, and individuals appointed to serve as trustees under chapter 7 of the U.S. Bankruptcy Code.

US Federal

## Approval and Promulgation of Air Quality SIP (Huntington-Ashland, WV-KY-OH, West Virginia)

Comes into effect: 9 Jan 2013

Published: 10 Dec 2012

Applies to: [40CFR-52](#)

EPA is approving the fine particulate matter (PM<sub>2.5</sub>) 2002 base year emissions inventory portion of the West Virginia State Implementation Plan (SIP) revision submitted by the State of West Virginia, through the West Virginia Department of Environmental Protection (WVDEP), on May 28, 2009. The emissions inventory is part of the May 28, 2009 SIP revision that was submitted to meet nonattainment requirements related to the West Virginia portion of the Huntington-Ashland, WV-KY-OH nonattainment area for the 1997 PM<sub>2.5</sub>; National Ambient Air Quality Standard (NAAQS). EPA is approving the 2002 base year PM<sub>2.5</sub>; emissions inventory in accordance with the requirements of the Clean Air Act (CAA).

US Federal

## Proposed: Approval and Promulgation of Air Quality SIP (Parkersburg-Marietta Area, West Virginia)

Comes into effect: 10 Dec 2012

Published: 10 Dec 2012

Applies to: [40CFR-52](#),40CFR-81

EPA is proposing to approve a redesignation request and State Implementation Plan (SIP) revision submitted by the State of West Virginia. The West Virginia Department of Environmental Protection (WVDEP) is requesting that the West Virginia portion of the Parkersburg-Marietta, WV-OH fine particulate matter (PM<sub>2.5</sub>) nonattainment area (Parkersburg-Marietta Area or Area) be redesignated as attainment for the 1997 annual PM<sub>2.5</sub>; national ambient air quality standard (NAAQS). The Parkersburg-Marietta Area is comprised of Wood County and a portion of Pleasants County in West Virginia (West Virginia portion of the Area); and Washington County in Ohio. In this rulemaking action, EPA is proposing to approve the PM<sub>2.5</sub>; redesignation request for the West Virginia portion of the Parkersburg- Marietta Area. EPA is also proposing to approve the maintenance plan SIP revision that the State submitted in conjunction with its redesignation request. The maintenance plan provides for continued attainment of the 1997 annual PM<sub>2.5</sub>; NAAQS for 10 years after redesignation of the West Virginia portion of the Area. The maintenance plan includes an insignificance determination for the on-road motor vehicle contribution of PM<sub>2.5</sub>, nitrogen oxides (NOX), and sulfur dioxide (SO<sub>2</sub>) for the West Virginia portion of the Area for purposes of [transportation](#) conformity. EPA is proposing to find that West Virginia's insignificance determination for [transportation](#) conformity is adequate. EPA is also proposing to find that the Area continues to attain the standard. This action to propose approval of the 1997 annual PM<sub>2.5</sub>; NAAQS redesignation request, maintenance plan, and insignificance determination for [transportation](#) conformity for the West Virginia portion of the Area is based on EPA's determination that the Area has met the criteria for redesignation to attainment specified in the Clean Air Act (CAA). EPA is taking separate action to propose redesignation of the Ohio portion of the Parkersburg-Marietta Area.

US Federal

## Proposed Rules: Approval and Promulgation of SIP for Ozone Attainment Demonstrations (New Jersey and New York)

Comes into effect: 10 Dec 2012

Published: 10 Dec 2012

Applies to: [40CFR-52](#)

The Environmental Protection Agency (EPA) is proposing action on the ozone attainment demonstration portion of comprehensive State Implementation Plan revisions submitted by New Jersey and New York to meet Clean Air Act requirements for attaining the 1997 8-hour ozone national ambient air quality standard. EPA is proposing to approve New Jersey's and New York's demonstration of attainment of the 1997 8-hour ozone standard as they relate to their portions of three moderate nonattainment areas; the New York-Northern New Jersey-Long Island, NY- NJ-CT area, the Philadelphia- Wilmington-Atlantic City, PA-NJ-MD-DE area, and the Poughkeepsie area.

US Federal

## Proposed: Approval and Promulgation of Air Quality SIP (West Virginia)

Comes into effect: 10 Dec 2012

Published: 10 Dec 2012

Applies to: [40CFR-52](#),40CFR-81

EPA is proposing to approve a redesignation request and State Implementation Plan (SIP) revision submitted by the State of West Virginia. The West Virginia Department of Environmental Protection (WVDEP) is requesting that the West Virginia portion of the Wheeling, WV-OH fine particulate matter (PM<sub>2.5</sub>) nonattainment area ("Wheeling Area" or "Area") be redesignated as attainment for the 1997 annual PM<sub>2.5</sub>; national ambient air quality standard (NAAQS). The Wheeling Area is comprised of Marshall and Ohio Counties in West Virginia and Belmont County in Ohio. In conjunction with its redesignation request, West Virginia submitted a SIP revision consisting of a maintenance plan for the West Virginia portion of the Area that provides for continued attainment of the 1997 annual PM<sub>2.5</sub> NAAQS for at least 10 years after redesignation. The maintenance plan includes the 2005 base year emissions inventory that EPA is proposing to approve in this rulemaking in accordance with the requirements of the Clean Air Act (CAA). The maintenance plan also includes an insignificance determination for the onroad motor vehicle contribution of PM<sub>2.5</sub>; nitrogen oxides (NOX) and sulfur dioxide (SO<sub>2</sub>) for the West Virginia portion of the Area. It should be noted that EPA has already initiated a comment period on the proposed insignificance determination for the West Virginia portion of the Area on the Web site for the Office of ["https://nimonikapp.com/legislation\\_infos/1953-transportation"](https://nimonikapp.com/legislation_infos/1953-transportation) Transportation and Air Quality (OTAQ) to allow for a 30-day review of this proposed insignificance determination in conjunction with this proposed rulemaking. EPA is proposing to find that West Virginia's insignificance determination for [transportation](#) conformity is adequate. EPA previously determined that the West Virginia portion of the Wheeling Area has attained the 1997 annual PM<sub>2.5</sub>; NAAQS, and EPA is proposing to find that the Area continues to attain the

standard. This action to propose approval of the 1997 annual PM2.5; NAAQS redesignation request, the maintenance plan, the 2005 base year emissions inventory, and insignificance determination for [transportation](#) conformity for the West Virginia portion of the Area is based on EPA's determination that the Area has met the criteria for redesignation to attainment specified in the CAA. EPA is taking separate action to propose redesignation for the Ohio portion of the Wheeling Area.

US Federal

### **Approval and Promulgation of Air Quality SIP (Maryland); The 2002 Base Year Inventory for the Baltimore, MD Nonattainment Area for the 1997 Fine Particulate Matter NAAQS**

Comes into effect: 7 Feb 2013

Published: 9 Dec 2012

Applies to: [40CFR-52](#)

EPA is taking direct final action to approve the fine particulate matter (PM2.5) 2002 base year emissions inventory portion of the State of Maryland State Implementation Plan (SIP) revision submitted by the State of Maryland, through the Maryland Department of the Environment (MDE), on June 6, 2008 for Baltimore, Maryland. The emissions inventory is part of Maryland's June 6, 2008 SIP revision that was submitted to meet nonattainment requirements related to the Baltimore, Maryland nonattainment area (hereafter referred to as Baltimore Area or Area) for Maryland's 1997 PM2.5 National Ambient Air Quality Standard (NAAQS) SIP. EPA is approving the 2002 base year PM2.5; emissions inventory for Baltimore, Maryland submitted by MDE in accordance with the requirements of the Clean Air Act (CAA).

US Federal

### **Approval and Promulgation: California SIP for 4 County Districts**

Comes into effect: 7 Feb 2013

Published: 9 Dec 2012

Applies to: [40CFR-52](#)

EPA is taking final action on revisions to the California State Implementation Plan (SIP) under the Clean Air Act (CAA or Act). EPA is approving four permitting rules submitted for the Eastern Kern Air Pollution Control District (EKAPCD), Imperial County Air Pollution Control District (ICAPCD), Placer County Air Pollution Control District (PCAPCD), and Yolo-Solano Air Quality Management District (YSAQMD) portions of the California SIP. The State of California is required under part C of title I of the Act to adopt and implement a SIP- approved Prevention of Significant Deterioration (PSD) permit program. We are revising the SIP to incorporate EKAPCD Rule 210.4—Prevention of Significant Deterioration, ICAPCD Rule 904—Prevention of Significant Deterioration (PSD) Permit Program, PCAPCD Rule 518—Prevention of Significant Deterioration (PSD) Permit Program, and YSAQMD Rule 3.24—Prevention of Significant Deterioration. The approval of these rules will establish a PSD permit program in each District for pre- construction review of certain new and modified major stationary sources in attainment or unclassifiable areas.

US Federal

### **Approval and Promulgation: Air Quality SIP (South Coast, California)**

Comes into effect: 8 Jan 2013

Published: 9 Dec 2012

Applies to: [40CFR-52](#)

EPA is taking final action under section 110 of the Clean Air Act (CAA) to approve a State Implementation Plan (SIP) revision for the South Coast Air Quality Management District (SCAQMD or District) portion of the California State Implementation Plan (SIP). This SIP revision incorporates District Rule 1714—Prevention of Significant Deterioration for Greenhouse Gases into the California SIP. The submitted revision is a permitting rule that contains the Prevention of Significant Deterioration (PSD) permit program applicable to new and modified major stationary sources of greenhouse gases (GHGs) as required by Part C of title I of the Clean Air Act. In addition, upon the effective date of this action, the District is no longer subject to the Federal Implementation Plan (FIP) at 40 CFR 52.21 as it pertains to GHGs.

US Federal

### **Approval and Promulgation of Air Pollution SIP (Monterey Bay, California)**

Comes into effect: 7 Feb 2013

Published: 9 Dec 2012

Applies to: [40CFR-52](#)

EPA is taking direct final action to approve revisions to the Monterey Bay Unified Air Pollution Control District (MBUAPCD) portion of the California State Implementation Plan (SIP). These revisions concern opacity standards related to multiple pollutants, including particulate matter (PM) emissions from several different types of sources, ranging from fugitive dust to gas turbines. We are approving a local rule that regulates these emission sources under the Clean Air Act (CAA or the Act).

US Federal

### **Proposed: Approval and Promulgation Haze SIP (Florida)**

Comes into effect: 9 Dec 2012

Published: 9 Dec 2012

Applies to: [40CFR-52](#)

EPA is proposing to approve certain Best Available Retrofit Technology (BART) and reasonable progress determinations included in a regional haze state implementation plan (SIP) amendment submitted by the State of Florida, through the Florida Department of Environmental Protection (FDEP), on September 17, 2012. These BART and reasonable progress determinations are for sources that are subject to the Clean Air Interstate Rule (CAIR) and were initially included in a July 31, 2012, draft regional haze SIP amendment submitted by FDEP for parallel processing and re-submitted in final form as part of the State's September 17, 2012, regional haze SIP amendment. In this action, EPA also proposes to find that Florida's September 17, 2012, amendment corrects the deficiencies that led to the proposed May 25, 2012, limited approval and proposed December 30, 2011, limited disapproval of the State's entire regional haze SIP, and that Florida's SIP meets all of the regional haze requirements of the Clean Air Act (CAA). EPA is therefore withdrawing the previously proposed limited disapproval of Florida's entire regional haze SIP and proposing full approval. This proposed action supplements the May 25, 2012, proposed limited approval action by superseding the proposed limited approval and replacing it with a proposed full approval. EPA will take final action on the May 25, 2012, proposal, as supplemented herein, in conjunction with final action on today's proposal.

US Federal

### **Proposed: Approval and Promulgation of SIP (Maryland) for 2002 Base Year Inventory for the Baltimore, MD Nonattainment Area for the 1997 Fine Particulate Matter NAAQS**

Comes into effect: 9 Dec 2012

Published: 9 Dec 2012

Applies to: [40CFR-52](#)

EPA proposes to approve the fine particulate matter (PM<sub>2.5</sub>) 2002 base year emissions inventory portion of the State of Maryland State Implementation Plan (SIP) revision submitted by the State of Maryland, through the Maryland Department of the Environment (MDE), on June 6, 2008 for Baltimore, Maryland. In the Final Rules section of this Federal Register, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A more detailed description of the State submittal and EPA's evaluation is included in a Technical Support Document (TSD) prepared in support of this rulemaking action. A copy of the TSD is available, upon request, from the EPA Regional Office listed in the ADDRESSES section of this document. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in [commenting](#) on this action should do so at this time.

US Federal

### **Proposed: Approval and Promulgation of Air Quality Implementation Plans (Pennsylvania) Determinations of Attainment of the 1997 8-Hour Ozone Standard for the Pittsburgh-Beaver Valley Moderate Nonattainment Area**

Comes into effect: 9 Dec 2012

Published: 9 Dec 2012

Applies to: [40CFR-52](#)

EPA is proposing to make two separate and independent determinations regarding the Pittsburgh-Beaver Valley 1997 8-hour ozone nonattainment area (the Pittsburgh Area). First, EPA is proposing to determine that the Pittsburgh Area attained the 1997 8-hour ozone national ambient air quality standard (NAAQS) by the applicable attainment date of June 15, 2010. This proposal is based upon complete, quality assured, and certified ambient air monitoring data for the 2007-2009 monitoring period showing monitored attainment of the 1997 8-hour ozone NAAQS. Second, EPA is proposing to determine that the Pittsburgh Area is attaining the 1997 8-hour ozone NAAQS, based on complete, quality assured, and certified ambient air monitoring data for the 2009-2011 monitoring period, and available preliminary data for 2012. If finalized, this determination would suspend the requirement for the Pittsburgh Area to submit an attainment demonstration, reasonably available control measures (RACM), a reasonable further progress (RFP) plan, and

contingency measures related to attainment of the 1997 8-hour ozone NAAQS for so long as the area continues to attain that NAAQS. These determinations do not constitute a redesignation to attainment. The Pittsburgh Area will remain designated nonattainment for the 1997 8-hour ozone NAAQS until such time as EPA determines that the Pittsburgh Area meets the Clean Air Act (CAA) requirements for redesignation to attainment, including an approved maintenance plan. These actions are being taken under the CAA.

US Federal

### **Proposed: Approval of Revisions of California SIP for 4 County Districts**

Comes into effect: 9 Dec 2012

Published: 9 Dec 2012

Applies to: [40CFR-52](#)

EPA is proposing approval of revisions to the California State Implementation Plan (SIP) under the Clean Air Act (CAA or Act). EPA is proposing approval of four permitting rules submitted for the Eastern Kern Air Pollution Control District (EKAPCD), Imperial County Air Pollution Control District (ICAPCD), Placer County Air Pollution Control District (PCAPCD), and Yolo-Solano Air Quality Management District (YSAQMD) portions of the California SIP. The State of California is required under Part C of title I of the Act to adopt and implement a SIP-approved Prevention of Significant Deterioration (PSD) permit program. We are proposing to revise the SIP to incorporate EKAPCD Rule 210.4—Prevention of Significant Deterioration, ICAPCD Rule 904—Prevention of Significant Deterioration (PSD) Permit Program, PCAPCD Rule 518—Prevention of Significant Deterioration (PSD) Permit Program, and YSAQMD Rule 3.24—Prevention of Significant Deterioration. The approval of these rules would establish a PSD permit program in each District for pre-construction review of certain new and modified major stationary sources in attainment or unclassifiable areas. We are soliciting comments on this proposal. In the "Rules" section of this Federal Register, we are approving these California SIP revisions as a direct final rule without a prior proposed rule. If we receive no adverse comment, we will not take further action on this proposed rule. If we receive adverse comment, we will publish a timely withdrawal in the Federal Register informing the public that this rule, or the relevant provisions of the rule, will not take effect, and all public comments received will be addressed in any subsequent final rule based on this proposed rule.

US Federal

### **Proposed: Approval of Revisions Air Pollution SIP (Monterey Bay, California)**

Comes into effect: 9 Dec 2012

Published: 9 Dec 2012

Applies to: [40CFR-52](#)

EPA is proposing to approve revisions to the Monterey Bay Unified Air Pollution Control District (MBUAPCD) portion of the California State Implementation Plan (SIP). This revision concerns opacity standards related to multiple pollutants, including particulate matter (PM) emissions from several different types of sources, ranging from fugitive dust to gas turbines. We are proposing to approve a local rule to regulate these emission sources under the Clean Air Act (CAA or the Act).

US Federal

### **Approval: The 2002 Base Year Emissions Inventory for the Washington County, MD Nonattainment Area for the 1997 Fine Particulate Matter NAAQS**

Comes into effect: 6 Jan 2013

Published: 6 Dec 2012

Applies to: [40CFR-52](#)

EPA is approving the fine particulate matter (PM<sub>2.5</sub>) 2002 base year emissions inventory portion of the Maryland State Implementation Plan (SIP) revision submitted by the State of Maryland, through the Maryland Department of the Environment (MDE), on June 6, 2008. The emissions inventory is part of the June 6, 2008 SIP revision that was submitted to meet nonattainment requirements related to the Washington County, Maryland nonattainment area for the 1997 PM<sub>2.5</sub>; National Ambient Air Quality Standard (NAAQS) SIP. EPA is approving the 2002 base year PM<sub>2.5</sub>; emissions inventory in accordance with the requirements of the Clean Air Act (CAA).

US Federal

### **Approval: California SIP for 3 Country Districts**

Comes into effect: 4 Feb 2013

Published: 6 Dec 2012

Applies to: [40CFR-52](#)

EPA is taking direct final action to approve revisions to the Imperial County Air Pollution Control District (ICAPCD), Placer County Air Pollution Control District (PCAPCD) and Ventura County Air Pollution Control

District (PCAPCD) portions of the California State Implementation Plan (SIP). Under authority of the Clean Air Act as amended in 1990 (CAA or the Act), we are approving local rules that address emission statements for ICAPCD and PCAPCD and [definitions](#) for VCAPCD.

US Federal

## Revisions: Regulations for Stormwater Discharges From Logging Roads and Associated Permit Requirements

Comes into effect: 6 Jan 2013

Published: 6 Dec 2012

Applies to: [40CFR-122](#)

The EPA is revising its Phase I stormwater regulations to clarify 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.

US Federal

## Pesticide Tolerances for Zeta Cypermethrin

Comes into effect: 6 Dec 2012

Published: 6 Dec 2012

Applies to: [40CFR-180](#)

This regulation establishes tolerances for residues of zeta- cypermethrin in or on multiple commodities which are identified and discussed later in "this document":<http://www.gpo.gov/fdsys/pkg/FR-2012-12-07/html/2012-29683.htm>. Interregional Research Project Number 4 (IR-4) requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

US Federal

## Correction: Buprofezin Pesticide Tolerances

Comes into effect: 6 Dec 2012

Published: 6 Dec 2012

Applies to: [40CFR-180](#)

EPA issued a final rule in the Federal Register of Wednesday, October 17, 2012, concerning buprofezin pesticide tolerances. "This": <http://www.gpo.gov/fdsys/pkg/FR-2012-12-07/html/2012-29680.htm> document corrects a typographical error.

US Federal

## Approval and Promulgation: Regional Haze SIP (Washington)

Comes into effect: 6 Jan 2013

Published: 5 Dec 2012

Applies to: [40CFR-52](#)

EPA is taking final action to approve the Best Available Retrofit Technology (BART) determination for NO for the TransAlta Centralia Generation LLC coal-fired power plant in Centralia, Washington (TransAlta). The Washington State Department of Ecology (Ecology) submitted its Regional Haze State Implementation Plan (SIP) on December 22, 2010 to meet the requirements of the Clean Air Act Regional Haze Rule at 40 CFR 50.308. On December 29, 2011 Ecology submitted an update to the SIP submittal containing a revised and updated BART determination for TransAlta. On May 23, 2012, EPA proposed to approve the portion of the revised SIP submission containing the BART determination for TransAlta.77 FR 30467. EPA plans to act on the remaining Regional Haze SIP elements for Washington in the near future.

US Federal

## Consistency Update: Outer Continental Shelf Air Regulations (California)

Comes into effect: 6 Jan 2013

Published: 5 Dec 2012

Applies to: [40CFR-55](#)

The Environmental Protection Agency ("EPA") is finalizing the update of the Outer Continental Shelf ("OCS") Air Regulations proposed in the Federal Register on August 30, 2012. Requirements applying to OCS sources located within 25 miles of States' seaward boundaries must be updated periodically to remain consistent with the requirements of the corresponding onshore area ("COA"), as mandated by the Clean Air Act, as amended in 1990 ("the Act"). The portion of the OCS air regulations that is being updated pertains to the requirements for OCS sources for which the Santa Barbara County Air Pollution Control District ("Santa Barbara County APCD" or "District") is the designated COA. The intended effect of approving the OCS requirements for the

Santa Barbara County APCD is to regulate emissions from OCS sources in accordance with the requirements onshore.

US Federal

## **Amended: definitions and requirements in the Renewable Fuel Standard program**

Comes into effect: 5 Dec 2012

Published: 5 Dec 2012

Applies to: [40CFR-80](#)

EPA published a direct final rule on October 9, 2012 to amend the definition of heating oil in 40 CFR 80.1401 in the Renewable Fuel Standard ("RFS") program under section 211(o) of the Clean Air Act. The direct final rule also amended requirements under EPA's diesel sulfur program related to the sulfur content of locomotive and marine diesel fuel produced by transmix processors, and the fuel marker requirements for 500 ppm sulfur locomotive and marine (LM) diesel fuel to allow for solvent yellow 124 marker to transition out of the distribution system. Because EPA received adverse comments on the heating oil definition and transmix amendments, we are withdrawing those portions of the direct final rule. Because EPA did not receive adverse comments with respect to the yellow marker amendments, those amendments will become effective as indicated in the direct final rule.

US Federal

## **Exemption of requirement for tolerance residues for Alkyl (C8-C18) dimethylamidopropylamines**

Comes into effect: 5 Dec 2012

Published: 5 Dec 2012

Applies to: [40CFR-180](#)

This regulation establishes an exemption from the requirement of a tolerance for residues of the N-alkyl(C8-C18) dimethylamidopropylamines where the alkyl group is linear and may be saturated and/or unsaturated when used as an inert ingredient at levels not to exceed 20% in herbicide formulations applied to growing crops. Dow AgroSciences, LLC, submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), requesting establishment of an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of the N-alkyl(C8-C18) dimethylamidopropylamines.

US Federal

## **Request for information and recommendations on OSHA 's construction standards**

Comes into effect: 5 Dec 2012

Published: 5 Dec 2012

Applies to: [29CFR-1910](#), [29CFR-1926](#)

OSHA is initiating a regulatory review of its existing safety and health standards in response to the President's Executive Order 13563, "Improving Regulations and Regulatory Review" (76 FR 38210).

The Agency conducted similar regulatory reviews of its existing standards previously as "standards improvement projects." OSHA is issuing this request for information to initiate another of these regulatory reviews, and naming this review the Standards Improvement Project—Phase IV (SIP-IV). The purpose of SIP-IV is to improve and streamline OSHA standards by removing or revising requirements that are confusing or outdated, or that duplicate, or are inconsistent with, other standards.

The purpose of the regulatory review is to reduce regulatory burden while maintaining or enhancing employees' safety and health. SIP-IV will focus primarily on OSHA's construction standards. The purpose of this notice is to invite the public, including employers, employees, and employee representatives involved in the construction industry, to submit recommendations for revisions to existing construction standards, including the rationale for these recommendations. OSHA will review this information to determine the need for, and the content of, any subsequent SIP-IV rulemaking.

US Federal

## **Pesticide tolerances for picoxystrobin**

Comes into effect: 4 Dec 2012

Published: 4 Dec 2012

Applies to: [40CFR-180](#)

This regulation establishes tolerances for residues of picoxystrobin in or on multiple commodities which are identified and detailed in the regulatory text. E.I. du Pont de Nemours & Company requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).



US Federal

## Regulation of tolerances for residues of dodine

Comes into effect: 4 Dec 2012

Published: 4 Dec 2012

Applies to: [40CFR-180](#)

This regulation establishes tolerances for residues of dodine, (N-dodecyl guanidine acetate) in or on multiple commodities and also removes multiple, previously established tolerances which are detailed in the regulatory text. Agriphar S.A., c/o Ceres International LLC requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

US Federal

## Proposed Approval and Promulgation of 4 Implementation Plans for 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards (Alabama, Georgia, Mississippi and South Carolina)

Comes into effect: 4 Dec 2012

Published: 4 Dec 2012

Applies to: [40CFR-52](#)

EPA is proposing to approve submissions from Alabama, Georgia, Mississippi and South Carolina for inclusion into each states' State Implementation Plans (SIP). This proposal pertains to the Clean Air Act (CAA) requirements regarding prevention of significant deterioration (PSD) for the 1997 annual and 2006 24-hour fine particulate matter (PM<sub>2.5</sub>) National Ambient Air Quality Standards (NAAQS) infrastructure SIPs.

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. EPA is proposing to approve the submissions for Alabama, Georgia, Mississippi, and South Carolina that relate to adequate provisions prohibiting emissions that interfere with any other state's required measures to prevent significant deterioration of its air quality. All other applicable infrastructure requirements for the 1997 annual and 2006 24-hour PM<sub>2.5</sub>; NAAQS associated with these States are being addressed in separate rulemakings.

US Federal

## Proposed Approval and Dissapproval of Florida's Plan for Infrastructure Requirement for the 1997 and 2006 Fine Particulate Matter NAAQS

Comes into effect: 4 Dec 2012

Published: 4 Dec 2012

Applies to: [40CFR-52](#)

EPA is proposing to approve in part, and disapprove in part, the State Implementation Plan (SIP) for requirements pertaining to prevention of significant deterioration (PSD) for the 1997 annual and 2006 24-hour fine particulate matter (PM<sub>2.5</sub>) National Ambient Air Quality Standards (NAAQS) infrastructure SIPs. 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. EPA is proposing to approve in part, and disapprove in part the submission for Florida, that relates to adequate provisions prohibiting emissions that interfere with any other state's required measures to prevent significant deterioration of its air quality. All other applicable infrastructure requirements for the 1997 annual and 2006 24-hour PM<sub>2.5</sub>; NAAQS associated with Florida are being addressed in separate rulemakings.

US Federal

## Proposed Rules: Approval and Promulgation of Implementation Plans; Region 4 States; Section 110(a)(2)(D)(i)(II) Infrastructure Requirement for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards

Comes into effect: 4 Dec 2012

Published: 4 Dec 2012

Applies to: [40CFR-52](#)

EPA is proposing to conditionally approve submissions from Kentucky, North Carolina and Tennessee for inclusion into each states' State Implementation Plan (SIP). This proposal addresses the Clean Air Act (CAA) requirements pertaining to prevention of significant deterioration (PSD) for the 1997 annual and 2006 24-hour fine particulate matter (PM<sub>2.5</sub>) National Ambient Air Quality Standards (NAAQS) infrastructure SIPs. 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. EPA is proposing to conditionally approve the submissions for Kentucky, North Carolina and Tennessee that relate to adequate provisions prohibiting emissions that interfere with any other state’s required measures to prevent significant deterioration of its air quality.

The subject of this notice is limited to infrastructure provisions prohibiting emissions that interfere with any other state’s required measures to prevent significant deterioration of its air quality. All other applicable infrastructure elements for these states are being addressed in separate rulemakings.

US Federal	<b>Approval, Disapproval and Promulgation of Arizona’s Regional Haze State and Federal Implementation Plans</b>
Comes into effect: 4 Dec 2012	Published: 4 Dec 2012

Applies to: [40CFR-52](#)

EPA is taking final action to approve in part and disapprove in part a portion of Arizona’s State Implementation Plan (SIP) submittal for its regional haze program and to promulgate a Federal Implementation Plan (FIP) for the disapproved elements of the SIP.

The State and Federal plans are to implement the regional haze program in Arizona for the first planning period through 2018. This final rule addresses only the portion of the SIP related to Arizona’s determination of Best Available Retrofit Technology (BART) to control emissions from eight units at three electric generating stations: Apache Generating Station, Cholla Power Plant and Coronado Generating Station.

EPA approves in this final rule the State’s determination that the three sources are subject to BART, and approves the State’s emissions limits for sulfur dioxide (SO<sub>2</sub>) and particulate matter less than or equal to 10 micrometers (PM<sub>10</sub>) at all the units, but disapproves Arizona’s BART emissions limits for nitrogen oxides (NO<sub>x</sub>) at the coal-fired units of the three power plants. The EOA is also promulgating a FIP that contains new emissions limits for NO<sub>x</sub> at these coal-fired units and compliance schedules for implementation of BART as well as requirements for equipment maintenance, monitoring, recordkeeping and reporting for all units and all pollutants at the three sources. In today’s action, the EPA are revising some elements of the proposed FIP in response to comments and additional information that it received.

US Federal	<b>Rules and Regulations: Approval and Promulgation of Air Quality Implementation Plans; Delaware; Control of Stationary Generator Emissions</b>
Comes into effect: 3 Feb 2013	Published: 3 Dec 2012

Applies to: [40CFR-52](#)

EPA is taking direct final action to approve a revision to the Delaware Department of Natural Resources and Environmental Control (DNREC) State Implementation Plan (SIP). The revision amends Regulation 1102 —PERMITS, Appendix A to provide permit exemptions for certain internal combustion engines. EPA is approving this revision in accordance with the requirements of the Clean Air Act (CAA).

US Federal	<b>Proposed approval and promulgation of Delaware’s Air Quality Implementation Plans for the Control of Stationary Generator Emissions</b>
Comes into effect: 3 Dec 2012	Published: 3 Dec 2012

Applies to: [40CFR-52](#)

EPA proposes to approve Delaware’s State Implementation Plan (SIP) for the purpose of amending Regulation No. 1102, Appendix A to clarify the permitting requirements for owners of stationary generators.

A detailed rationale for the approval is set forth in the direct final rule. If the EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in [commenting](#) on this action should do so at this time.

US Federal	<b>Proposed Rules: Rules of Practice and Procedure for Hearings Before the Office of Administrative Law Judges</b>
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Comes into effect: 3 Dec 2012

Published: 3 Dec 2012

Applies to: [29CFR-18](#)

The Department of [Labor](#) proposes to revise and reorganize the Rules of [Practice and Procedure](#) for Administrative Hearings Before the Office of Administrative Law Judges, from our regulations, which provide procedural guidance to administrative law judges, claimants, employers, and Department of [Labor](#) representatives seeking to resolve disputes under a variety of employment and [labor](#) laws.

The Office of Administrative Law Judges promulgated these regulations in 1983. The regulations were modeled on the Federal Rules of Civil Procedure (FRCP) and have proved extraordinarily helpful in providing litigants with familiar rules governing hearing procedure. Since 1983, the FRCP have been amended many times. Moreover, in 2007 the FRCP were given a complete revision to improve style and clarity. The nature of litigation has also changed in the past 28 years, particularly in the areas of discovery and electronic records. Thus, OALJ has revised its regulations to make the rules more accessible and useful to parties, and to harmonize administrative hearing procedures with the current FRCP. The goal in amending the regulations is to provide clarity through the use of consistent terminology, structure and formatting so that parties have clear direction when pursuing or defending against a claim. In addition to revising the regulations to conform to modern legal procedure, the rules need to be modified to reflect the types of claims now heard by OALJ. When the rules were promulgated in 1983, OALJ primarily adjudicated occupational disease and injury cases. Presently, and looking ahead to the future, OALJ is and will be increasingly tasked with hearing whistleblower and other workplace retaliation claims, in addition to the occupational disease and injury cases. These types of cases require more structured management and oversight by the presiding administrative law judge and more sophisticated motions and discovery procedures than the current regulations provide. In order to best manage the complexities of whistleblower and discrimination claims, OALJ needs to update its rules to address the procedural questions that arise in these cases.

US Federal

### **Approval and Promulgation of a State Implementation Plan (SIP) submittal (Michigan)**

Comes into effect: 1 Jan 2013

Published: 2 Dec 2012

Applies to: [40CFR-52](#)

EPA is finalizing action on a State Implementation Plan (SIP) submittal from the State of Michigan dated November 5, 2010, addressing regional haze for the first implementation period (ending in 2018). This action is being taken in accordance with the Clean Air Act and EPA's rules for states to prevent and remedy future and existing anthropogenic impairment of visibility in mandatory Class I areas through a regional haze program. EPA finds that Michigan meets several regional haze planning requirements, including identification of affected Class I areas, provision of a monitoring plan, consultation with other parties, and adoption of a long-term strategy providing for reasonable progress except to the extent Michigan's plan failed to require best available retrofit technology (BART). As part of this action, EPA finds that the State's submittal addressed BART for some sources but failed to satisfy BART for two sources, namely St. Marys Cement (SMC) and Escanaba Paper Company (Escanaba Paper). EPA is promulgating a Federal Implementation Plan (FIP) including nitrogen oxide (NO<sub>x</sub>) emission limits for these two sources in addition to sulfur dioxide (SO<sub>2</sub>) emission limits for SMC to satisfy these requirements.

US Federal

### **Approval and Promulgation of Implementation Plans (California)**

Comes into effect: 2 Dec 2012

Published: 2 Dec 2012

Applies to: [40CFR-52](#)

EPA is making a number of determinations relating to 1997 8-hour ozone nonattainment areas in California. First, EPA is determining that six 8-hour ozone nonattainment areas in California (Amador and Calaveras Counties, Chico, Kern County, Mariposa and Tuolumne Counties, Nevada County, and Sutter County) ("six CA areas") attained the 1997 8-hour ozone national ambient air quality standard (NAAQS) by their applicable attainment dates. Second, in conjunction with its determinations for Mariposa and Tuolumne Counties and Nevada County, EPA is granting these areas one-year attainment date extensions. Lastly, EPA is determining that the six CA areas and the Ventura County 8-hour ozone nonattainment area in CA have attained and continue to attain the 1997 8-hour ozone NAAQS based on the most recent three years of data. Under the provisions of EPA's ozone implementation rule, these determinations suspend the requirements to submit revisions to the state implementation plans (SIP) for these areas related to attainment of the 1997 8-hour ozone standard for as long as these areas continue to meet the 1997 8-hour ozone NAAQS.

US Federal

### **Health and Safety Data Reporting Rules for Cadmium Importers and Manufacturers**

Comes into effect: 1 Jan 2013

Published: 2 Dec 2012

Applies to: [40CFR-716](#)

This final rule requires manufacturers (including importers) of [cadmium](#) or [cadmium](#) compounds, including as part of an article, that have been, or are reasonably likely to be, incorporated into consumer products to report certain unpublished health and safety studies to EPA. The Interagency Testing Committee (ITC), established under section 4(e) of the Toxic Substances Control Act (TSCA) to recommend chemicals and chemical mixtures to EPA for priority testing consideration, amends the TSCA section 4(e) Priority Testing List through periodic reports submitted to EPA. The ITC added [cadmium](#) and [cadmium](#) compounds to the Priority Testing List through its 69th ITC Report.

US Federal

### **Proposed: to conditionally approve the SIP submission (Tennessee)**

Comes into effect: 2 Dec 2012

Published: 2 Dec 2012

Applies to: [40CFR-52](#)

EPA is proposing to conditionally approve the State Implementation Plan (SIP) submission, submitted by the State of Tennessee through the Tennessee Department of Environment and Conservation (TDEC). This proposal pertains to the Clean Air Act (CAA) requirements pertaining to prevention of significant deterioration (PSD) (concerning the PM<INF>2.5</INF> increments) for the 2008 8-hour ozone national ambient air quality standards (NAAQS) infrastructure SIPs. 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. TDEC certified that the Tennessee SIP contains provisions that ensure the 2008 8-hour ozone NAAQS are implemented, enforced, and maintained in Tennessee (hereafter referred to as "infrastructure submission"). EPA is proposing to supplement the earlier proposed approval related to sections related to prevention of significant deterioration (PSD) (concerning the PM<INF>2.5</INF> increments) by proposing conditional approval of the State's infrastructure submission based upon a October 4, 2012, commitment by the State to submit a SIP revision to address current deficiencies in these sections. EPA is proposing to conditionally approve these sections related to PSD because the current Tennessee SIP does not include provisions to fully comply with the requirements of these sections. All of the other required infrastructure elements for the 2008 8-hour ozone NAAQS are being addressed in a separate rulemaking.

US Federal

### **Approval and Promulgation of Michigan's Regional Haze State Implementation Plan**

Comes into effect: 1 Jan 2013

Published: 2 Dec 2012

Applies to: [40CFR-52](#)

The EPA is finalizing action on a State Implementation Plan (SIP) submittal from the State of Michigan addressing regional haze for the first implementation period (ending in 2018). This action is being taken in accordance with the Clean Air Act and EPA's rules for states to prevent and remedy future and existing anthropogenic impairment of visibility in mandatory Class I areas through a regional haze program. The EPA found that the Michigan met several regional haze planning requirements but that Michigan's plan failed to require best available retrofit technology (BART), specifically the EPA found that the SIP failed to satisfy BART for St. Marys Cement (SMC) and Escanaba Paper Company (Escanaba Paper).

EPA is promulgating a Federal Implementation Plan (FIP) including nitrogen oxide (NO<INF>X</INF>) emission limits for these two sources in addition to sulfur dioxide (SO<INF>2</INF>) emission limits for SMC to satisfy these requirements.

US Federal

### **Rules and Regulations: Approval and Promulgation of Implementation Plans; California; Determinations of Attainment for the 1997 8-Hour Ozone Standard**

Comes into effect: 2 Dec 2012

Published: 2 Dec 2012

Applies to: [40CFR-52](#)

EPA is making a number of determinations relating to 1997 8-hour ozone nonattainment areas in California.

**First, EPA is determining that six 8-hour ozone nonattainment areas in California (Amador and Calaveras Counties, Chico, Kern County, Mariposa and Tuolumne Counties, Nevada County, and Sutter County) ("six CA areas") attained the 1997 8-hour ozone national ambient air quality**

## standard (NAAQS) by their applicable attainment dates.

\*Second, in conjunction with its determinations for Mariposa and Tuolumne Counties and Nevada County, EPA is granting these areas one-year attainment date extensions.

\*\*\*Lastly, EPA is determining that the six CA areas and the Ventura County 8-hour ozone nonattainment area in CA have attained and continue to attain the 1997 8-hour ozone NAAQS based on the most recent three years of data. Under the provisions of EPA's ozone implementation rule, these determinations suspend the requirements to submit revisions to the state implementation plans (SIP) for these areas related to attainment of the 1997 8-hour ozone standard for as long as these areas continue to meet the 1997 8-hour ozone NAAQS.

US Federal

## Rule requires manufacturers to report cadmium unpublished health and safety studies to EPA

Comes into effect: 1 Jan 2013

Published: 2 Dec 2012

Applies to: [40CFR-716](#)

This final rule requires manufacturers (including importers) of [cadmium](#) or [cadmium](#) compounds, including as part of an article, that have been, or are reasonably likely to be, incorporated into consumer products to report certain unpublished health and safety studies to EPA. The Interagency Testing Committee (ITC), amends the TSCA section 4(e) Priority Testing List through periodic reports submitted to EPA. The ITC added [cadmium](#) and [cadmium](#) compounds to the Priority Testing List through its 69th ITC Report.

US Federal

## Proposed approval and promulgation of Tennessee's Interstate Transport Infrastructure Requirements for the 2008 8-Hour Ozone NAAQS

Comes into effect: 2 Dec 2012

Published: 2 Dec 2012

Applies to: [40CFR-52](#)

EPA is proposing to conditionally approve the Tennessee's State Implementation Plan (SIP) submission. This proposal pertains to the Clean Air Act (CAA) requirements pertaining to prevention of significant deterioration (PSD) (concerning the PM<INF>2.5</INF> increments) for the for the 2008 8-hour ozone national ambient air quality standards (NAAQS) infrastructure SIPs. 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.

The Tennessee Department of Environment and Conservation certified that the Tennessee SIP ensures the 2008 8-hour ozone NAAQS are implemented, enforced, and maintained in Tennessee (hereafter referred to as "infrastructure submission"). EPA is proposing to supplement the earlier proposed approval related to the prevention of significant deterioration (PSD) (concerning the PM<INF>2.5</INF> increments) by proposing conditional approval of the State's infrastructure submission based upon a October 4, 2012, commitment by the State to submit a SIP revision to address current deficiencies in these sections. EPA is proposing to conditionally approve these sections related to PSD because the current Tennessee SIP does not include provisions to fully comply with the requirements of these sections. All of the other required infrastructure elements for the 2008 8-hour ozone NAAQS are being addressed in a separate rulemaking.

### Disclaimer

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