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## Environmental Regulatory Update Table

**February 1991**

G. T. Hawkins  
L. M. Houlberg  
M. S. Salk

Environmental Sciences Division  
Publication No. 3643

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ENVIRONMENTAL SCIENCES DIVISION  
ENVIRONMENTAL REGULATORY UPDATE TABLE  
FEBRUARY 1991

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Publication No. 3643

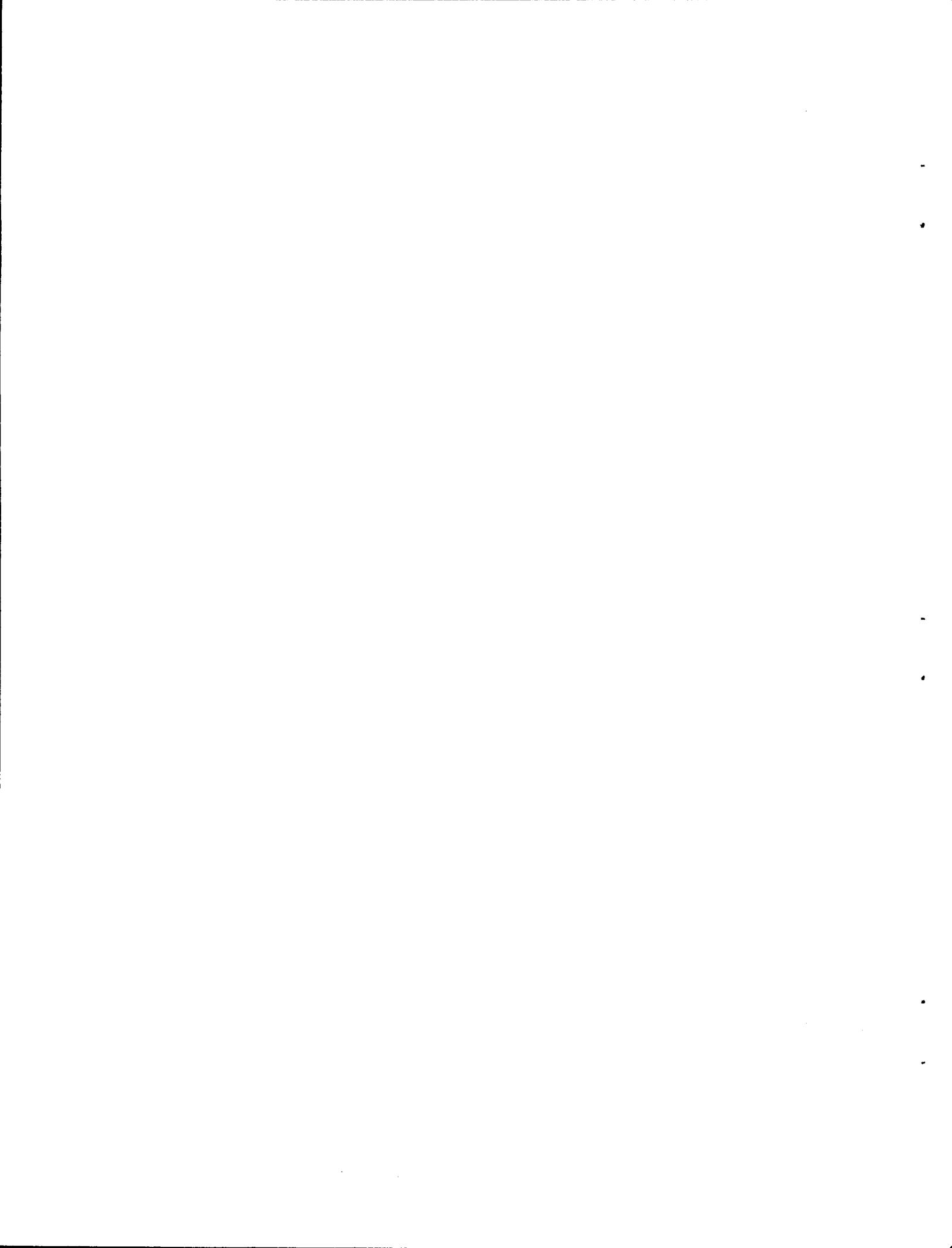
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Prepared for the  
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Office of Environmental Guidance  
Lois Thompson  
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(B/A No. HA 01 02 00 0; EHHA002)

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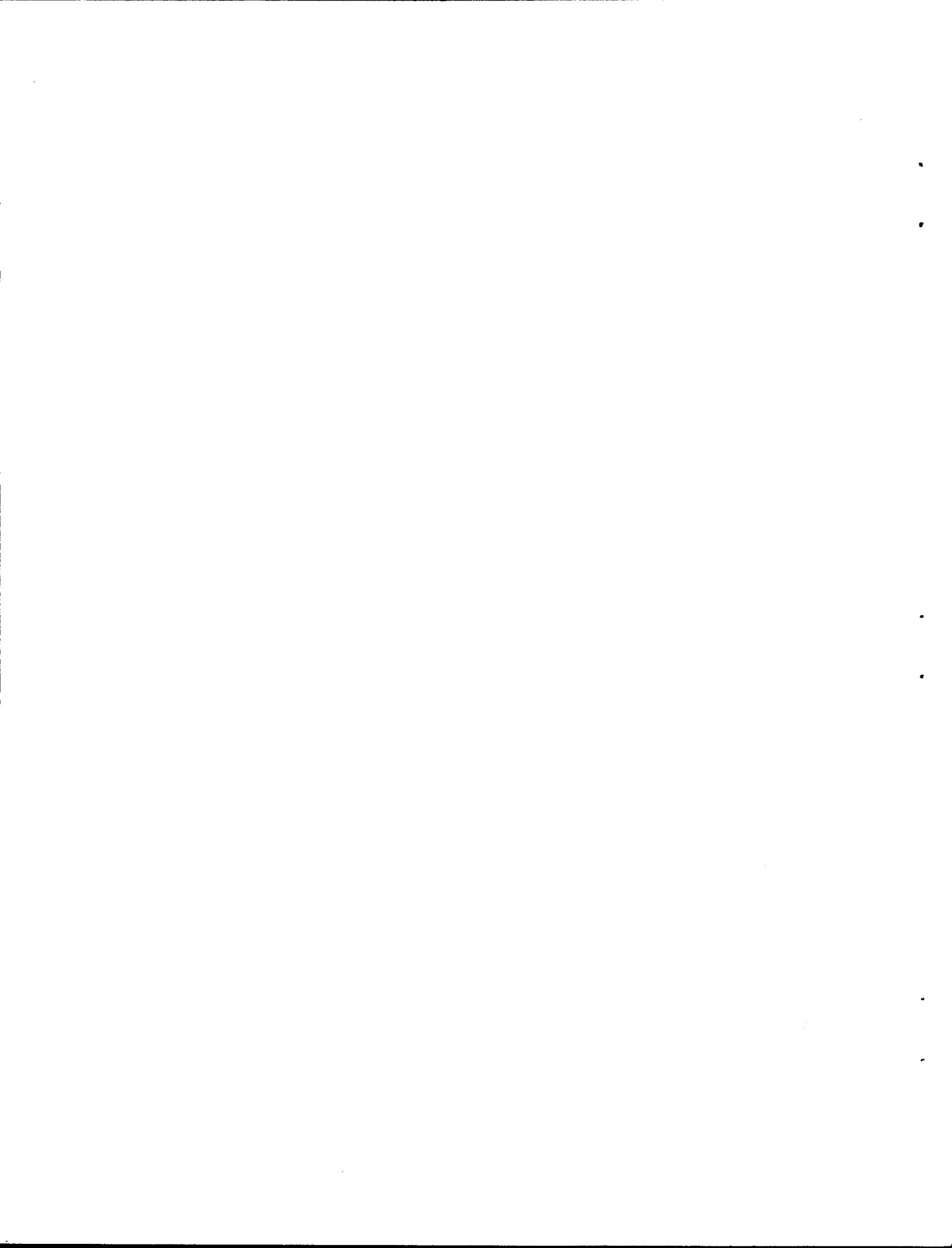
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## Monthly Environmental Regulatory Update

This report contains a monthly update of environmental regulatory activity that is of interest to the Department of Energy. It is provided to DOE operations and contractor staff to assist and support environmental management programs by tracking regulatory developments. Any proposed regulation that raises significant issues for any DOE operation should be reported to the Office of Environmental Guidance (EH-23) as soon as possible so that the Department can make its concerns known to the appropriate regulatory agency. Items of particular interest to EH-23 are indicated by a shading of the RU#.

Any questions or comments about any aspects of the Update Table should be directed to Lois Thompson, Air, Water, and Radiation Protection Division, Office of Environmental Guidance, U.S. Department of Energy (EH-23), (FTS) 896-9581, (Commercial) 202-586-9581.



## ABSTRACT

The Environmental Regulatory Update Table provides information on regulatory initiatives of interest to DOE operations and contractor staff with environmental management responsibilities. The table is updated each month with information from the Federal Register and other sources, including direct contact with regulatory agencies. Each table entry provides a chronological record of the rulemaking process for that initiative with an abstract and a projection of further action.

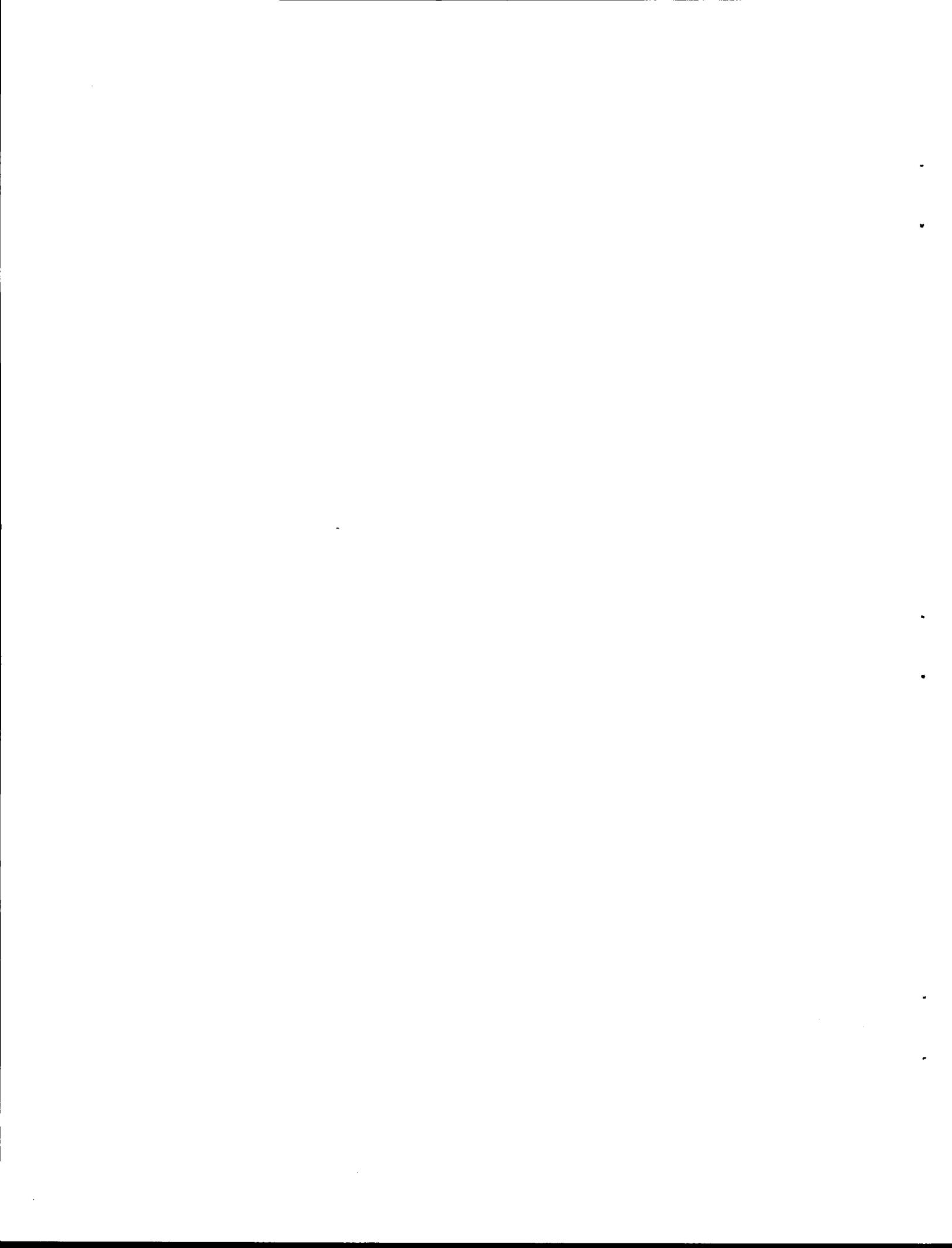


U.S. DEPARTMENT OF ENERGY

ASSISTANT SECRETARY FOR ENVIRONMENT, SAFETY AND HEALTH  
Office of Environmental Guidance

ENVIRONMENTAL REGULATORY UPDATE

FEBRUARY 1991

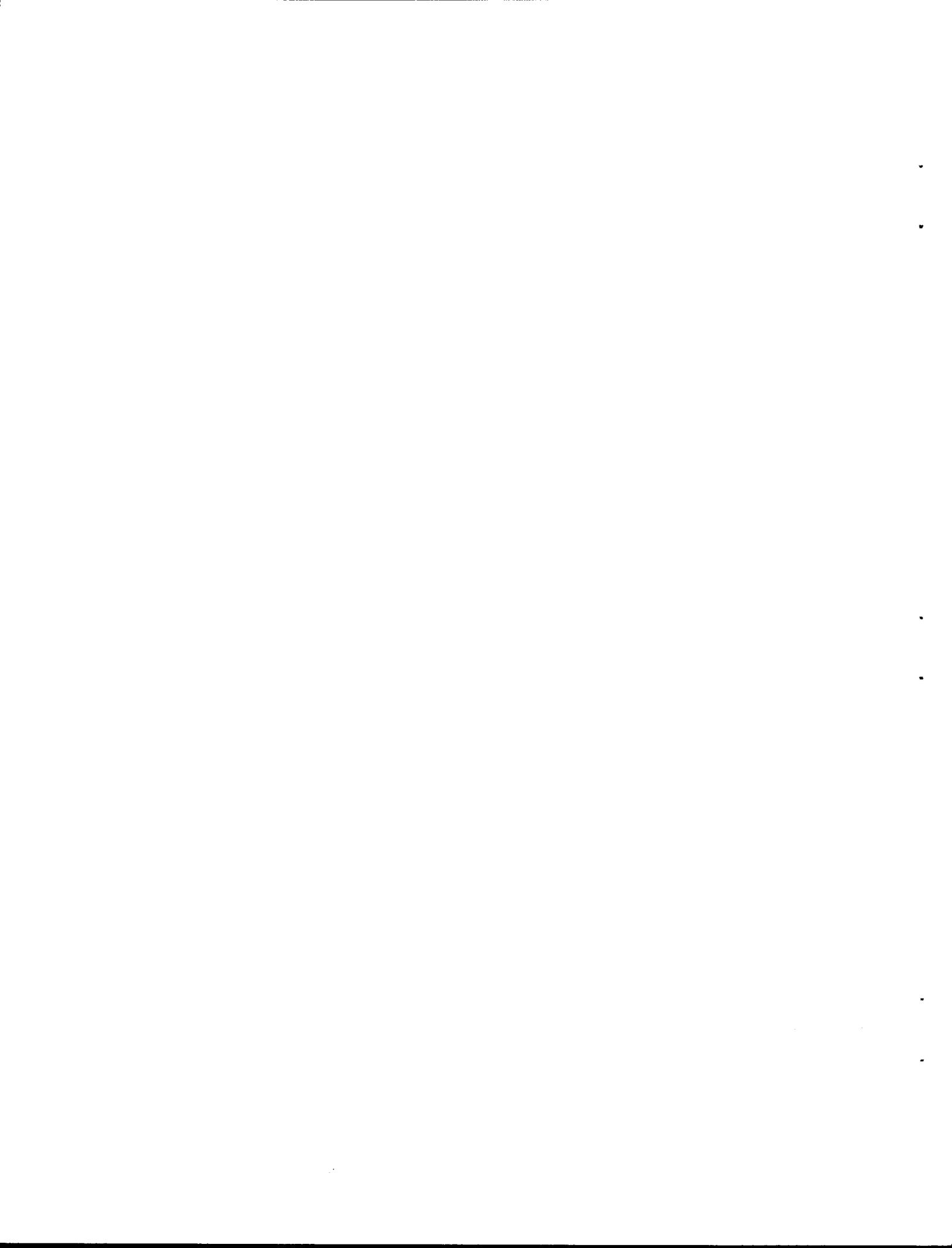


REGULATORY UPDATE TABLE - FEBRUARY 1991 UPDATE

Table of Contents

	Page
Regulatory Highlights	xiii
Regulatory Update Table	1
Resource Conservation and Recovery Act (RCRA) (RU # 840---)*	1
Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (RU # 180---)	18
Superfund Amendments and Reauthorization Act (SARA) (RU # 190---)	25
Safe Drinking Water Act (SDWA) (RU # 880---)	28
Clean Water Act (CWA) (RU # 140---)	33
Clean Air Act (RU # 120---)	38
Nuclear Waste Policy Act (RU # 700---)	47
Low-Level Radioactive Waste (LLW) Policy Amendments Act (RU # 740---)	48
Atomic Energy Act (RU # 100---)	50
Uranium Mill Tailings Radiation Control Act (RU # 930---)	61
Toxic Substances Control Act (TSCA) (RU # 920---)	61
Hazardous Materials Transportation Act (RU # 400---)	64
Occupational Safety and Health Act (OSHA) (RU # 780---)	74
Endangered Species Act (RU # 200---)	81
Marine Protection, Research, and Sanctuaries Act (RU # 460---)	82
National Environmental Policy Act (RU # 480---)	82
Archeological Resources Protection Act (RU # 090---)	83
National Historic Preservation Act (RU # 540---)	83
Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (RU # 300---)	83
Federal Mine Safety and Health Act (RU # 330---)	85
Historic Sites Act of 1935 (RU # 410---)	86
Biotechnology (RU # 110---)	86
Pacific Northwest Electric Power & Conservation (RU # 810---)	86
Coastal Zone Management Act (RU # 160---)	87
Other (RU # 805---)	87
Index to RU Numbers by CFR Citation	89

\*RU numbers are identifiers that are assigned to each regulatory initiative for tracking purposes. The first three digits are coded to the statute, and the last three digits are specific to individual initiatives. The update table is first organized by statutes as shown above and then by RU numbers arranged sequentially. An index is provided at the end of the table to relate CFR citations to RU numbers.



## Regulatory Highlights - February, 1991

### 1. Burning of Hazardous Waste in Boilers and Industrial Furnaces - Final Rule

Under authority of RCRA, EPA issues a final rule (NPRM 5/6/87) establishing at 40 CFR 260, 261, 264, 265, 266, 270, and 271 regulations to control air emissions from boilers and industrial furnaces (BIFs) which burn hazardous wastes for energy recovery, material recovery, or destruction. Boilers, as covered in this regulation, include all devices defined in section 260.10 which burn hazardous waste for any purpose (e.g., energy recovery or destruction). The rule applies to nonindustrial as well as industrial boilers. The definition of an industrial furnace has been revised in this rule (Section 260.10); EPA is designating 12 devices as industrial furnaces and provides criteria for classifying devices as such. The Agency exempts the following devices from this regulation: (1) BIFs burning small quantities of hazardous waste fuel and operated under certain conditions; (2) smelting, melting, and refining furnaces that process hazardous waste strictly for metal reclamation; and (3) coke ovens which only process Hazardous Waste No. K087. In the rule, EPA is regulating emissions of particulate matter (PM), toxic metals, hydrogen chloride and chlorine gas, and toxic organic compounds. The rule establishes that PM emissions are to be limited to 0.08 grains/dry standard cubic foot. Since PM emissions at even lower concentrations could be comprised of toxic metals, EPA has also set risk-based controls for metal emissions. Standards are set for ten toxic metals (four of which are carcinogenic) based on projected inhalation health risks to a hypothetical maximum exposed individual (MEI). The standards for toxic metal emissions are to be met using a three-tiered approach which allows higher emission rates as more site-specific testing and analyses are conducted. Hydrogen chloride and chlorine gas emissions are to be controlled under the same general scheme as that specified for toxic metals. For controlling the emissions of toxic organic compounds, the rule requires BIFs to meet a 99.99% destruction and removal efficiency (DRE) standard for principal organic hazardous constituents and a 99.9999% DRE standard for dioxin-listed waste. The rule calls for controlling emissions of products of incomplete combustion (PIC) by limiting flue gas concentrations of carbon monoxide and, where specified, hydrocarbons. In addition to emission control standards, the rule requires owners/operators of BIFs to comply with the nontechnical standards (e.g., the RCRA manifest system) applicable to other hazardous waste treatment, storage, and disposal facilities. To raise the standards for storage units, the rule subjects hazardous waste storage units at existing and regulated BIF facilities to final permit standards under part 264. In the rule, EPA also establishes permitting procedures for regulated BIFs and a compliance schedule with standards to meet during interim status. Finally, the Agency revises the definition of an incinerator (NPRM 4/27/90) to include infrared and plasma arc incinerators, but to exclude sludge dryers, with separate definitions in the rule for each. In the near future, EPA will publish in the Federal Register the following guidance documents: "Methods Manual for Compliance with BIF Regulations" and "Guideline on Air Quality Models." The rule becomes effective on August 21, 1991.

(2-21-91, 56 FR 7134, RU# 840-056)

## **2. EPA's Pollution Prevention Strategy - Notice**

In response to the Pollution Prevention Act of 1990, EPA issues its Pollution Prevention Strategy (draft policy 1/26/89). The strategy will serve as a blueprint for how EPA intends to incorporate pollution prevention into the Agency's goal of protecting human health and the environment. EPA explains that the strategy is needed due to the drawbacks of traditional methods aimed at pollution control. Also, although progress has been made in minimizing the generation of waste, the Agency sees the need for continued improvements. EPA's strategy is designed with two main goals in mind: (1) to provide guidance and direction for headquarters' and regional efforts to incorporate pollution prevention within the Agency's existing regulatory and non-regulatory programs, and (2) to establish a voluntary program for industrial toxics that will meet specific objectives in pollution prevention within a reasonable time frame. EPA establishes two underlying general principles to follow in meeting the first goal: encouraging industries to take voluntary action to identify and use cost-effective prevention methods and a continuing need for a strong regulatory and enforcement program that provides additional incentives for pollution prevention. The strategy sets forth several activities EPA will initiate to apply these principles to programs already in place. One of these involves EPA working with other federal agencies to incorporate prevention policies into management of federal facilities. EPA will also seek to identify specific regulatory and non-regulatory barriers to pollution prevention and determine how to modify them. Other areas specified include future pollution prevention research efforts and promotion of the concept to industry, government, academic institutions, and the public. To meet the second goal, EPA will identify 15 to 20 pollutants from the Toxics Release Inventory (TRI) based on risk and opportunity for prevention, with emphasis on chemicals subject to the new CAA requirements. Industry will then be offered the opportunity to reduce emissions of the targeted contaminants and, in turn, be eligible to apply for credit under the "early reduction" provisions of the CAA. EPA states that this project provides a model approach to voluntary reductions which, if successful, could guide future efforts throughout the Agency. EPA intends to further expand the strategy's scope by undertaking various efforts such as working with other federal agencies, including DOE, to develop prevention strategies. In addition, EPA will hold public hearings in hopes of receiving broad input on implementation of the strategy. Since this is a non-regulatory action, the strategy takes effect immediately.

(2-26-91, 56 FR 7849, RU# 840-232)

## **3. Rules of Practice for the Licensing of High-Level Radioactive Waste at a Geologic Repository - Final Rule**

The Nuclear Regulatory Commission issues a final rule (NPRM 9/26/89) amending its regulations at 10 CFR 2 concerning the Rules of Practice for the licensing proceeding on the disposal of high-level radioactive waste (HLW) at a geologic repository. The purpose of the rule is to modify Subpart J which establishes basic procedures for the HLW licensing proceeding including the use of the Licensing Support System (LSS) in the proceeding. The modifications streamline the licensing process in order to enhance

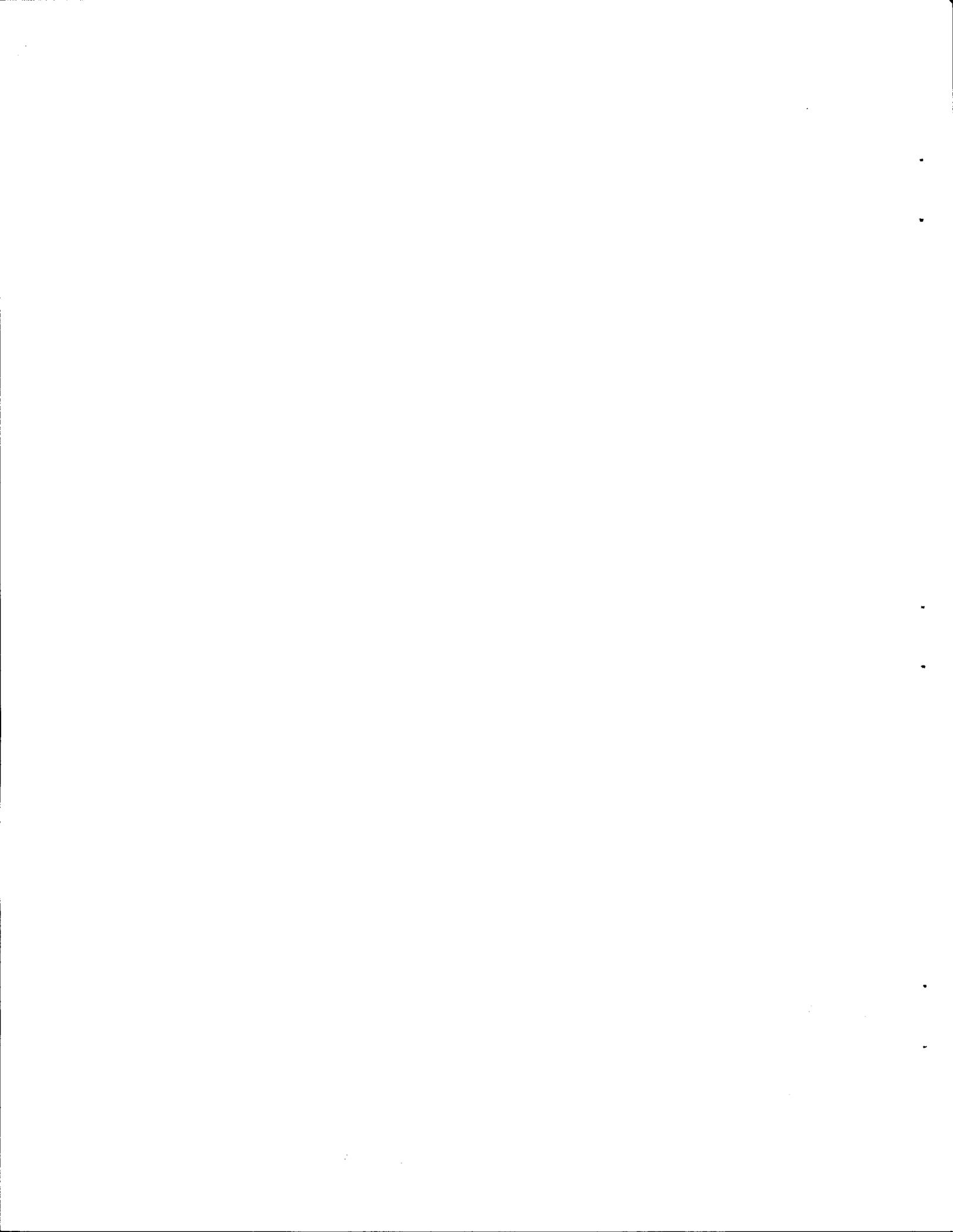
the Commission's ability to comply with the Nuclear Waste Policy Act (NWPA). Section 114(d) of the NWPA requires a decision by NRC on the issuance of the construction authorization for the repository within 3 years after submission of DOE's license application. Nevertheless, NRC makes it clear that such a deadline will not lessen its commitment to conduct a thorough technical/safety review of DOE's application. The rule makes several important revisions to procedures for the HLW proceeding. First, the rule amends the standards for submitting initial contentions to require the petitioner to supply information showing the existence of a genuine dispute with the applicant on a material issue of law or fact. Second, the rule clarifies that both the periodic evaluations of, and the written report on, DOE's compliance with the LSS requirements will be circulated to the potential parties (i.e., those with access to the LSS) for comment. Third, the rule establishes a model hearing schedule which would be mandatory but has some flexibility for the Presiding Officer to handle special circumstances. In addition to the revisions to the HLW proceedings, NRC also discusses proposed issues related to the management of the hearing that will be established in the Notice of Hearing for the HLW proceeding. This rule becomes effective on March 28, 1991.

(2-26-91, 56 FR 7787, RU# 700-066)

#### **4. Identification of Hazardous Wastes by Toxicity Characteristics, CFCs - Interim Final Rule**

Under RCRA, EPA issues an interim final rule to suspend at 40 CFR 261 the Toxicity Characteristic (TC) rule (Final rule 3/29/90) for used chlorofluorocarbon (CFC) refrigerants exhibiting the TC if they are recycled. This action is being taken because of EPA's realization that certain used CFC refrigerants may exhibit the TC and thus be subject to Subtitle C hazardous waste regulations. The Agency is concerned that handlers who remove CFC refrigerants to service refrigerant system equipment will vent the material rather than collect it for reuse to avoid the possibility of hazardous waste management requirements. Since ozone depletion by CFCs is a major environmental concern, EPA is, by this ruling, trying to encourage recycling of used refrigerant. Only CFC refrigerants that are recycled and that were used as the heat transfer fluid in a refrigeration cycle in totally enclosed heat transfer equipment are eligible for this exemption. These include, among others, CFC-11, CFC-113, and hydrochlorofluorocarbons (HCFCs). The suspension of hazardous waste requirements is applicable to generators, transporters, and recyclers of used CFCs that are being reclaimed. Though the 1990 CAA amendments prohibit venting of certain CFCs by July 1, 1992, EPA is taking this immediate action to mitigate the potential for serious health and environmental impacts before then. The Agency will reconsider the issue of RCRA applicability to used CFCs being recycled after such a prohibition becomes effective. EPA seeks additional data to be used in determining whether used CFC refrigerants are TC hazardous. Comments are also sought on whether the suspension should be applied to hydrofluorocarbon (HFC) refrigerants. Comments and/or data must be submitted by April 1, 1991. This interim final rule became effective on February 5, 1991.

(2-13-91, 56 FR 5910, RU# 840-082)



REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
RESOURCE CONSERVATION AND RECOVERY ACT				
	Oil Pollution Prevention -- RU# 140-092			
	Pesticide Storage -- RU# 300-003			
840-006	Ignitable Hazardous Waste 40 CFR 261.21	Under development 50 FR 17818 4/19/85	EPA is developing tests and hazard thresholds for identifying ignitable solid wastes.	NPRM 8/91.
*840-009	Management of Used Oil 40 CFR 260 40 CFR 261 40 CFR 266 40 CFR 270 40 CFR 271 40 CFR 302	NPRM 50 FR 49258 11/29/85 NOA 51 FR 8206 3/10/86 Tentative schedule 51 FR 41900 11/19/86 Decision not to regulate 53 FR 42528 10/24/88 Regulatory Agenda 55 FR 45174 10/29/90	EPA's decision not to list recycled oil as hazardous waste was remanded by the U.S. Court of Appeals on 10/7/88. Therefore, EPA is considering approaches for management of used oil that are consistent with the court's decision and is collecting additional information on the potential toxicity of used oil to be made available for public comment.	<u>Notice of data availability, listing decision, supplemental NPRM 6/91. Final rule 6/92.</u>

(a) NPRM = Notice of Proposed Rulemaking; ANPRM = Advanced Notice of Proposed Rulemaking; NOI = Notice of Intent; NOA = Notice of Availability. \* Indicates a change in date of scheduled action or a new rulemaking development during the past month. Shaded RU# indicates item of special interest to EH-23.

REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-024	Containerized Liquids in Landfills 40 CFR 260 40 CFR 264 40 CFR 265 40 CFR 271	NPRM 51 FR 46824 12/24/86 NOA 52 FR 23695 6/24/87 Regulatory Agenda 55 FR 45182 10/29/90	EPA proposes to prohibit disposal of free liquids and containers with liquid hazardous wastes and exclude the use of absorbents that biodegrade and release liquids when compressed. Certain small-quantity containers will be exempted. A test protocol will be proposed to determine whether hazardous or free liquids solidified by accepted absorbents would release free liquids under landfill pressures, and "biodegradable absorbents" will be defined. These rules will not apply to owners or operators of landfills in which only PCB chemical waste regulated under 40 CFR 761 are disposed. PCBs mixed with a RCRA hazardous waste must comply with all requirements under both RCRA and TSCA.	Final rule 7/94.
840-051	Solid Waste Disposal Facility Criteria 40 CFR 257 40 CFR 258	NPRM 53 FR 33314 8/30/88 Regulatory Agenda 55 FR 45181 10/29/90	EPA proposes to amend 40 CFR 257 by including information requirements for certain solid waste disposal facilities, excluding municipal solid waste landfills (MSWLFs) from Part 257, and adding a new Part 258 to spell out specific requirements for MSWLFs.	Final rule 3/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*840-056	Burning of Hazardous Waste in Boilers and Industrial Furnaces 40 CFR 260 40 CFR 261 40 CFR 264 40 CFR 265 40 CFR 266 40 CFR 270 40 CFR 271	NPRM 52 FR 16982 5/6/87 Corrections 52 FR 18043 5/13/87 Corrections 52 FR 25612 7/8/87 Supplement to NPRM 54 FR 43718 10/26/89 Technical corrections 55 FR 17862 4/27/90 Final rule 56 FR 7134 2/21/91	EPA establishes emission standards for boilers and industrial furnaces that burn hazardous waste fuels in order to control emissions of toxic organic compounds, toxic metals, hydrogen chloride, chlorine gas, and particulate matter. In addition, this rule subjects owners and operators of these devices to the general facility standards applicable to hazardous waste TSD facilities and subjects hazardous waste storage units at regulated burner facilities to part 264 permit standards. Finally, EPA takes final action on two pending petitions by designating halogen acid furnaces as industrial furnaces and classifying coke and coal tar fuels produced by recycling coal tar decanter sludge as products rather than solid waste.	<u>Effective 8/21/91.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-071	Definition of Solid Waste - Technical Corrections 40 CFR 261 40 CFR 266	Final rule 50 FR 6141 1/4/85 Amendments 50 FR 14216 4/11/85 Technical corrections 50 FR 33541 8/20/85 Corrections 52 FR 21306 6/5/87 NPRM 53 FR 519 1/8/88 Correction 53 FR 6059 2/29/88 Regulatory Agenda 55 FR 45181 10/29/90	EPA proposes to exclude certain materials from its regulations (40 CFR Part 261) on recycled hazardous secondary materials. This regulation will provide: (1) EPA's interpretation of a court opinion concerning the Agency's authority to regulate certain recycled hazardous secondary materials and (2) amendments to the rules required by the court's opinion.	No projected timetable. Awaiting RCRA reauthorization.

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-107	Location Standards for TSD Facilities 40 CFR 261 40 CFR 264 40 CFR 265 40 CFR 270	Notice 55 FR 19981 5/14/90 Planned NPRM 55 FR 45176 10/29/90	EPA plans to propose additional standards for location of hazardous waste treatment, storage, and disposal facilities, in particular, in a variety of sensitive environments. Floodplain and seismic restrictions already existing at 40 CFR 264.18 and 265.18 will be amended based on new data and information.	NPRM 12/91. Final rule 4/93.
840-109	Land Disposal Liners and Leak Detection 40 CFR 260 40 CFR 264 40 CFR 265 40 CFR 270 40 CFR 271	NPRM 52 FR 20218 5/29/87 Regulatory Agenda 55 FR 45182 10/29/90	EPA proposes to require leak detection systems for new RCRA landfills and impoundments, extend the double liner requirement to waste piles and to landfills and impoundments not already covered, and develop a quality assurance program for certain impoundments and final covers.	Final rule 9/92.
840-131	Hazardous Waste TSD Facilities - Financial Assurance for Corrective Action 40 CFR 264 40 CFR 270 40 CFR 271	NPRM 51 FR 37854 10/24/86 Notice 54 FR 40728 10/3/89 Notice 55 FR 19981 5/14/90	EPA proposes to amend the financial responsibility and permitting standards for TSD owners and operators to require them to demonstrate financial assurance for completion of any required corrective action for a release to any medium from any solid waste management unit. Acceptable mechanisms include a trust fund, surety bond guaranteeing performance, letter of credit, financial test, or corporate guarantee.	Action date uncertain. May be repropose, but will not be Subpart S.
840-133	Solid Waste Management Units - Corrective Action 40 CFR 264 40 CFR 265 40 CFR 270 40 CFR 271	NPRM 55 FR 30798 7/27/90 Regulatory Agenda 55 FR 45183 10/29/90	EPA proposes procedures and technical requirements for implementing corrective action for solid waste management units (SWMUs) at facilities seeking a permit under Sect. 3004(u) of RCRA. The proposal would create a new Subpart S to define requirements for conducting remedial investigations, evaluating potential remedies, and selecting and implementing remedies at RCRA facilities. It also proposes to amend RCRA part 270 permit requirements, make conforming changes to facility closure information requirements, and establish standards for states to become authorized to administer correction action requirements.	Final rule 1/93.

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840-135	Landfill, Surface Impoundment, and Waste Pile Closures 40 CFR 264 40 CFR 265 40 CFR 270	NPRM 52 FR 8712 3/19/87 Regulatory Agenda 55 FR 45176 10/29/90	EPA proposes amendments to the RCRA landfill, surface impoundment, and waste pile closure rule to allow the use of site-specific closure requirements. The regulations address waste and site characteristics, potential pathways of hazardous constituent migration, and health effects.	Action date on repropoed NPRM and guidelines undetermined.
840-138	Double Liner and Leachate Collection System 40 CFR 124 40 CFR 144 40 CFR 260 40 CFR 264 40 CFR 265 40 CFR 270	NPRM 51 FR 10706 3/28/86 NOA 52 FR 12566 4/17/87 Regulatory Agenda 55 FR 45183 10/29/90	This rule proposes minimum technology requirements for double liner systems for land disposal units. Information comparing the performance of compacted soil and composite bottom liners and two draft technical guidance documents are available.	Final rule 9/92.
*840-142	Air Emission Standards for Volatile Organics at TSD Facilities	Planned NPRM - Phase II 55 FR 45195 10/29/90	EPA will propose accelerated RCRA air emission standards for volatile organics emissions from tanks and impoundments at hazardous waste TSD facilities handling or recycling hazardous wastes containing 10% or more volatile organics. EPA also plans a Phase III rulemaking dealing with particular hazardous organic constituents.	NPRM 5/91. Final rule 4/92.
840-146	Treatment and Disposal of Hazardous Soil and Debris 40 CFR 268	Planned NPRM 55 FR 45177 10/29/90	EPA is investigating the need to set separate treatment standards for soil and debris containing hazardous waste.	NPRM 9/91. Final rule 9/92.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*840-148	Metals Emissions Controls for Hazardous Waste Incinerators 40 CFR 260 40 CFR 261 40 CFR 264 40 CFR 270	NPRM; supplemental NPRM; technical corrections 55 FR 17862 4/27/90 Correction 55 FR 20678 5/18/90	EPA proposes to: (1) amend the hazardous waste incinerator regulations to improve control of toxic metal, hydrogen chloride, and residual organic emissions; (2) define plasma arc and infrared incinerators; (3) regulate carbon regeneration units as thermal treatment devices; and (4) make minor revisions to the permitting procedures.	<u>Final rule on hold.</u>
840-149	Experimental Facilities Conducting Hazardous Waste Research 40 CFR 264 40 CFR 270	Planned NPRM 55 FR 45177 10/29/90	Special permitting procedures will be established for facilities conducting research on the storage, treatment, or disposal of hazardous wastes to allow greater flexibility without requiring frequent permit modifications.	NPRM on hold.
840-151	State Programs - Compliance Monitoring and Enforcement 40 CFR 271.15 40 CFR 271.16	Planned NPRM 55 FR 45178 10/29/90	The regulations for state authorization requirements for compliance monitoring and enforcement will be revised to reflect HSWA. EPA will consider other changes, such as the requirement for states to have administrative penalty authority.	NPRM 3/91. Final rule 3/92.
840-156	Batch-Type Adsorption Procedures for Estimating Soil Attenuation of Chemicals	NOA draft 52 FR 22380 6/11/87	EPA issues a NOA of a draft Technical Resource Document entitled "Batch-Type Adsorption Procedures for Estimating Soil Attenuation of Chemicals."	Final document 3/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-162	Corrective Action Orders for USTs 40 CFR 24	NPRM 55 FR 33430 8/15/90 Regulatory Agenda 55 FR 45184 10/29/90	EPA proposes to extend the scope of authority of the rules governing issuance of and administrative hearings on SARA UST corrective action orders to RCRA Sect. 9003(h) UST corrective action orders.	Final rule 3/91.
840-171	Amendments to Groundwater Monitoring Regulations 40 CFR 260 40 CFR 264 40 CFR 270	NPRM 53 FR 28160 7/26/88 Regulatory Agenda 55 FR 45183 10/29/90	EPA proposes to amend Subpart F groundwater monitoring regulations to foster the early detection of leaks and to better tailor the current groundwater monitoring regulations to site-specific conditions.	Final rule 4/91.
840-173	Solid Waste Test Methods (Manual SW-846 Third Edition - Update 1) 40 CFR 260 40 CFR 261 40 CFR 262 40 CFR 264 40 CFR 265 40 CFR 268 40 CFR 270	NPRM 54 FR 3212 1/23/89 NOA 55 FR 4440 2/8/90 Regulatory Agenda 55 FR 45181 10/29/90	EPA proposes to update the Third Edition of SW-846, incorporate it into the RCRA regulations, and mandate minimum QC procedures for all RCRA testing. EPA proposes a number of technical modifications and/or clarifications to the Third Edition of SW-846 and the inclusion of specific QC procedures in SW-846 which are described in the "Report on Minimum Criteria to Assure Data Quality." The Agency is also considering deleting appendices III and X to 40 CFR 261.	Final rule 4/91.
840-175	Releases to Groundwater from Regulated Units - Corrective Action 40 CFR 264 40 CFR 270	Planned NPRM 55 FR 45177 10/29/90	These regulations will amend the technical and procedural requirements for conducting corrective action to clean up significant releases to groundwater from regulated hazardous waste units at operating, closed, or closing RCRA facilities and the requirements for implementing remedial action, remedy selection, and corrective measures.	NPRM placed on hold, pending action on RU# 840-133.

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-176	Groundwater Monitoring - Hazardous Constituents 40 CFR 264 40 CFR 270	Planned NPRM 55 FR 45178 10/29/90	EPA will propose revisions to a list of hazardous constituents, Appendix IX of 40 CFR 264, for use in groundwater monitoring. This amendment would also create a new list for the first part (Detection Monitoring) of the groundwater monitoring program.	NPRM 5/91.
840-185	UST - Financial Responsibility 40 CFR 280	ANPRM 53 FR 3818 2/9/88 Planned NPRM 55 FR 45180 10/29/90	EPA will propose to establish financial responsibility requirements for owners and operators of underground storage tanks (UST) containing hazardous substances. An exemption is to be proposed for federally owned tanks.	NPRM 9/91. Final rule 9/92.
840-189	Wastes from the Combustion of Coal 40 CFR undetermined	NOA 53 FR 9976 3/28/88 Regulatory Agenda 55 FR 45172 10/29/90	EPA has issued "Report to Congress: Wastes from the Combustion of Coal by Electric Utility Power Plants," compiled in response to Sect. 8002(n) of RCRA. EPA will determine whether to regulate these wastes.	Regulatory determination postponed indefinitely, pending RCRA reauthorization.
840-191	Municipal Waste Combustor Ash Management 40 CFR undetermined	Planned NPRM 55 FR 45174 10/29/90	EPA has determined a need to develop a management scheme for handling and disposing of municipal waste combustor ash. The Agency is considering various options for addressing concerns over fugitive dust emissions and groundwater contamination.	On hold, awaiting RCRA reauthorization.
*840-193	No-Migration Variance for Restricted Hazardous Waste Land Disposal 40 CFR 268	Planned NPRM 55 FR 45173 10/29/90	A regulation will be proposed that interprets the statutory requirements for making a "no-migration" demonstration that would allow the land disposal of untreated hazardous waste that has been restricted from land disposal. The regulation will define such terms as "no-migration," "responsible degree of certainty," "hazardous constituent," and "unit."	<u>NPRM 5/91. Final rule 5/92.</u>

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*840-195	Identification and Listing of Hazardous Wastes - Deminimus Exemption Levels 40 CFR 260 40 CFR 261 40 CFR 262 40 CFR 264 40 CFR 265 40 CFR 270 40 CFR 271 40 CFR 302	Planned NPRM 55 FR 45174 10/29/90	EPA will propose exemptions from regulation for any currently listed wastes that are not hazardous because the hazardous constituents are present at levels lower than the concentration levels established by this rule. This includes chlorinated aliphatics production wastes and wastes from explosives and inorganic chemicals.	<u>NPRM 6/91. Final rule 6/92.</u>
840-201	Land Disposal Restrictions - TCLP (Method 1311) Particle Size Reduction Requirement 40 CFR 268	NPRM 53 FR 18792 5/24/88	EPA proposes to revise the Toxicity Characteristic Leaching Procedure (TCLP), "Method 1311." The changes involve the use of a stainless steel cage in the bottle extractor to eliminate the particle size reduction requirement.	Final rule on hold. Most likely will be withdrawn.
*840-206	State Hazardous Waste Management Program - Georgia 40 CFR 271	Immediate final rule 56 FR 5656 2/12/91	EPA grants final authorization to Georgia for its state hazardous waste management program revisions, subject to public review and comment.	<u>Comments by 3/14/91. Final authorization effective 4/15/91.</u>
840-209	State Hazardous Waste Management Program - North Carolina 40 CFR 271	Immediate final rule 56 FR 1929 1/18/91	EPA grants final authorization to North Carolina for its state hazardous waste program revisions, subject to public review and comment.	Final authorization effective 3/19/91.

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-221	Hazardous Waste Management System - Subpart C - Groundwater Data 40 CFR 260.22	NPRM 54 FR 41930 10/12/89 Regulatory Agenda 55 FR 45182 10/29/90	EPA proposes to require those who submit delisting petitions for hazardous wastes to provide groundwater monitoring data as part of their petition.	Final rule Fall 1991.
840-223	Definition of Wastewater Treatment Unit 40 CFR 260 40 CFR 270	NPRM 55 FR 29230 7/18/90 Regulatory Agenda 55 FR 45184 10/29/90	EPA proposes to amend the definition of "wastewater treatment unit" in 40 CFR 260.10 and 270.2 to clarify that thermal treatment units, except for sludge dryers, are not wastewater treatment units and are not thus exempt from RCRA. The Agency also proposes a definition for "sludge dryers" that will clearly distinguish them from incinerators and other types of thermal treatment units.	Final rule 7/91.
840-225	State Solid Waste Management Program - New Jersey 40 CFR 256	NPRM 53 FR 40243 10/14/88	EPA proposes to approve the State of New Jersey Solid Waste Management Plan, subject to public review and comment.	Final rule undetermined.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-230	Underground Storage Tanks Containing Petroleum - Financial Responsibility Requirements 40 CFR 280 40 CFR 281	Interim final rule 55 FR 18566 5/2/90	EPA modifies the compliance dates under 40 CFR 280.91(c) to provide additional time for the development of financial assurance mechanisms, especially state assurance funds, for all petroleum marketing firms owning 13-99 USTs at more than one facility.	Interim final rule effective 5/2/90. Certification of compliance date extended to 4/26/91.
		NPRM 55 FR 24692 6/18/90 Regulatory Agenda 55 FR 45184 10/29/90	EPA proposes to add to the 10/26/88 final rule four alternative mechanisms for use by local governments to demonstrate financial responsibility for taking corrective action and compensating third parties for bodily injury and property damage caused by sudden and nonsudden accidental underground storage tank releases.	Final rule 7/91.
		NPRM 55 FR 27837 7/6/90 Final rule 55 FR 46022 10/31/90	EPA amends the 10/26/88 final rule by modifying the compliance dates under 40 CFR 280.91(d) for all petroleum marketing firms owning 1-12 USTs, local government entities, and non-marketers whose net worth is less than 20 million dollars. EPA also extends the deadline for compliance with Subpart H - Financial Responsibility from 10/26/90 to 10/26/91 to allow additional time for the development of state financial assurance funds.	Final rule effective 10/31/90. Final compliance date 10/26/91.
*840-231	Waste Minimization Program for Hazardous Waste Generators	Draft guidance document 54 FR 25055 6/12/89	EPA issues "Draft Guidance to Hazardous Waste Generators on the Elements of a Waste Minimization Program," intended to help generators comply with the certification requirements of Sects. 3002(b) and 3005(h) of RCRA/HSWA. The guidance is an application of the proposed source reduction and recycling policy statement (see RU# 840-232).	<u>Final guidance document 3/91.</u>
*840-232	Pollution Prevention Strategy	Proposed Policy Statement 54 FR 3845 1/26/89 Notice 56 FR 7849 2/26/91	EPA publishes its final comprehensive national pollution prevention strategy designed to serve two purposes: (1) to provide guidance and direction for Headquarters' and regional efforts to incorporate pollution prevention into EPA's existing regulatory and non-regulatory programs and (2) to set forth a voluntary program for industrial toxics that will achieve specific objectives in pollution prevention within a reasonable time frame.	<u>Strategy effective immediately. A regulation is also under development.</u>

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-244	Standards for the Tracking and Management of Medical Waste 40 CFR 259	Interim final rule 54 FR 12326 3/24/89 Notice; final rule amendments 54 FR 24310 6/6/89 NOA 55 FR 1770 1/18/90 Corrections 55 FR 27228 7/2/90 NOA 55 FR 28096 7/9/90 NOA 55 FR 43219 10/26/90 NOA 56 FR 2178 1/22/91	EPA publishes an interim final rule implementing the Medical Waste Tracking Act (MWTA) demonstration program. The program sets forth segregation, packaging, labeling, tracking, transportation, and recordkeeping requirements of medical waste generated in the covered states, and lists the wastes to be covered by the program. States participating in the program include NY, NJ, CT, RI, and Puerto Rico.	Interim final rule effective 6/22/89. Amendments effective 6/6/89. Tracking regulations effective 6/22/89 in NY, NJ, CT, 7/24/89 in RI and Puerto Rico. A final report to Congress due 9/91, final rule then in 1992.
840-248	Revision of Subtitle C Financial Test Criteria 40 CFR 264 40 CFR 265	Planned NPRM 55 FR 45177 10/29/90	EPA proposes to revise financial test criteria that must be satisfied by owners and operators employing the test to demonstrate RCRA financial responsibility requirements. The anticipated revisions will adjust test criteria so as to increase availability of this assurance mechanism to viable firms and increase sensitivity to bankruptcy prediction.	NPRM 3/91. Final rule 3/92.

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*840-251	Hazardous Waste Sump Requirements 40 CFR 260 40 CFR 264 40 CFR 265	Planned NPRM 55 FR 45178 10/29/90	EPA will propose to amend several hazardous waste tank system requirements as applied to existing sumps that are situated inside buildings and constructed as an integral part of the building's floor or foundation. Boeing Company is petitioning EPA to regulate these sumps independently of other hazardous waste storage/treatment tank systems because of differences in design, construction, and use.	<u>NPRM 8/91.</u>
840-266	Determination on Solid Waste From Selected Mineral-Processing Operations 40 CFR 260 40 CFR 261 40 CFR 262	Final rule 54 FR 36592 9/1/89 NPRM 54 FR 39298 9/25/89 Final rule 55 FR 2322 1/23/90 NOA 55 FR 32135 8/7/90 NOA 56 FR 525 1/7/91	EPA has completed development of a list of "high-volume", "low hazard" ore processing wastes for study under RCRA and, in response to a court opinion, has conducted a study of those processing wastes excluded from Subtitle C regulation by the "Bevill Amendment." After the study is reported to Congress, EPA has six months to determine whether to regulate any of these wastes under subtitle C.	Final rule effective 7/23/90. Notice of regulatory determination 5/91.
840-267	Identification and Listing of Hazardous Wastes from Chlorotoluene Production 40 CFR 261 40 CFR 271 40 CFR 302	Planned NPRM 55 FR 45175 10/29/90	The hazardous waste listing regulations will be amended to add new waste codes from the production of chlorotoluene and to designate these wastes hazardous substances under CERCLA.	NPRM 4/91.

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-268	Identification and Listing of Hazardous Wastes from Coke By-Product Industries 40 CFR 261 40 CFR 271 40 CFR 302	Planned NPRM 55 FR 45175 10/29/90	The hazardous waste listing regulations will be amended by adding eight new waste codes from the coke by-products industry. These wastes will be designated hazardous substances under CERCLA.	NPRM 3/91. Final rule 3/92.
<b>840-269</b>	Technical Amendment to Final UST Rules For Overfill Prevention 40 CFR 280	NPRM 55 FR 17767 4/27/90 Regulatory Agenda 55 FR 45184 10/29/90	In response to a petition for rulemaking, EPA proposes to add a standard to the UST regulations to allow the use of overfill prevention equipment that can achieve certain levels of performance.	Final rule 7/91.
<b>840-286</b>	Permit Modifications to Hazardous Waste Management Facilities 40 CFR 270.41	Planned NPRM 55 FR 45174 10/29/90	Amendment will allow EPA to modify a permit to correct an inadvertent omission of an applicable RCRA requirement which is in effect prior to the date of permit issuance. The permit correction would follow the modification procedures in 40 CFR 124. Citizens would be able to request such a correction using existing procedures in 40 CFR 124.5.	NPRM 4/91. Final rule 4/92.
840-287	Adequacy Determinations for State Solid Waste Programs	Planned NPRM 55 FR 45179 10/29/90	This regulation will describe procedures EPA will use to make determinations of adequacy for state solid waste permitting programs, as required by Sect. 4005 of RCRA.	NPRM 4/91.
840-293	DOE Integrated Environmental Restoration and Waste Management Program	NOI 55 FR 42633 10/22/90	DOE announces its intent to prepare a programmatic EIS to assess the potential environmental consequences of alternatives for implementing an integrated environmental restoration and waste management program that would provide a broad, systematic approach to addressing cleanup activities and waste management practices. A series of public scoping meetings will be held.	Draft PEIS early 1992, final PEIS 1993.

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*840-294	Amendments to Biennial Reporting Requirements 40 CFR 262.41 40 CFR 264.75 40 CFR 271.10	Planned NPRM 55 FR 45176 10/29/90	EPA plans an amendment to require states to modify their hazardous waste reporting systems to collect additional data elements from their large quantity generators and TSD facilities. Such data will help EPA to better understand the demographics of hazardous waste generation and management.	<u>NPRM 10/91.</u>
840-295	Treatment of Indian Tribes as States Under RCRA Subtitle C 40 CFR 271	Planned NPRM 55 FR 45178 10/29/90	EPA will propose to treat Indian tribes as states for purposes of the Subtitle C program. This regulation will establish the definition of an Indian tribe and the criteria it must meet to be treated as a state for authorization purposes.	NPRM 6/91.
840-296	Materials Source Separation for Municipal Waste Landfills 40 CFR 256 40 CFR 257 40 CFR 258	Planned ANPRM 55 FR 45179 10/29/90	In response to the shortage of landfill capacity, EPA issued in 1989 a strategy for improving the management of municipal solid waste which set a national goal of 25% source reduction and recycling by 1992. EPA is considering whether to propose a source separation proposal for municipal landfills to help accomplish this objective.	ANPRM undetermined; may be withdrawn.
840-297	Standards for Downgradient Groundwater Monitoring Well Locations 40 CFR 265	NPRM; NOA 56 FR 2108 1/18/91	EPA proposes to allow alternate placement of hydraulically downgradient monitoring wells at interim status facilities where existing physical obstacles prevent installation at the limits of the waste management area.	Comments by 3/19/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
<b>COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT</b>				
*180-010	National Priorities List - Second Update 40 CFR 300	NPRM 49 FR 40320 10/15/84 Final rule 51 FR 21054 6/10/86 Final rule amended 52 FR 27620 7/22/87 Final rule 55 FR 6154 2/21/90 Final rule 55 FR 35502 8/30/90 Final rule 56 FR 5598 2/11/91	EPA takes action on the last eleven sites proposed in the second update. No sites from the second update remain proposed.	Final rule of 7/22/87 effective 8/21/87. Final rule of 2/21/90 effective 3/23/90. Final rule of 8/30/90 effective 10/1/90. <u>Final rule of 2/11/91 effective 3/13/91.</u>
*180-025	Natural Resource Damage Assessments - Type B 43 CFR 11	ANPRM 54 FR 39016 9/22/89 Planned NPRM 55 FR 44582 10/29/90	DOI intends to make modifications to its ongoing efforts to develop a type B natural resource damage assessment procedure which is a procedure for detailed assessments in individual cases.	<u>NPRM 3/91.</u>
180-031	Response Claims Procedures 40 CFR 307	NPRM 54 FR 37892 9/13/89 Corrections 54 FR 46423 11/3/89 Regulatory Agenda 55 FR 45205 10/29/90	EPA proposes to establish procedures for (1) filing, evaluating, and resolving claims for costs incurred for responding to releases of hazardous substances, pollutants, or contaminants and (2) notifying concerned parties regarding limitations on the payment of response claims.	Final rule 5/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*180-037	National Priorities List - Fifth Update 40 CFR 300	NPRM 51 FR 21099 6/10/86 Final rule 52 FR 27620 7/22/87 Final rule 54 FR 13296 3/31/89 Correction 54 FR 34991 8/23/89 Final rule 54 FR 41015 10/4/89 Final rule 55 FR 6154 2/21/90 Final rule 55 FR 35502 8/30/90 Final rule 56 FR 5598 2/11/91	EPA takes action on the last two sites proposed in the fifth update. No sites in the fifth update remain proposed.	Final rule of 7/22/87, effective 8/21/87. Final rule of 3/31/89 effective 5/1/89. Final rule of 10/4/89 effective 11/3/89. Final rule of 2/21/90 effective 3/23/90. Final rule of 8/30/90 effective 10/1/90. <u>Final rule of 2/11/91 effective 3/13/91.</u>

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*180-038	National Priorities List - Sixth Update 40 CFR 300	NPRM 52 FR 2492 1/22/87 Final rule 52 FR 27620 7/22/87 Final rule 54 FR 41015 10/4/89 Final rule 55 FR 6154 2/21/90 Final rule 55 FR 35502 8/30/90 Final rule 56 FR 5598 2/11/91	EPA takes action on the last site proposed in the sixth update. No sites in the sixth update remain proposed.	Final rule of 7/22/87 effective 8/21/87. Final rule of 10/4/89 effective 11/3/89. Final rule of 2/21/90 effective 3/23/90. Final rule of 8/30/90 effective 10/1/90. Final rule of <u>2/11/91</u> effective <u>3/13/91</u> .
*180-039	National Priorities List - Seventh Update 40 CFR 300	NPRM 53 FR 23988 6/24/88 Final rules 54 FR 41000 54 FR 41015 10/4/89 Final rule 55 FR 6154 2/21/90 Final rule 55 FR 35502 8/30/90 Final rule 56 FR 5598 2/11/91	EPA takes action on the last four sites proposed in the seventh update. No sites from the seventh update remain proposed.	Final rules of 10/4/89 effective 11/3/89. Final rule of 2/21/90 effective 3/23/90. Final rule of 8/30/90 effective 10/1/90. Final rule of <u>2/11/91</u> effective <u>3/13/91</u> .

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REGULATORY UPDATE TABLE - FEBRUARY 1991

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180-042	Federally Permitted Releases 40 CFR 117 40 CFR 302 40 CFR 355	NPRM 53 FR 27268 7/19/88 Supplemental Notice 54 FR 29306 7/11/89 Regulatory Agenda 55 FR 45204 10/29/90	EPA proposes to clarify the federally permitted release exemptions from CERCLA release reporting and liability provisions.	Final rule 4/91.
180-044	Hazard Ranking System 40 CFR 300	ANPRM 52 FR 11513 4/9/87 NPRM 53 FR 51962 12/23/88 NOA 54 FR 37949 9/14/89 Final rule 55 FR 51532 12/14/90	EPA revises the Hazard Ranking System, the principal mechanism for placing sites on the NPL. The NPL is a list of releases and potential releases of hazardous substances, pollutants, or contaminants that are eligible for Superfund-financed remedial actions. These revisions change the way EPA will evaluate potential threats to public health and the environment from hazardous waste sites and make risk assessment more accurate.	Final rule effective 3/14/91.
180-056	Designation of Extremely Hazardous Substances as CERCLA Hazardous Substances 40 CFR 302	NPRM 54 FR 3388 1/23/89 Notice 54 FR 15802 4/19/89 Regulatory Agenda 55 FR 45204 10/29/90	EPA proposes to designate 232 extremely hazardous substances (EHSs), as defined in Sect. 302 of SARA, as hazardous substances pursuant to Sect. 102 of CERCLA. EPA intends to reduce potential confusion concerning the different SARA Title III and CERCLA requirements by ensuring consistent procedures for reporting releases of all EHSs.	Final rule 5/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
180-065	Reimbursement to Local Governments for Emergency Response to Hazardous Substance Releases 40 CFR 310	Interim final rule 52 FR 39386 10/21/87 Regulatory Agenda 55 FR 45206 10/29/90	EPA authorizes reimbursement of local governments for costs incurred in providing temporary emergency measures in response to releases of hazardous substances. Reimbursement is limited to \$25,000 per incident and is not intended to supplant local funds normally provided for response.	Final rule 4/91.
180-072	RQ Adjustments for Substances on the Extremely Hazardous Substances List 40 CFR 302 40 CFR 355	NPRM 54 FR 35988 8/30/89 Regulatory Agenda 55 FR 45204 10/29/90	EPA proposes to adjust the reportable quantities (RQs) for 232 substances on the extremely hazardous substance list, which EPA has proposed for designation as CERCLA hazardous substances.	Final rule 5/91.
*180-073	National Contingency Plan - Off-Site Response Actions 40 CFR 300 40 CFR 300.440	NPRM 53 FR 48218 11/29/88 Regulatory Agenda 55 FR 45204 10/29/90	EPA proposes to amend the National Contingency Plan by adding a new Sect. 300.440 dealing with the off-site management of CERCLA wastes, including those resulting from CERCLA decision documents signed before the enactment of SARA. The rule prescribes procedures whereby affected facilities may ask EPA for review of the off-site acceptability determinations.	<u>Final rule undetermined; at OMB.</u>

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
180-077	Natural Resource Damage Assessments - Type A 43 CFR 11	ANPRM 54 FR 5093 2/1/89 ANPRM 54 FR 39013 9/22/89 Planned NPRM 55 FR 44583 10/29/90  ANPRM 53 FR 21043 6/2/88 ANPRM 54 FR 39015 9/22/89 Correction 54 FR 41363 10/6/89 Planned NPRM 55 FR 44582 10/29/90	DOI intends to revise the type A natural resource damage assessment procedure for coastal and marine environments to conform with recent court rulings, specifically, the incorporation of restoration or replacement values and the inclusion of all reliably calculated lost use values, with no required hierarchy of methodologies for conducting those valuations.  DOI intends to make modifications to its ongoing efforts to develop a type A natural resource damage assessment procedure for Great Lakes environments to conform with recent court rulings.	NPRM 5/91.  NPRM 5/91.
180-088	Regulations Governing Citizen Suits - CERCLA 40 CFR 310 40 CFR 326 40 CFR 373 40 CFR 374	NPRM 54 FR 3918 1/26/89 Regulatory Agenda 55 FR 45206 10/29/90	EPA proposes regulations prescribing the manner in which notice of citizen suits is to be provided.	Final rule 3/91.
*180-092	National Contingency Plan - Subpart K, Federal Facilities Requirements 40 CFR 300	Planned NPRM 55 FR 45203 10/29/90	EPA plans to propose Subpart K which will serve as a roadmap to the NCP for requirements pertaining to federal agencies conducting response actions at federal facilities where the release is on or where the sole source is from their facility.	<u>NPRM 5/91. Final rule 5/92.</u>

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REGULATORY UPDATE TABLE - FEBRUARY 1991

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*180-096	CERCLA Cost Recovery Program 40 CFR 308	Planned NPRM 55 FR 45202 10/29/90	EPA is granted the authority, under CERCLA, to hold potentially responsible parties (PRPs) liable for the cost of cleanup. It is Agency policy to pursue those PRPs for cost expected if a cleanup settlement is not reached. This rulemaking will be used to identify the specific recoverable costs, the documentation sufficient to prove EPA's case, and the documents that will be available to PRPs.	<u>NPRM undetermined; still at OMB.</u>
*180-097	National Priorities List - Tenth Update 40 CFR 300	NPRM 54 FR 43778 10/26/89 Final rule 55 FR 9688 3/14/90 Final rule 55 FR 35502 8/30/90 Final rule 56 FR 5598 2/11/91	EPA takes action on the last site proposed in the tenth update. No sites in the tenth update remain proposed.	Final rule of 3/14/90 effective immediately. Final rule of 8/30/90 effective 10/1/90. <u>Final rule of 2/11/91 effective 3/13/91.</u>
180-105	RQs of Lead, Lead Compounds, and Lead-Containing Hazardous Waste Streams 40 CFR 117 40 CFR 302 40 CFR 355	Planned NPRM 55 FR 45202 10/29/90	EPA is considering proposing a rule to adjust the reportable quantities of lead metal, lead compounds, and lead-containing hazardous waste streams.	NPRM 7/91.
180-106	Procedures for Reimbursement Petitions Under CERCLA 40 CFR undetermined	Planned NPRM 55 FR 45203 10/29/90	EPA is considering proposing a rule to set out a uniform process to review petitions for cost reimbursement filed by parties who have been ordered to clean up Superfund sites.	NPRM 5/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*180-107	Natural Resource Damage Assessments - Oil Pollution 15 CFR Ch. IX	ANPRM 55 FR 53478 12/28/90 Comment period extended 56 FR 8307 2/28/91	NOAA intends to develop proposed regulations pursuant to Sect. 1006 of the Oil Pollution Act of 1990 to establish procedures by which natural resources trustees may determine recoverable damages as compensation for injury, loss, or destruction of natural resources as a result of a discharge of oil into or upon navigable waters or adjoining shorelines.	<u>Comments by 4/1/91.</u> <u>NPRM undetermined.</u>
*180-109	NPL - Construction Completion Category 40 CFR 300	Notice of recategorization 56 FR 5634 2/11/91	EPA announces the recategorization of fourteen sites on the NPL to the Construction Completion category. This notice activates that category to help clearly communicate to the public the status of cleanup progress at sites.	<u>Effective 2/11/91.</u>

SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT

SARA Section 110 Chemicals Generic Test Rule -- RU# 920-113

*190-005	Section 313 Sunset Review Amendments 40 CFR 372	Final rule 53 FR 4500 2/16/88 NPRM 56 FR 1155 1/11/91	EPA proposes to retain the range reporting option on the Sect. 313 toxic chemical release reporting form and the optional pollution prevention question on Form R.	<u>Final rule 6/91.</u>
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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
190-014	Technical Assistance Grants - NPL Sites 40 CFR 300 40 CFR 35 40 CFR Ch. 1	ANPRM 52 FR 22244 6/10/87 Interim final rule 53 FR 9736 3/24/88 Interim final rule amendment 54 FR 49848 12/1/89 Regulatory Agenda 55 FR 45205 10/29/90	EPA issues an interim final rule specifying requirements citizens' groups must meet to obtain technical assistance grants. EPA amends its interim final rule regarding the technical assistance grant program in order to foster greater participation of citizens' groups in the grant program. The grants are limited to \$50,000 per site and requires matching funds. This limit may be waived.	Interim final rule effective 3/24/88. Amendment effective 12/1/89. Final rule 9/91.
*190-038	Regulations Governing Citizen Suits - EPCRA 40 CFR 310 40 CFR 326 40 CFR 373 40 CFR 374	NPRM 54 FR 3918 1/26/89 Regulatory Agenda 55 FR 45206 10/29/90	EPA proposes regulations prescribing the manner in which notice of citizen suits is to be provided.	<u>Final rule date not set; very low priority.</u>
190-042	Administrative Hearing Procedures for Superfund Claims 40 CFR 305	Planned NPRM 55 FR 45203 10/29/90	EPA will establish procedures for conducting administrative hearings for persons who have made claims against Superfund but are dissatisfied with the award.	NPRM 8/91.
190-043	Administrative Hearing Procedures for SARA Class I Civil Penalties 40 CFR 22	Interim final rule 54 FR 21174 5/16/89 Regulatory Agenda 54 FR 45342 10/30/89	EPA establishes procedures for the administrative assessment of Class I civil penalties for violations of provisions specified in Sect. 109 of CERCLA and Sect. 325 of EPCRA.	Interim final rule effective 5/16/89. Final action uncertain. May be merged with Class II penalties rule (RU# 190-044) or covered under a civil penalties consolidated rule EPA is considering.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

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190-044	Administrative Hearing Procedures for SARA Class II Civil Penalties 40 CFR 22	Interim final rule 54 FR 21174 5/16/89 Regulatory Agenda 55 FR 45206 10/29/90	EPA establishes procedures for the administrative assessment of Class II civil penalties for violations of provisions of Sect. 109 of CERCLA and Sect. 325 of EPCRA.	Interim final rule effective 5/16/89. Final rule 8/91.
190-045	Public Information - Confidentiality of Business Information 40 CFR 2	NPRM 54 FR 38156 9/14/89	EPA proposes to amend 40 CFR 2 to state that certain information collected under Sect. 313 of SARA relating to discharges to the air or water will be considered emission or effluent data under the Clean Air Act or the Clean Water Act, respectively, and will not be accorded confidential treatment.	Final rule at OMB for review. Publication date uncertain.
*190-048	Superfund Response Action Contractor Indemnification	Proposed policy 54 FR 46012 10/31/89	EPA issues a proposed guidance document to implement Sect. 119 of CERCLA as amended by SARA. Sect. 119 provides the President with discretionary authority to indemnify response action contractors (RACs) for negligent releases arising out of response action activities at sites on the NPL and removal action sites. As delegated by the President, EPA may also extend indemnification to states (or a political subdivision) and potentially responsible parties (PRPs).	<u>Final guidance document 5/91.</u>
190-049	Toxic Chemical Release Reporting - Deletion of Barium Sulfate 40 CFR 372	NPRM 55 FR 4879 2/12/90	EPA proposes to exempt barium sulfate from the reporting requirements of the "barium compounds" category of the list of toxic chemicals under EPCRA.	Final rule undetermined.
190-051	Toxic Chemical "Peak Release" Reporting Rule (Revision) 40 CFR 372	Planned NPRM 55 FR 45150 10/29/90	EPA will propose to add a "peak release" report element to the Toxic Chemical Release Inventory Reporting Form. The proposal addresses the issue of obtaining more specific indication of the frequency and/or duration of releases in order to better assess risks to health and the environment.	NPRM undetermined; in internal agency review.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
190-053	Toxic Chemical Release Reporting - Ammonium Sulfate 40 CFR 372	NPRM 55 FR 12144 3/30/90 NOA 55 FR 12148 3/30/90	In response to a petition, EPA proposes to delete ammonium sulfate (solution) from the list of toxic chemicals under Sect. 313 of SARA because releases of ammonium sulfate (solution) can be more effectively covered by the ammonia listing. EPA is clarifying the ammonia listing so that it encompasses other sources of aqueous ammonia.	Final rule undetermined.
190-056	Extremely Hazardous Substance List - Explosivity Criteria 40 CFR 355	ANPRM; NOA 55 FR 35012 8/27/90 Planned NPRM 55 FR 45202 10/29/90	EPA is considering proposing that chemicals displaying certain flammability and explosivity criteria be added to the list of extremely hazardous substances under Title III of SARA. The Agency announces the availability of technical background documents on the potential criteria for listing explosives and flammables.	NPRM undetermined.
*190-057	Mandatory Pollution Prevention Reporting in TRI Reports 40 CFR 372	Planned NPRM 55 FR 45203 10/29/90	EPA plans to expand and make mandatory the reporting of waste minimization/pollution prevention actions in connection with Toxic Release Inventory (TRI) reports. Alternative data collection under consideration include facility-wide reporting for individual chemicals, reporting for individual pollution prevention projects, and coordinating TRI and biennial reports under RCRA.	<u>NPRM 7/91.</u>

SAFE DRINKING WATER ACT

Drinking Water Chemicals Proposed Test Rule -- RU# 920-123

880-007	Primary Drinking Water Regulations - Radionuclides (Phase IV) 40 CFR 141	ANPRM for MCLGs 48 FR 45502 10/5/83 ANPRM for MCLs 51 FR 34836 9/30/86 Planned NPRM 55 FR 45167 10/29/90	EPA is considering MCLGs and MCLs for radionuclides of radium, uranium, radon, gross alpha, gross beta, and photon emitters in drinking water.	NPRM 8/91. Final rule 12/92.
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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
880-015	PWS Supervision Program - Administrative Enforcement 40 CFR 142 40 CFR 22	NPRM 54 FR 29516 7/12/89 Final rule 56 FR 3752 1/30/91	EPA establishes procedures for administrative compliance orders under Sect. 1414(g) of the SDWA. Orders issued under Sect. 1414(g) may not take effect without notice and opportunity for public hearing; also, opportunity must be provided for primary states to confer with EPA. The Agency also amends 40 CFR Part 22 to include PWSS penalty assessments.	Effective 3/1/91.
880-027	Amendments to the UIC Program 40 CFR 144 40 CFR 146	NPRM 55 FR 26462 6/28/90 Regulatory Agenda 55 FR 45170 10/29/90	EPA proposes amendments to the UIC noncompliance and program reporting requirements and to the mechanical integrity requirements. EPA also clarifies how existing injection wells become authorized by rule and when injection is prohibited for failure to comply with authorization-by-rule requirements. Finally, EPA codifies SDWA Sect. 1445(a)(1) as it applies to the UIC program.	Final rule 4/91.
880-030	Wellhead Protection and Sole Source Aquifer Demonstration Programs - Indian Tribes 40 CFR 35	NPRM 52 FR 46712 12/9/87 Regulatory Agenda 55 FR 45169 10/29/90	EPA proposes procedures for determining eligibility of Indian Tribes to apply for treatment as states in receiving grants for wellhead protection and/or sole source aquifer demonstration programs.	Final rule 9/91.

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
<b>880-034</b>	NPDWRs Lead & Copper 40 CFR 141 40 CFR 142	NPRM 53 FR 31516 8/18/88 Corrections 53 FR 35952 9/15/88 Correction 53 FR 36696 9/21/88 NOA 53 FR 40270 10/14/88 NOA 55 FR 42409 10/19/90 Regulatory Agenda 55 FR 45170 10/29/90	EPA proposes MCLGs and NPDWRs for controlling lead and copper in drinking water. EPA is proposing a MCLG of zero for lead and 1.3 mg/l for copper and MCLs of 0.005 mg/l for lead and 1.3 mg/l for copper. EPA announces the availability of the final policy guidance for EPA Regional Administrators to use to oversee state implementation and enforcement of the lead prohibition and lead public notice provisions of the Act.	Final rule 4/91.
*880-037	NPDWRs Implementation Primary Enforcement Responsibility 40 CFR 142	NPRM 55 FR 49398 11/28/90	EPA is reconsidering the language of 40 CFR 142.17(a)(2) which concerns EPA's initiation of proceedings that could lead to the withdrawal of state primary enforcement responsibility for the public water system program under the SDWA.	<u>Final rule 6/91.</u>
*880-045	State-Administered UIC Programs - Incorporation by Reference Update 40 CFR 147	Planned final rule 55 FR 45171 10/29/90	EPA will propose to amend the 40 CFR 147 incorporation by reference material to incorporate the most recent state statutes and regulations. EPA will not issue an NPRM first because there is no impact on the economy, costs, or prices; no public health or intermedia issues; and no adverse consequences on the public.	<u>Final rule 3/91.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
880-046	NPDWRs - Arsenic 40 CFR 141	Planned NPRM 55 FR 45167 10/29/90	The current standard for arsenic in drinking water is an interim standard. This rule will set a final MCL and MCLG as required by the SDWA Amendments of 1986. EPA has been sued on the schedule for proposal and promulgation of the arsenic NPDWRs. The final schedule is dependent on settlement of the suit.	Decision on rulemaking schedule 6/91. Probably no rulemaking action until 1995-1998.
880-047	Drinking Water Laboratory Certification Regulations 40 CFR 141 40 CFR 142	Planned NPRM 55 FR 45168 10/29/90	EPA will propose and promulgate national regulations for certification of laboratories which analyze compliance samples under the SDWA. These regulations will establish the "National Quality Assurance Program for Lab Certification," described in 40 CFR 142(b)(2)-(3).	NPRM undetermined. No scheduled action as yet.
880-049	Management of Class V Injection Wells Under Part C 40 CFR 144 40 CFR 145 40 CFR 146	Planned NPRM 55 FR 45169 10/29/90	EPA will establish a regulatory framework for the management of Class V wells, such as certain septic systems and a variety of drainage wells, that will protect against contamination of groundwater while recognizing the difficulties of this diverse well class.	NPRM 9/91.
880-050	NPDWRs - Contaminants From First Drinking Water Priority List 40 CFR 141	Planned NPRM 55 FR 45168 10/29/90	EPA will set MCLGs and NPDWRs for about 25 contaminants from the first drinking water priority list, as required by the SDWA Amendments of 1986. The Act requires regulation of at least 25 contaminants every three years starting in 1991.	NPRM 6/92. Final rule 12/93.
880-053	Revision of VOC Analytical Methods 40 CFR 141	Planned NPRM 55 FR 45168 10/29/90	EPA will propose to replace the 1986 versions of methods 502.1, 502.2, 503.1, 504, 524.1, and 524.2 for monitoring of eight regulated VOCs and 51 unregulated VOCs with the December 1988 version of the same methods and allow the use of these same updated methods for compliance monitoring of trihalomethanes in drinking water.	NPRM 4/91. Final rule 4/92.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

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*880-054	Mechanical Integrity Tests for Injection Wells - Alternative Method	Notice 56 FR 4063 2/1/91	The Office of Drinking Water grants approval for use of the Oxygen Activation (OA) test to test fluid migration adjacent to the injection well bore as an alternative to those tests specified in 40 CFR 146.8(c). The approval applies to all classes of injection wells.	<u>Approval is final as of 3/4/91.</u>
CLEAN WATER ACT				
Confidentiality of Business Information -- RU# 190-045				
*140-018	Guidelines Establishing Test Procedures for the Analysis of Pollutants 40 CFR 136	NPRM 56 FR 5090 2/7/91	Under Sect. 304(h) of the CWA, EPA proposes to amend the guidelines establishing test procedures for the analysis of pollutants by adding a method for the analysis of 17 tetra- through octa-chlorinated dioxin and furan compounds.	<u>Comments by 3/11/91.</u>
140-035	Disposal of Sewage Sludge 40 CFR 257 40 CFR 503	NPRM 54 FR 5746 2/6/89 NOA 54 FR 43124 10/20/89 Regulatory Agenda 55 FR 45164 10/29/90 NOA 55 FR 47210 11/9/90	EPA proposes technical requirements for the final use and disposal of sewage sludge when landfarmed, sold, monofilled, surface disposed, or incinerated. Related computer programs and background documents are listed. The standards will be expanded and revised as information becomes available.	Final rule 1/92.
140-039	NPDES Permit - Compliance Extension for Innovative Technologies 40 CFR 122 40 CFR 124 40 CFR 125	NPRM 50 FR 49904 12/5/85	EPA proposes a revised rule for dischargers of toxic and nonconventional pollutants who apply for NPDES extensions to install innovative technologies under Sect. 301(k) of the Clean Water Act.	Reproposed NPRM 4/91.

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
140-041	Disposal Sites - Denial or Restriction 40 CFR 231	Planned NPRM 55 FR 45162 10/29/90	EPA will revise 404(c) regulations by establishing procedures to be invoked when they are considering the use of 404(c) to prevent the discharge of dredged or fill material into a defined area of U.S. waters. The revisions are based on a review of previous experience.	NPRM 1/92. Final rule 1/93.
140-066	Water Quality Standards for Toxic Pollutants 40 CFR 131	Planned NPRM 55 FR 45158 10/29/90	EPA will establish, on a national basis, numeric water quality criteria for toxic pollutants that will become part of the water quality standards of states that have failed to comply with Sect. 303(c)(2)(B) of the CWA, thus bringing those standards into compliance with the CWA as amended.	NPRM 6/91.
*140-067	Revisions to the NPDES Regulations 40 CFR 122 40 CFR 123 40 CFR 124 40 CFR 125 40 CFR 403 40 CFR 434	Planned NPRM 55 FR 45162 10/29/90	EPA will propose revisions to the NPDES regulations to clarify existing requirements and policies.	<u>NPRM 4/91. Final rule 4/92.</u>
140-076	Water Quality Standards - Indian Tribes 40 CFR 131	Interim final rule 54 FR 14354 4/11/89 NPRM 54 FR 39098 9/22/89 Notice 55 FR 3643 2/2/90 Regulatory Agenda 55 FR 45163 10/29/90	EPA proposes criteria and procedures by which an Indian Tribe can qualify for treatment as a state for purposes of standards and certification programs and mechanisms to resolve unreasonable consequences that may arise from an Indian Tribe and a state adopting differing water quality standards on common bodies of water.	Interim final rule effective 4/11/89. Final rule 3/91.

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*140-077	NPDES - Surface Water Toxics Control Program 40 CFR 122 40 CFR 123 40 CFR 130	NPRM 54 FR 1300 1/12/89 Final rule 54 FR 23868 6/2/89  NOA 55 FR 19662 5/10/90	EPA amends the NPDES surface water toxics control program by incorporating Sect. 308(a) of the WQA into it and repromulgates and supplements the interpretive final rule of 1/4/89 (54 FR 246) dealing with NPDES permit regulations. Section 308(a) of the WQA added Sect. 304(l) to the CWA. Section 304(l) requires the states to identify those waters that are adversely affected by toxic, conventional, and nonconventional pollutants, and requires the state to prepare individual control strategies that will control point source discharges of toxic pollutants. EPA will issue state listing requirements at a later date for Sect. 303(d) waters. EPA issues a draft technical support document for water quality-based toxics control intended as revised guidance to implement the previously issued policy of 3/84 and regulation of 6/2/89 on the subject.	Final rule effective 9/26/89. Supplemental final rule on hold. No schedule as yet.  <u>Final guidance document 3/91.</u>
*140-084	NPDES Permit Application - Standard Form A, Short Form A 40 CFR 122.21(j)	Planned NPRM 55 FR 45162 10/29/90	EPA will revise the current NPDES Permit Application Standard Form A (municipal), and Short Form A (municipal) to reflect amendments to the Clean Water Act and changes in program requirements and emphasis.	<u>NPRM 4/91. Final rule 4/92.</u>
140-089	Biological Test Procedures for the Analysis of Pollutants 40 CFR 136	NPRM 54 FR 50216 12/4/89	EPA proposes to amend 40 CFR 136 by adding new biological measurements and test procedures for the analysis of pollutants under the CWA 304(h) and by updating other procedures. Methods would be added to measure toxicity in effluents and receiving waters, to measure mutagenicity, to monitor viruses in wastewaters and sludges, and to update citations to microbiological methods.	Final rule 6/91.

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*140-092	Oil Pollution Prevention 40 CFR 112	Planned NPRM 55 FR 45172 10/29/90	EPA is pursuing a two-phase regulatory approach to propose changes to the oil spill prevention regulation. In Phase I, widely-accepted industry practices that are currently recommended practices in the regulation will be changed to required practices. To facilitate an inventory of facilities, a provision may be added requiring facilities to notify EPA of their existence. The Phase II regulatory effort will address other recommended modifications.	Phase I NPRM 5/91. <u>Final rule 5/92.</u>
140-095	NSPS, Effluent Limitations, and Pretreatment Standards - Organic Chemicals, Plastics, and Synthetic Fibers Point Source Category 40 CFR 300.440 40 CFR 414	NPRM 55 FR 42332 10/18/90	EPA proposes to allow regulatory authorities to: (1) establish cyanide limitations and standards based on best professional judgement for elevated levels of cyanide at the process source of cyanide-bearing waste streams and (2) establish metals limitations and standards to accommodate low background levels of metals in non-"metal-bearing waste streams." EPA also proposes amendments to Appendices A and B to correct listing errors and an amendment to specify the method for determining BOD5 and TSS effluent limitations.	Final rule 8/91.
140-098	Requirements for Citizen Suits Under the CWA 40 CFR 135	NPRM 54 FR 36020 8/30/89 Regulatory Agenda 55 FR 45165 10/29/90	EPA proposes regulations governing the manner in which parties in citizen suits must provide copies of filed complaints and proposed consent decrees under the new provisions of the CWA.	Final rule 4/91.
140-102	Copper and Beryllium Forming Point Source Effluent Guidelines and Standards 40 CFR 468	Planned NPRM 55 FR 45160 10/29/90	EPA will propose to establish guidelines and standards for the newly created subcategory of beryllium and copper alloys.	NPRM 5/91.

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*140-103	NPDES and Sludge Management State Programs - Indian Tribes 40 CFR 122 40 CFR 123 40 CFR 124 40 CFR 501	Planned NPRM 55 FR 45161 10/29/90	EPA will propose to establish requirements and procedures by which an Indian tribe may be treated as a state and be approved to administer the NPDES and/or sludge management program.	<u>NPRM 7/91.</u>
140-104	Treatment of Indian Tribes as States for Purposes of Section 404 40 CFR 230 40 CFR 233	NPRM 54 FR 49180 11/29/89 Regulatory Agenda 55 FR 45164 10/29/90	EPA proposes a rule that would: (1) establish requirements for determining eligibility of Indian Tribes to be treated as states for purposes of Sect. 404 of the CWA, and (2) if found eligible, allow for assumption of the dredge and fill permit program.	Final rule 3/91.
140-108	Shore Protection Act Section 4103(B) Regulations 40 CFR undetermined	Planned ANPRM 55 FR 45158 10/29/90	The EPA Administrator, in consultation with the Secretary of DOT, is considering regulations: (1) requiring that waste sources, receiving facilities, and vessels provide the means and facilities to assure that waste will not be deposited into coastal waters during handling; (2) requiring the submission and adoption of an operation and maintenance manual of procedures to prevent, report, and clean up waste deposits; and (3) installing of tracking systems if deemed appropriate.	ANPRM undetermined; no action scheduled as yet.
140-109	Effluent Guidelines and Standards for the Waste Treatment Category 40 CFR Subchapter M	Planned NPRM 55 FR 45160 10/29/90	EPA is developing regulations that will cover centralized waste treatment (CWT) facilities that generally treat aqueous and liquid hazardous and non-hazardous waste as Phase I of this regulation. Phase II will regulate hazardous waste incinerators and landfill leachate discharges. EPA plans on collecting Phase II screening information in conjunction with the Phase I technical study.	NPRM 2/94. Final rule 11/95.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

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140-110	Secondary Treatment Requirements for Municipal Discharge into Marine Waters 40 CFR 125	NPRM 56 FR 2814 1/24/91	EPA responds to statutory changes made to Sect. 301(h) of the CWA which governs secondary treatment waivers for municipal discharges into marine waters. EPA proposes changes to appendices A and B of Subpart G to simplify and revise the application requirements for waivers and permit renewals.	Comments by 3/25/91. Final rule 12/91.
140-111	CWA Section 404 Program Definition 40 CFR 232.2(q)	Planned NPRM 55 FR 45162 10/29/90	This action would revise the definition of "waters of the U.S." by adding four examples to those currently contained under that definition. The intent is to clarify aspects of the current definition which define waters, "the use, degradation or destruction of which would or could affect interstate or foreign commerce," as waters of the U.S.	NPRM 7/91. Final rule 10/91.

CLEAN AIR ACT

Confidentiality of Business Information -- RU# 190-045

RCRA Air Emission Standards for Volatile Organics at TSD Facilities -- RU# 840-142

120-005	NAAQS - Sulfur Oxides 40 CFR 50 40 CFR 51 40 CFR 58	ANPRM 44 FR 56730 10/2/79 NPRM 53 FR 14926 4/26/88 Notice 53 FR 29346 8/4/88 Clarification notice 53 FR 36587 9/21/88 Regulatory Agenda 55 FR 45196 10/29/90	EPA proposes to retain the existing NAAQS for sulfur oxides. Adding an alternative 1-hour primary standard of 0.4 ppm to replace the 3-hour standard (0.5 ppm) is being considered. EPA also proposes to revise the significant harm levels, the Pollutant Standards Index for SO <sub>2</sub> , and certain monitoring and reporting requirements. EPA incorporates additional material into the dockets for the proposed revisions to the Ambient Air Quality Surveillance requirements.	Final rule action indefinite. Rule under discussion at upper levels.
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REGULATORY UPDATE TABLE - FEBRUARY 1991

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120-006	NAAQS - Ozone and Photochemical Oxidants 40 CFR 50.9	First revisions 49 FR 29845 7/24/84 NOA 50 FR 52556 12/24/85 NOA 53 FR 48308 11/30/88 Planned review of criteria document 55 FR 45189 10/29/90	EPA announces the availability of the second external review draft of Volumes I and V of the Criteria Document. The Clean Air Scientific Advisory Committee reviewed the revised document and an EPA staff paper in January 1986. The Criteria Document may be used as a basis for review and revision of the NAAQS. EPA is assessing health and welfare information which has become available since the last revision of the standard. In order to retain a unified regulatory review package in light of the emerging data base on health and welfare effects associated with longer-term averaging times, EPA is continuing the standard review until such information is published and reviewed in an addendum to the criteria document. Two draft documents are available.	Complete review of criteria document on hold.
120-008	Stack Height Regulation 40 CFR 51.100	Planned NPRM 55 FR 45193 10/29/90	EPA plans to revise the stack height regulation in accordance with a 1/22/88 U.S. Court of Appeals decision which remanded two grandfathering provisions which allow dispersion credit, including credit for certain stack height increases.	NPRM 10/91.
*120-010	Guideline on Air Quality Models 40 CFR 51 40 CFR 52	NPRM 56 FR 5900 2/13/91	EPA proposes to add several new modeling techniques and to make revisions to the air quality models for estimating ambient air concentrations referenced under the PSD regulations of the CAA.	<u>Comments by 5/6/91.</u> Final rule 6/92.
120-055	NESHAPs - Chromium Industrial Cooling Towers 40 CFR 61	NOI to list 50 FR 24317 6/10/85 Planned NPRM 55 FR 45190 10/29/90	Preliminary assessment by EPA of the public health risks of chromium compounds has identified industrial process cooling towers as a source category for which the proposal of national emission standards may be warranted. If further investigation proves standards are warranted, chromium or hexavalent chromium will be listed under Sect. 112 of the Clean Air Act and EPA will propose standards.	NPRM 3/92. Final rule 6/93.

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*120-065	Stratospheric Ozone Protection 40 CFR 82	ANPRM 55 FR 18256 5/1/90 Planned NPRM 55 FR 45188 10/29/90  Planned NPRM 55 FR 45188 10/29/90 Section 114 information request 55 FR 49116 11/26/90	EPA invites comments on issues they would need to address in the development of a national recycling program that would encourage or require recycling of ozone depleting compounds. This potential rulemaking is in response to an industry petition from the Alliance for a Responsible CFC Policy to develop such a program.  The international community has begun negotiations on whether to strengthen the Montreal Protocol, and President Bush has called for a complete phase-out of CFCs provided safe substitutes become available. EPA has entered into a consent agreement to determine whether additional regulations are necessary to protect the stratospheric ozone layer.	NPRM 4/91, final rule 9/91.  <u>Temporary Final rule 3/91.</u> No NPRM planned.
120-075	Source Surveillance of Visible Emissions 40 CFR 52	NPRM 51 FR 31076 8/29/86	EPA proposes new visible emission test procedures to evaluate opacity standards compliance when a SIP lacks an appropriate method or when the Administrator enacts a state plan.	Reproposed NPRM Summer 1991.
120-083	NAAQS - Nitrogen Dioxide 40 CFR 50.11	Planned review of criteria document 55 FR 45186 10/29/90	EPA will not expedite the review schedule for the primary and secondary NO2 NAAQS, but will proceed on the normal review cycle to produce a revised criteria document. Completed research does not justify a separate short-term primary standard.	Complete review of criteria document and staff paper 6/92.
*120-084	NAAQS - Carbon Monoxide	Call for Information 52 FR 27580 7/22/87 NOA 55 FR 14858 4/19/90 Regulatory Agenda 55 FR 45186 10/29/90	EPA will review ongoing studies on health effects of carbon monoxide and make a decision for or against a change in the NAAQS.	<u>Final criteria document 11/91.</u>

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

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120-093	NESHAPs - Hazardous Organics 40 CFR 61	Planned NPRM 55 FR 45191 10/29/90	This regulation will control emissions in production categories and some use categories for butadiene, ethylene oxide, ethylene dichloride, chloroform, carbon tetrachloride, perchloroethylene, trichloroethylene, and methylene chloride. Installation of combustion devices and an inspection and monitoring program will be required.	NPRM 8/91. Final rule 8/92.
120-094	Health Assessment Document - Acetaldehyde	NOA draft 52 FR 19918 5/28/87	EPA issues the first external review draft of the health assessment document for acetaldehyde. The document will be used in the decision process for possible regulation of acetaldehyde under the CAA.	Final document 3/91.
120-095	NAAQS - Fine Particulate Matter 40 CFR 50 40 CFR 50.7	ANPRM 52 FR 24670 7/1/87 Planned NPRM 55 FR 45189 10/29/90	EPA will propose a new secondary NAAQS for fine particles (those less than 2.5 micrometers in aerodynamic diameter) in order to enhance visibility.	NPRM undetermined; no date set as yet.
120-098	Health Assessment Documents - Trichloroethylene and Dichloromethane	NOA draft 52 FR 27257 7/20/87	EPA announces the availability of external review drafts of addenda to the health assessment documents for trichloroethylene and dichloromethane (methyl chloride), and a technical analysis of new methods and data on dichloromethane hazard assessments.	Documents still in draft form. Finalization indefinite.
120-103	NESHAPs - Organic Solvent Cleaning 40 CFR 61	Planned NPRM 55 FR 45191 10/29/90	This regulation will apply to organic solvent cleaners (degreasers) and will control emissions of perchloroethylene, methylene chloride, and trichloroethylene from new and existing sources.	NPRM 2/92. Final rule 7/93.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

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120-106	PSD Set II for PM10 40 CFR 51 40 CFR 52 40 CFR 81	NPRM 54 FR 41218 10/5/89 Regulatory Agenda 55 FR 45199 10/29/90	EPA proposes to revise the maximum allowable increases (increments) for particulate matter under the requirements for prevention of significant deterioration (PSD). The proposed increments would define maximum allowable increases in concentrations of PM <sub>10</sub> as follows: 4 µg/m <sup>3</sup> (annual arithmetic mean) and 8 µg/m <sup>3</sup> (24-hour maximum) for Class I areas; 17 µg/m <sup>3</sup> (annual arithmetic mean) and 30 µg/m <sup>3</sup> (24-hour maximum) for Class II areas; and 34 µg/m <sup>3</sup> (annual arithmetic mean) and 60 µg/m <sup>3</sup> (24-hour maximum) for Class III areas.	Reproposed NPRM 7/91.
120-107	SIPs - Ozone and Carbon Monoxide 40 CFR 52 40 CFR 81	NPRM 53 FR 20722 6/6/88 Notice 53 FR 34500 9/7/88 Notice 55 FR 30973 7/30/90 Regulatory Agenda 55 FR 45196 10/29/90	EPA is developing a program to address the fact that many areas in the country have not attained the national ambient air quality standards for ozone and carbon monoxide by the 12/31/87 deadline identified in the CAA. The program will describe how EPA will interpret the CAA so as to bring those areas into attainment, and the steps EPA will take to implement that interpretation.	Final rule undetermined.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

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*120-113	Methods for Measurement of PM10 - Appendix M 40 CFR 51	ANPRM 53 FR 11688 4/8/88	EPA adds two PM10 methods, Methods 201 and 201A, for the measurement of in-stack PM10 emissions from stationary sources to Appendix M. Appendix M is a newly designated repository for recommended test methods for SIPs. EPA also is revising Subpart K to direct states to Appendix M and to reiterate the fact that each SIP must include enforceable test methods with each emission limit in the SIP, including PM10.	Final rule effective 4/17/90.
		NPRM 54 FR 24213 6/6/89		
		Final rule 55 FR 14246 4/17/90		
		Technical amendments 56 FR 6278 2/15/91	EPA issues technical amendments correcting errors in the 4/17/90 final rule on two methods for the measurement of PM10 emissions from stationary sources.	<u>Technical amendments effective 2/15/91.</u>
		NPRM 55 FR 41546 10/12/90	EPA proposes to add a CAA method for states (SIPs) to measure condensible particulate matter (CPM) emissions from stationary sources.	Final rule undetermined.
*120-115	NSPS - Municipal Waste Combustors 40 CFR 51 40 CFR 52 40 CFR 60	NPRM 54 FR 52251 12/20/89 Supplemental information 55 FR 40879 10/5/90 Final rule 56 FR 5488 2/11/91	EPA establishes new source performance standards to limit air emissions from each new, modified, or reconstructed municipal waste combustor with unit capacity above 225 Mg/day of solid waste.	<u>Effective 8/12/91.</u>
120-116	NSPS - Municipal Landfills 40 CFR 60	Planned NPRM 55 FR 45190 10/29/90	This rule will regulate emissions from new and modified municipal landfills under Sect. 111(b). Pollutants to be regulated will include one or more designated pollutants (pollutants not regulated under Sects. 108-110 or 112 of the Act.)	NPRM 3/91. Final rule 3/92.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*120-118	NESHAPs - Radionuclides 40 CFR 61	NPRM 54 FR 9612 3/7/89 Final rule; notice of reconsideration 54 FR 51654 12/15/89 Corrections 55 FR 78 1/2/90 Notice of stay 55 FR 10455 3/21/90	EPA sets NESHAPs for radionuclide emissions from several source categories including DOE facilities, NRC licensees, uranium fuel cycle facilities, elemental phosphorus plants, coal-fired boilers, high-level nuclear waste disposal facilities, phosphogypsum stacks, underground and surface uranium mines, and uranium mill tailings operations. EPA also grants a reconsideration of Subpart I concerning emissions from facilities licensed by NRC with respect to the issues of duplicative regulation and possible effects on medical treatment.	Final rule of 12/15/89 effective immediately.
		Notice of reconsideration; compliance waiver 55 FR 13480 4/10/90 NPRM 55 FR 13482 4/10/90 Stay extended 55 FR 40834 10/5/90	EPA announces a limited reconsideration of Subpart R concerning radon emissions from phosphogypsum stacks that requires disposal of phosphogypsum in stacks or mines. EPA proposes to maintain or modify the rule to, alternatively or in combination, (1) make no change to Subpart R, (2) establish a threshold concentration level of radium, (3) allow the use of discrete quantities of phosphogypsum for researching and developing processes to remove radium from phosphogypsum, or (4) allow other alternative use of phosphogypsum. EPA also grants a limited compliance waiver that permits the continued agricultural use of phosphogypsum through the current growing season.	Compliance waiver extended to 6/1/91. Final rule undetermined.
		NPRM 56 FR 6339 2/15/91	EPA proposes to stay until 11/15/92, or until an earlier date on which a determination can be made, the effectiveness of Subpart I of 40 CFR 61, the NESHAPs for radionuclide emissions as applied to NRC-licensed facilities other than nuclear power reactors.	<u>Subpart I stayed until 11/15/91, or an earlier date on which a determination can be made.</u>

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REGULATORY UPDATE TABLE - FEBRUARY 1991

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*120-142	NPS - Fuel Gas Combustion Devices 40 CFR 60	NPRM 54 FR 8570 3/1/89 Technical amendments 54 FR 18308 4/28/89 Final rule 55 FR 40171 10/2/90 Correction 56 FR 4176 2/4/91	EPA amends the emission monitoring requirements to require affected facilities to monitor SO2 after fuel gas combustion or, as an alternative, H2S in fuel gas combustion devices. EPA also adds a section detailing Performance Specification 7 (PS-7).	Effective 10/2/90. <u>Correction</u> <u>effective 2/4/91.</u>
120-148	NAAQS - Lead 40 CFR 50.12	Planned NPRM 55 FR 45188 10/29/90	EPA is assessing new health effects information that has become available regarding lead and will make a decision for or against a change in the NAAQS. EPA has prepared a staff paper which has been reviewed and approved by the Clean Air Act Scientific Advisory Committee (CASAC).	NPRM 10/91.
120-149	NESHAPs - Asbestos (Risk Reduction) 40 CFR 61	Planned NPRM 55 FR 45190 10/29/90	EPA is considering revising the asbestos NESHAP to further reduce the risks to health.	NPRM 9/91. Final rule 12/92.
120-155	VOC Equipment Leak Fugitive Emissions	Notice 54 FR 37725 9/12/89 Notice 55 FR 14349 4/17/90 Notice 55 FR 27680 7/5/90	EPA gives notice of the establishment of an advisory committee to negotiate a rule to control fugitive emissions of toxic volatile organic compounds (VOCs) from chemical equipment leaks.	NPRM Fall 1991.
120-158	NPS - Medical Waste Incineration 40 CFR 60	Planned NPRM 55 FR 45190 10/29/90	The incineration of medical waste is being investigated for control under Sect. 111. Add-on controls and operator training requirements are being investigated.	NPRM 3/92. Final rule 9/93.

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

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*120-160	Standards of Performance for New Stationary Sources - Appendix A 40 CFR 60	NPRM 54 FR 52190 12/20/89 Final rule 56 FR 5758 2/13/91	EPA adds Method 23, "Determination of Polychlorinated Dibenzo-p-Dioxins (PCDDs) and Dibenzofurans (PCDFs) from Stationary Sources," and Method 26, "Determination of Hydrogen Chloride Emissions from Stationary Sources," to Appendix A of 40 CFR 60.	<u>Effective 2/13/91.</u>
*120-161	Emission Guidelines for Existing Municipal Waste Combustors 40 CFR 60	Proposed guidelines 54 FR 52209 12/20/89 Final guidelines 56 FR 5514 2/11/91	EPA sets emission guidelines and compliance schedules for use by states in developing state regulations to control emissions from existing municipal waste combustors (MWCs).	<u>Effective 2/11/91.</u>
*120-162	NSPS - Revision of Appendix F, Addition to Appendix B 40 CFR 60	NPRM 54 FR 52207 12/20/89 Final rule 56 FR 5525 2/11/91	EPA adds Performance Specification 4A to Appendix B to allow the performance testing of carbon monoxide continuous emission monitoring systems (CEMS) at municipal waste combustion facilities and revises Procedure 1 of Appendix F to make it applicable without further revision for all regulated pollutants.	<u>Effective 2/11/91.</u>
120-166	List of Source Categories for Hazardous Air Pollutants 40 CFR 61	Planned NPRM 55 FR 45186 10/29/90	This regulation is to address an anticipated requirement that the EPA publish a list of source categories of hazardous air pollutants. A schedule and any issues associated with work will be defined after the Clean Air Act amendments are enacted.	Decision on rulemaking action due by 11/91.
120-167	Exemptions from Standards for Hazardous Air Pollutants Due to Early, Voluntary Emission Reduction 40 CFR 63	Planned NPRM 55 FR 45186 10/29/90	A guidance document is being developed to address a requirement in amendments to the Clean Air Act to allow exemptions from Sect. 112 standards for qualifying voluntary reductions of hazardous air pollutants. The guidance will specify the necessary components of an exemption request and give guidelines for its evaluation.	No formal rulemaking action planned. Guidance document to be issued 4/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*120-168	List of Hazardous Air Pollutants - Petitions for Addition/Deletion 40 CFR 61	Planned NPRM 55 FR 45187 10/29/90	A regulation is being developed to address an anticipated requirement in amendments to the Clean Air Act that EPA provide a petition process for the addition of chemicals to or deletion from the list of 191 hazardous air pollutants. This regulation would describe the criteria that must be met in submitting the petition.	<u>Interim guidance document 5/91.</u>
NUCLEAR WASTE POLICY ACT				
700-022	HLW Disposal in Geologic Repositories - EPA and NRC Conforming Amendments 10 CFR 60	NPRM 51 FR 22288 6/19/86 Regulatory Agenda 55 FR 45483 10/29/90	NRC proposes to conform its regulations for disposal of high-level radioactive wastes in geologic repositories to EPA standards of September 19, 1985, as mandated by the NWPA.	On hold indefinitely. Awaiting EPA comments and action.
*700-066	Rules of Practice for HLW License Proceedings 10 CFR 2	NPRM 54 FR 39387 9/26/89 Corrections 54 FR 40780 10/3/89 Final rule 56 FR 7787 2/26/91	NRC amends its Rules of Practice for the licensing proceedings on the disposal of high-level radioactive waste at a geologic repository by establishing a new standard for the admission of initial contentions, defining "late contentions" as any contention proposed after the initial contentions were submitted, requiring parties to present direct testimony on contentions, establishing a compulsory hearing schedule, and eliminating <u>sua sponte</u> review by the Commission's adjudicatory boards.	<u>Effective 3/28/91.</u>
700-068	NWPA Payment-Equal-To-Taxes (PETT) Provisions	Proposed notice of interpretation and procedures 55 FR 8180 3/7/90 Regulatory Agenda 55 FR 44411 10/29/90	The DOE Office of Civilian Radioactive Waste Management proposes its interpretation and procedures for certain payments-equal-to-taxes (PETT) provisions of the Nuclear Waste Policy Act. DOE will make these payments to eligible states, units of local government, and Indian tribes for activities related to siting, development, and operation of a high-level radioactive waste and spent-fuel repository and any MRS facility.	Final action 6/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

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700-069	Radiation Dose Criteria for Accidents at HLW Geologic Repositories (Repository Operations Criteria) 10 CFR 60	Notice of receipt 55 FR 28771 7/13/90 Correction 55 FR 32639 8/10/90 Planned NPRM 55 FR 45492 10/29/90	NRC will propose to amend the regulations concerning radiation dose criteria. A central issue is the development of radiation dose criteria for a postulated accident that DOE would use to establish a limited access area for the high-level waste (HLW) geologic repository. In addition, a number of new definitions would be added.	NPRM undetermined; no schedule yet.
700-074	Definition of Term - High-Level Radioactive Waste 10 CFR 60	Petition for rulemaking 55 FR 51732 12/17/90	The states of Washington and Oregon request that NRC revise the definition of "high-level radioactive waste" so as to establish a framework and standards by which to determine whether reprocessing waste, e.g., certain waste stored at DOE's Hanford site, is high-level radioactive waste.	
<b>LOW-LEVEL RADIOACTIVE WASTE (LLW) POLICY AMENDMENTS ACT</b>				
740-003	Environmental Protection Standards for LLW Disposal 40 CFR 193 40 CFR 764	ANPRM 48 FR 39563 8/31/83 Planned NPRM 55 FR 45166 10/29/90	EPA intends to develop environmental radiation protection standards and/or guides for low-level radioactive (possibly including natural and accelerator produced) waste disposal to protect the public health and general environment from potential adverse effects from this activity. Criteria triggering regulations are being considered.	NPRM 9/91. Final rule 12/92.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

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740-004	LLW Below Regulatory Concern 10 CFR 2 10 CFR 20	ANPRM 51 FR 43367 12/2/86 Policy statement 55 FR 27522 7/3/90 Regulatory Agenda 55 FR 45485 10/29/90	NRC may amend its regulations to address radioactive waste disposal when low radionuclide quantities do not merit regulation as radioactive material. A generic rulemaking is favored over current petitions for exemption of specific wastestreams. NRC issues its policy statement on exemptions from regulatory control for small quantities of radioactive material. The statement defines the dose criteria and other considerations that will be used by NRC in making exemption decisions. Individual dose criteria of 1 and 10 mrem per year and a collective dose criterion are established.	Policy statement effective 7/3/90. NPRM on hold indefinitely, may be withdrawn.
740-013	Incineration of Low-Level Radioactively Contaminated Waste Oil from Nuclear Power Plants 10 CFR 20	NPRM 53 FR 32914 8/29/88 Request for clarification 53 FR 48721 12/2/88 Regulatory Agenda 55 FR 45499 10/29/90	NRC proposes to amend its regulations to permit the onsite incineration of slightly contaminated waste oils generated at licensed nuclear power plants. EPA requests of NRC clarification of two issues: (1) the responsibility of NRC's licensees complying with the approval requirements of the Clean Air Act, and (2) the potential need for licensees obtaining state or federal hazardous waste permits.	Final rule 4/91.
740-019	Unregulated Disposal of Small Amounts of Radioactive Isotopes 10 CFR 20	Petition for rulemaking 53 FR 41342 10/21/88 Correction 53 FR 44014 11/1/88	Rockefeller University requests that NRC amend its regulations under which a licensee may dispose of animal tissue containing small amounts of radioactivity without regard to its radioactivity. The petition requests that the list of radioactive isotopes for which unregulated disposal is permitted be expanded to include sulfur-35, calcium-45, chromium-51, iodine-125, and iodine-131 in concentrations less than 0.001 microcurie/gm.	Petition resolution 9/91.

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

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740-021	Low-Level Waste Manifest Information and Reporting 10 CFR 20 10 CFR 61	Planned NPRM 55 FR 45489 10/29/90	NRC will propose to: (1) augment and improve information contained in manifests accompanying shipments of waste to LLW disposal facilities; (2) require that operators of these disposal facilities store portions of this manifest information in onsite computer recordkeeping systems; and (3) require that operators periodically submit, in an electronic format, reports of shipment manifest information.	NPRM 10/91. Final rule 10/92.
ATOMIC ENERGY ACT				
Transportation Regulations - Compatibility with IAEA -- RU# 400-093				
100-016	Protection Requirements for Spent Fuel Shipments	NPRM 49 FR 23867 6/8/84	The rule modifies the present interim requirements for protection of shipments of irradiated reactor fuel cooled for 150 days or more. Present interim requirements will remain for fuel cooled less than 150 days.	Final rule postponed indefinitely.
100-018	Residual Radioactive Materials Cleanup - Radiation Protection Criteria 40 CFR 194	ANPRM 51 FR 22264 6/18/86 Planned NPRM 55 FR 45166 10/29/90	EPA is developing public health and environmental radiation protection criteria for cleanup of residual radioactivity at decommissioned sites. Licensees of the NRC or Agreement States; sites owned or used by DOE, DOD, the former AEC, and the former Manhattan Engineering District; and sites where natural and accelerator-produced radioactive materials have been used would be affected.	NPRM 6/91. Final rule 10/92.
100-020	Definition of Safety Related and Important to Safety 10 CFR 50	Planned NPRM 55 FR 45483 10/29/90	NRC proposes to clarify its regulations on the use of the terms "important to safety" and "safety related" by adding definitions of these two terms and of "facility licensing documents" to 10 CFR 50 and by discussing how these definitions will be applied in licensing reviews.	On hold indefinitely, will probably be withdrawn.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

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100-021	Exposure Limits for Transuranics	NPRM 42 FR 60956 11/30/77 Regulatory Agenda 55 FR 45166 10/29/90	EPA proposes interim guidance to federal agencies to limit radiation doses to the general population from transuranic elements present in the environment.	Federal agencies have provided comments to EPA. Still awaiting EPA action.
100-033	Explanation to Table S-3, Uranium Fuel Cycle Environmental Data 10 CFR 51	NPRM 46 FR 15154 3/4/81 Regulatory Agenda 55 FR 45481 10/29/90	NRC proposes a narrative explanation of the numerical values of Table S-3, "Table of Uranium Fuel Cycle Environmental Data," which appears in the NRC environmental protection regulations. Values for radon-222 and technetium-99 will be added.	Final rule 5/91.
100-039	Residual Radioactive Contamination Limits for Decommissioning NRC Licensed Facilities 10 CFR 20	NOA 55 FR 6137 2/21/90 Planned NPRM 55 FR 45495 10/29/90	NRC issues a draft report, NUREG/CR-5512, entitled "Residual Radioactive Contamination From Decommissioning: Technical Basis for Translating Contamination Levels to Annual Dose." NRC will establish residual radioactive contamination limits that must be met before buildings, structures, equipment, materials, and land may be released and the license terminated.	Interim criteria to be issued 8/91. NPRM 6/92. Final rule 6/93.
*100-041	Revisions to the Standards for Protection Against Radiation 10 CFR 20	ANPRM 45 FR 18023 3/20/80 NPRM 51 FR 1092 1/9/86 Notice 55 FR 18689 5/3/90 Regulatory Agenda 55 FR 45497 10/29/90	NRC proposes revision of requirements for protection of individuals exposed within and outside the workplace to ionizing radiation from normal operations licensed by the NRC. The revision will reflect current data on health risks, dosimetry, and radiation protection practices.	<u>Final rule 3/91.</u>

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*100-053	Criteria for Extraordinary Nuclear Occurrence 10 CFR 140	NPRM 50 FR 13978 4/9/85 Regulatory Agenda 55 FR 45482 10/29/90	NRC is considering revising the criteria for an "extraordinary nuclear occurrence." The changes are designed to avoid the problems encountered by the NRC in applying existing criteria to Three Mile Island.	<u>Final rule on hold until Fall 1991.</u>
*100-111	Agreement State Radiation Control Programs	Policy statement 52 FR 21132 6/4/87 Proposed policy revision 55 FR 10851 3/23/90	NRC proposes to revise its general statement of policy, "Guidelines for NRC Review of Agreement State Radiation Control Programs," to incorporate changes to the regulation of LLW disposal in permanent facilities.	<u>Final revision by 8/91.</u>
100-129	Environmental Standards for the Management and Disposal of Spent Nuclear Fuel, HLW, and TRU Radioactive Wastes 40 CFR 191	Planned NPRM 55 FR 45166 10/29/90	EPA will promulgate generally applicable environmental standards for the management and disposal of spent nuclear fuel, high-level and transuranic radioactive wastes to establish limits for the release of radioactive materials to the environment.	NPRM 3/91. Final rule 6/92.
100-131	Integrated Schedules for Implementation of Plant Modifications 10 CFR 50	Proposed policy statement 52 FR 45344 11/27/87	NRC issues a proposed policy statement that describes the policy the Commission intends to use to promote voluntary licensee integrated schedules for implementing regulatory requirements and other improvements in nuclear power plants.	Final policy statement placed on hold indefinitely. Reevaluation 6/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
100-157	Transportation Regulations - Compatibility with IAEA 10 CFR 71	NPRM 53 FR 21550 6/8/88 Corrections 53 FR 23484 6/22/88 Regulatory Agenda 55 FR 45485 10/29/90	NRC proposes to revise its regulations for transportation of radioactive material to make them compatible with those of the IAEA. The basic standards for packaging will remain unchanged, and the transport of low-specific-activity radioactive material is considered. NRC also proposes to include the criteria for approval of packages for air transport of plutonium in 10 CFR 71 (see comparable DOT regulation RU# 400-093).	Final rule 4/91.
100-174	Nuclear Plant License Renewal 10 CFR 2 10 CFR 50 10 CFR 54	ANPRM 53 FR 32919 8/29/88 ANPRM 54 FR 41980 10/13/89 NOA 55 FR 29122 7/17/90 NPRM 55 FR 29043 7/17/90 Regulatory Agenda 55 FR 45487 10/29/90	NRC proposes to establish the requirements that an applicant for renewal of a nuclear power plant operating license must meet, the information that must be submitted to the NRC for review so NRC can determine whether those requirements have in fact been met, and the application procedures.	Final rule 6/91.
100-179	Fitness-For-Duty Programs for Category I Fuel Facilities and Shipments 10 CFR 26	Planned NPRM 55 FR 45496 10/29/90	NRC will propose to amend the Commission's fitness-for-duty regulations to include Category I fuel facilities and Category I shipments.	NPRM 7/91. Final rule 6/92.

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
100-186	Notification of Incidents 10 CFR 20 10 CFR 30 10 CFR 40 10 CFR 70	NPRM 55 FR 19890 5/14/90 Regulatory Agenda 55 FR 45500 10/29/90	NRC proposes to revise licensee reporting requirements for notifications of incidents related to radiation safety to ensure that significant occurrences at material licensee facilities are promptly reported to NRC.	Final rule 3/91.
100-187	Licenses and Radiation Safety Requirements for Large Irradiators 10 CFR 36	NPRM 55 FR 50008 12/4/90	NRC proposes to establish a new part 36 to specify radiation safety requirements and licensing requirements for the use of licensed radioactive materials in large irradiators.	Final rule 12/91.
100-188	Criteria and Procedures for Reporting of Defects 10 CFR 21 10 CFR 50	NPRM 53 FR 44594 11/4/88 Regulatory Agenda 55 FR 45482 10/29/90	NRC proposes to amend its regulations on the reporting of safety defects. The amendments would apply to licensees and non-licensees who construct facilities for or supply components to licensed activities. The amendments would eliminate duplicative reporting of defects, clarify the criteria for reporting defects, and establish uniform time periods for reporting and uniform requirements for the content of the reports.	Final rule being reworked; may be done by 3/91.
100-189	Criteria and Procedures for Determining Eligibility for Access to Classified Matter or Significant Quantities of Special Nuclear Material 10 CFR 710	NPRM 54 FR 5376 2/2/89 Regulatory Agenda 55 FR 44408 10/29/90	DOE proposes a rule dealing with criteria and procedures determining eligibility for access to classified matter or significant quantities of special nuclear material. This action would establish a Q(R) access authorization for individuals applying for or currently holding a position identified as a Personnel Security Assurance Program (PSAP) position.	Final rule 3/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
100-194	Maintenance Programs for Nuclear Power Plants 10 CFR 2 10 CFR 50	NPRM 53 FR 47822 11/28/88 NOA 54 FR 33988 8/17/89 Policy statement: modification 54 FR 50610 12/8/89 Revised policy statement 54 FR 50611 12/8/89 Regulatory Agenda 55 FR 45500 10/29/90	NRC proposes to require that maintenance programs of commercial nuclear power plant licensees include specific activities, including the monitoring of the effectiveness of plant maintenance programs.  NRC adds an additional civil penalty adjustment factor for violations involving maintenance.  NRC issues a revised policy statement on maintenance of nuclear power plants indicating that NRC will hold in abeyance the NPRM of 11/28/88 for 18 months.	Final rule 6/91.
100-214	Nuclear Power Plant Structures, Systems, and Components 10 CFR 50	ANPRM 54 FR 9229 3/6/89 Planned NPRM 55 FR 45501 10/29/90	NRC is proposing to develop regulations requiring enhanced acceptance procedures including, but not limited to, receipt inspection and testing of products purchased for use in nuclear power plant structures, systems, and components.	All action suspended, may be withdrawn.
100-216	Guidance on Management Controls/ Quality Assurance, Requirements For Operation, Chemical Safety, and Fire Protection for Fuel Cycle Facilities	Proposed guidance 54 FR 11590 3/21/89	NRC proposes four branch technical positions on management controls/quality assurance, requirements for operation, chemical safety, and fire protection for fuel cycle facilities.	Separate guidance documents will be issued for each of the four categories. Fire protection document to be issued first, in 9/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
100-222	Code and Standards for Nuclear Power Plants 10 CFR 50	Planned NPRM 55 FR 45486 10/29/90	NRC will incorporate by reference Subsection IWE, "Requirements for Class MC Components of Light-Water Cooled Power Plants," of Sect. XI of the ASME Code. Section IWE provides the rules and requirements for inservice inspection, repair, and replacement of Class MC pressure retaining components and their integral attachments and of metallic shell and penetration liners of Class CC pressure retaining components and their integral attachment in light-water cooled power plants.	NPRM 12/91.
100-223	Pressurized Thermal Shock Rule 10 CFR 50	NPRM 54 FR 52946 12/26/89 Notice 55 FR 71 1/2/90 Regulatory Agenda 55 FR 45501 10/29/90	NRC proposes to revise the pressurized thermal shock rule of 1985 to make the procedure used to calculate the amount of radiation embrittlement that a reactor vessel receives consistent with that given in Revision 2 of Regulatory Guide 1.99.	Final rule 4/91.
100-224	Primary Reactor Containment Leakage Testing for Water-Cooled Reactors 10 CFR 50	NPRM 51 FR 39538 10/29/86 Regulatory Agenda 55 FR 45498 10/29/90	NRC propose to update and revise the 1973 criteria for preoperational and periodic pressure testing for leakage of primary containment boundaries of water-cooled power reactors in order to eliminate inconsistencies and obsolete requirements.	Final rule uncertain, may be withdrawn. If not withdrawn, will be published by Spring 1991.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
100-234	Physical Protection Requirements 10 CFR 70 10 CFR 72 10 CFR 73 10 CFR 75	NPRM 54 FR 33570 8/15/89 Notice 55 FR 7960 3/6/90 Regulatory Agenda 55 FR 45487 10/29/90	NRC proposes to amend its regulations that cover the physical protection of special nuclear materials to correct editorial errors and clarify wording and definitions.	Final rule 5/91.
100-248	Emergency Response Data System 10 CFR 50	NPRM 55 FR 41095 10/9/90	NRC proposes to require licensees to participate in the Emergency Response Data System (ERDS) program and to set a definite schedule for its implementation. The ERDS is a direct electronic data link between computer data systems used by licensees and the NRC Operations Center.	Final rule 7/91.
*100-249	Requirements for Possession of Industrial Devices 10 CFR 31	Planned NPRM 55 FR 45489 10/29/90	NRC will propose to amend the regulations for the possession of industrial devices containing byproduct material to require device users to report to the NRC on a periodic basis. The proposed report would indicate that the device is still in use or to whom the device has been transferred, and so would assure that devices are not improperly transferred or inadvertently discarded.	<u>NPRM 6/91. Final rule 6/92.</u>
*100-252	Import and Export of Radioactive Waste 10 CFR 110	ANPRM 55 FR 4181 2/7/90 Planned NPRM 55 FR 45490 10/29/90	NRC will propose to regulate the import and export of radioactive wastes, in particular low-level wastes, in order to more properly control the international transfer of these wastes.	<u>NPRM 6/91.</u>

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
100-256	U-AVLIS Uranium Enrichment - Permits for Access to Restricted Data 10 CFR 725	NPRM 55 FR 15237 4/23/90 Regulatory Agenda 55 FR 44410 10/29/90	DOE proposes to amend the regulations concerning permits for access to uranium isotope separation restricted data by updating category C-24 to include the U-AVLIS technology for the separation of uranium isotopes and requiring private sector permit applicants to pay \$100,000 for an access permit. The purpose of the amendments is to encourage private sector participation in the government's uranium enrichment program.	Final rule 4/91.
100-258	Emergency Preparedness Regulations 10 CFR 50	Planned NPRM 55 FR 45491 10/29/90	NRC will propose to clarify the linkage between the need for "reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency" indicated in Sect. 50.47(a) and 16 planning standards outlined in Sect. 50.47(b). In addition, this rule will clarify the term "range of protective" actions and the issues of monitoring of evacuees, actions for recovery and reentry, notification of the public, evacuation time estimates, and exercise frequency.	NPRM 4/91. Final rule 12/91.
		Planned NPRM 55 FR 45491 10/29/90	NRC will propose a rule to amend the regulations concerning those portions of emergency plans which cannot be exercised prior to issuance of a Part 52 combined license. This rulemaking will be accomplished on a "high priority basis."	NPRM sent to Commission 4/90; awaiting their action on it.
100-262	Zero-Release Low-Level Radioactive Waste Disposal Facility - Sierra Club Petition 10 CFR 61	Petition for rulemaking 55 FR 13797 4/12/90 Receipt of amendment 55 FR 23206 6/7/90	NRC has received a petition for rulemaking from the Sierra Club to amend 10 CFR 61 to permit the design and construction of a zero-release LLW facility in a saturated zone so that North Carolina may waive its requirement that the bottom of a LLW facility be at least seven feet above the seasonal high water table. The Sierra Club amends its petition by requesting NRC to consider new information on polymer concrete technology as an alternative means for realizing the objective of the original petition.	Final decision on whether to proceed with rulemaking 6/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
100-265	Nuclear Plant License Renewal - Environmental Effects 10 CFR 51	ANPRM 55 FR 29964 7/23/90 NOI 55 FR 29967 7/23/90 Planned NPRM 55 FR 45481 10/29/90	NRC is considering an amendment to its regulations that would add provisions concerning the scope of environmental effects which would be addressed by the Commission in conjunction with applications for license renewal for nuclear power plants.	NPRM 5/91. Final rule 4/92.
100-275	Import and Export of Nuclear Equipment and Material 10 CFR 110	Planned NPRM 55 FR 45494 10/29/90 Notice 55 FR 53596 12/31/90	NRC will propose amendments to: (1) permit the expedited import and export of certain nuclear material where no significant proliferation risks are involved, (2) streamline the procedures for public participation in NRC's licensing process, (3) delete from the lists of restricted destinations those countries that signed the Non-Proliferation Treaty, (4) add Namibia to the general license allowing import of their uranium, and (5) make other minor changes. NRC will also propose that the export of heavy water to Canada and low-enriched uranium to EURATOM and to Japan for enrichment will no longer require license application review by the Executive Branch.	NPRM 4/91.
100-276	Timeliness in Conduct of Decommissioning of Material Facilities 10 CFR 30 10 CFR 40 10 CFR 70 10 CFR 72	Planned NPRM 55 FR 45495 10/29/90	NRC will propose to require decontamination and decommissioning of material facilities within a fixed period of time after cessation of operations.	NPRM 4/91.

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
100-277	Challenges to Orders That Are Made Immediately Effective 10 CFR 2	NPRM 55 FR 27645 7/5/90 Regulatory Agenda 55 FR 45494 10/29/90	NRC proposes to require that challenges to the merits of an immediately effective order be heard expeditiously, except where good cause exists for delay.	Final rule undetermined.
*100-278	Material Control and Accounting Requirements for Uranium Enrichment Plants 10 CFR 74	NPRM 55 FR 51726 12/17/90  NOA 56 FR 7884 2/26/91	NRC proposes to establish material control and accounting requirements for special nuclear material of low strategic significance at uranium enrichment plants, including requirements to detect and prevent enrichment above a specified maximum.  NRC announces the availability of a draft regulatory guide, "Material Control and Accounting for Uranium Enrichment Facilities Authorized to Produce Special Nuclear Material of Low Strategic Significance," to provide guidance acceptable to the NRC staff for a uranium enrichment facility.	Final rule undetermined.  <u>Comments by 4/19/91.</u>
*100-279	Code and Standards for Nuclear Power Plants - ASME Code Addenda 10 CFR 50	NPRM 56 FR 3796 1/31/91	NRC proposes to incorporate by reference the 1986, 1987, and 1988 Addenda, and the 1989 edition of Section III, Division 1, and Section XI, Division 1, with a specified modification, of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code). NRC also proposes to impose augmented examination of reactor vessel shell welds.	<u>Comments by 4/16/91. Final rule 12/91.</u>
*100-285	Reconfiguration of DOE's Nuclear Weapons Complex	NOI 56 FR 5590 2/11/91	DOE announces its intent to prepare a programmatic environmental impact statement (PEIS) for reconfiguring its nuclear weapons complex. The PEIS will analyze the environmental consequences of alternative long-term reconfiguration strategies for the weapons complex.	<u>Comments by 9/30/91.</u>

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
<b>URANIUM MILL TAILINGS RADIATION CONTROL ACT</b>				
930-029	Groundwater Protection Standards for Inactive Uranium Tailing Sites 40 CFR 192	NPRM 52 FR 36000 9/24/87 Regulatory Agenda 55 FR 45167 10/29/90	EPA proposes standards for preventing groundwater contamination at inactive uranium processing sites. The rule will replace the groundwater provisions of the final rule of 1/5/83 for remedial action.	Final rule undetermined; still being reviewed by OMB and NRC.
*930-034	Uranium Mill Tailing Sites - Remedial Action Program and Annotation of Land Records 10 CFR 764	NPRM 54 FR 29732 7/14/89 Regulatory Agenda 55 FR 44410 10/29/90	DOE proposes to clarify the obligation of certain states to annotate local land records so as to ensure that future purchasers of remediated properties will be notified of the extent of the remedial work.	<u>Final rule 3/91.</u>
<b>TOXIC SUBSTANCES CONTROL ACT</b>				
Containerized Liquids in Landfills -- RU# 840-024				
920-053	Test Rule - Exemption Policy Revision 40 CFR 790	Interim final rule 50 FR 20652 5/17/85 Interim final rule 54 FR 36311 9/1/89  Planned NPRM 55 FR 45151 10/29/90	EPA amends the test rule development and procedural rule (49 FR 39774) to allow for a single phase rulemaking covering both the effects for which testing is necessary and the testing methodology. EPA also amends it by modifying and clarifying the procedures for reviewing and approving or denying modifications to test standards and test schedules.  EPA plans to propose appropriate procedural changes to reduce the resources required for consent order negotiation.	Interim final rules effective immediately.  NPRM 4/91. Final rule 6/92.

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
920-064	Comprehensive Assessment Information Rule 40 CFR 704	Planned NPRM 55 FR 45154 10/29/90	EPA is considering revision of the Comprehensive Assessment Information Rule (CAIR) to establish exemptions for small and "de minimis" volumes, refine trade name reporting requirements, reduce certain advance substantiation requirements for Confidential Business Information (CBI) claims, and define processing activities using processor subclasses.	NPRM Summer 1991.
920-070	Test Guidelines 40 CFR 796 40 CFR 797	NPRM 52 FR 36334 9/28/87	EPA proposes to add new test guidelines of general procedures for laboratory testing for an effect or characteristic deemed important for evaluating the fate and environmental hazard of a chemical substance or mixture (test substance).	Final rule 12/91.
920-076	Termination of PCBs Disposal Approvals 40 CFR 761	NPRM 55 FR 46470 11/2/90	EPA proposes a rule establishing criteria and procedures for the suspension and revocation of PCB storage and disposal approvals.	Final rule 11/91.
*920-092	Chemical Test Data	Notice 56 FR 5688 2/12/91	EPA announces the receipt of chemical test data on m-, o-, and p-phenylenediamine; 1,1,1-trichloroethane; and octamethylcyclotetrasiloxane.	
		Notice 56 FR 8194 2/26/91	EPA announces the receipt of chemical test data on tributyl phosphate submitted pursuant to a final test rule under TSCA.	
920-113	SARA Section 110 Chemicals Generic Test Rule 40 CFR 790	Planned NPRM 55 FR 45151 10/29/90	This regulation will set forth the policies and procedures for using the TSCA Sect. 4 testing authority to obtain toxicity and chemical fate testing to fill certain data needs identified in toxicity profiles of chemicals prepared pursuant to SARA.	NPRM 3/91. Final rule 9/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
920-119	PCBs - Wet Weight, Dry Weight Clarification 40 CFR 761	NPRM 55 FR 12866 4/6/90 Regulatory Agenda 55 FR 45156 10/29/90	EPA proposes to amend the PCB regulations final rule of 7/10/84 (49 FR 28171) by adding the phrase "on a dry weight basis" to Sect. 761.1(b).	Final rule and clarification Spring 1991.
920-123	Drinking Water Chemicals Proposed Test Rule 40 CFR 795 40 CFR 799	NPRM 55 FR 21393 5/24/90 Regulatory Agenda 55 FR 45155 10/29/90	EPA proposes a test rule under Sect. 4 of TSCA that would require manufacturers and processors to test the following substances for certain health effects: chloroethane, 1,1-dichloroethane, 1,1,2,2-tetrachloroethane, n-propylbenzene, and 1,3,5-trimethylbenzene. EPA also proposes a new testing guideline for a 14-day repeated dose oral toxicity study. This proposed rule supports EPA's effort to develop Health Advisories for unregulated drinking water contaminants monitored under the SDWA.	Final rule 7/91.
920-124	Reduction of Lead Consumption and Use 40 CFR 721 40 CFR 750	Planned ANPRM 55 FR 45149 10/29/90	EPA initiates a regulatory investigation to determine the most cost-beneficial way to reduce human exposure to lead. EPA will consider a Sect. 6(a) rule for mandatory battery recycling, a Sect. 6(a) rule to restrict or phase-out high exposure lead uses, a Sect. 5(a)(2) significant new use rule to prevent hazardous new uses of lead, and an ANPRM to request information and announce intentions.	ANPRM 3/91.
*920-126	Recycling of Lead Acid Batteries 40 CFR Chapter I	Notice 55 FR 52884 12/24/90 Notice 56 FR 2885 1/25/91 Notice 56 FR 7825 2/26/91	EPA gives notice of the remaining meetings of the advisory committee to negotiate a rule to recycle lead acid batteries. The purpose of the early meetings is to consider information and generate discussion of issues/options of recycling. The purpose of the April meeting is to reach a consensus on a regulatory option.	Meetings scheduled for 3/13, 3/27, and 4/17-18, 1991. NPRM 10/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
HAZARDOUS MATERIALS TRANSPORTATION ACT				
Transportation Regulations - Compatibility with IAEA -- RU# 100-157				
*400-014	Railroad Shipment of Hazardous Material - Use of Cargo Tanks	ANPRM 50 FR 18278 4/30/85	The Federal Railroad Administration and the RSPA are considering development of safety standards to permit the use of cargo tanks, portable tanks, IM portable tanks, and multi-unit tank car tanks in trailers on flatcar and containers-on-flatcar service.	<u>NPRM 7/91.</u>
		Notice extending existing approvals 56 FR 8388 2/28/91	FRA extends all FRA approvals granted for the transportation of cargo tanks, portable tanks, IM portable tanks, and multi-unit tank car tanks in trailer-on-flatcar and container-on-flatcar service from 3/1/91 until the issuance of a final rule under this rulemaking.	<u>Extension effective 3/1/91.</u>

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
400-039	Pipeline Operator Qualifications 49 CFR 192 49 CFR 195	ANPRM 52 FR 9189 3/23/87 Planned NPRM 55 FR 44878 10/29/90	RSPA is considering the need to develop additional regulations governing training and qualification of persons that operators hire to design, construct, operate, or maintain pipeline facilities used in transport of gas or hazardous materials. An alternative program of operator certification is also being considered.	NPRM 5/91.
400-044	Hazardous Materials - Intrastate Commerce 49 CFR 171 49 CFR 172 49 CFR 173 49 CFR 174 49 CFR 175 49 CFR 176 49 CFR 177 49 CFR 178 49 CFR 179	ANPRM 52 FR 24195 6/29/87 Planned NPRM 55 FR 44878 10/29/90	DOT is considering extending the application of its hazardous material regulation to all intrastate transportation of hazardous materials in commerce.	NPRM late 1991.
400-057	Railroad Shipment of Hazardous Waste - Defects of Tank Car Tanks 49 CFR 173	ANPRM 52 FR 46510 12/8/87 Planned NPRM 55 FR 44881 10/29/90	RSPA proposes to require railroad tank car owners to inspect for cracks after certain tank repairs.	NPRM 3/91. Final rule 3/92.
400-061	Highway Routing Standards for Hazardous Materials 49 CFR 173.177 49 CFR 397	ANPRM 53 FR 11618 4/7/88 Planned NPRM 55 FR 44879 10/29/90	RSPA is considering establishing routing criteria, requirements, and methodologies for analyzing alternative routes for highway transport of non-radioactive hazardous materials.	NPRM being revised, possibly late Spring 1991.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
400-062	Registration of Shippers and Carriers of Hazardous Materials 49 CFR 171 49 CFR 173 49 CFR 177	Planned NPRM 55 FR 44877 10/29/90	DOT lacks comprehensive data on the number, volume, and other statistics characterizing the transportation of hazardous materials in commerce. Comments will be requested on the burdens and benefits associated with various alternatives that could be used to obtain such information. The registration of carriers and shippers is one such alternative.	Rulemaking reactivated but no schedule for NPRM yet. Mandatory Congressional deadline for final rule 9/30/92.
400-063	Hazardous Liquid Pipeline Damage-Prevention Program 49 CFR 192 49 CFR 195	NPRM 53 FR 24747 6/30/88 Regulatory Agenda 55 FR 44885 10/29/90	OPS, RSPA, and DOT propose to require operators of buried onshore hazardous liquid pipelines to conduct excavation damage prevention programs in accordance with criteria adopted previously for gas pipeline damage prevention programs. A large percentage of liquid pipeline accidents are caused by excavation damage, and experience has shown that rates of excavation accidents diminish when operators participate in such a program.	Final rule 5/91.
400-064	Maps and Records of Pipeline Location and Characteristics - State Notification 49 CFR 192 49 CFR 195	Planned NPRM 55 FR 44879 10/29/90	As part of a continuing policy to adopt similar safety requirements for gas and hazardous liquid pipelines, this action will propose to equalize the requirements that gas and liquid operators keep maps and records to show the location and other characteristics of pipelines and will require them to provide this information to state agencies upon request.	NPRM 4/91. Final rule 4/92.
*400-073	Implementation of the ICAO's Technical Instructions 49 CFR 171 49 CFR 175	NPRM 55 FR 46839 11/7/90	RSPA proposes to amend its regulations in order to permit the offering, acceptance, and transportation by aircraft of hazardous materials shipments conforming to the most recent ICAO technical instructions.	<u>Final rule 11/91.</u>

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*400-079	Packaging and Hazard Communication of Etiologic Agents 49 CFR 172 49 CFR 173	NPRM 53 FR 45525 11/10/88 Final rule 56 FR 197 1/3/91 Effective date extended 56 FR 7312 2/22/91	RSPA amends the hazardous materials transport regulations to revise the definition of "etiologic agent" and remove the 50 ml exemption in 49 CFR 173.386.	<u>Effective 9/30/91.</u>
400-080	Marine Transport of Bulk Solid Hazardous Materials 46 CFR 148	ANPRM 54 FR 18308 4/28/89 Notice 55 FR 11481 3/28/90 Regulatory Agenda 55 FR 44772 10/29/90	DOT will propose to incorporate into 46 CFR 148 the Coast Guard's and the International Maritime Organization's requirements for shipping certain frequently carried hazardous bulk solids, to eliminate paperwork for both the Coast Guard and the shipping industry and to harmonize domestic regulations with international standards.	NPRM 8/91.
400-081	Operating Requirements for Rail Carriage 49 CFR 171 49 CFR 174	Final rule 55 FR 52402 12/21/90	DOT updates and rewrites the regulations contained in 49 CFR 171 and 49 CFR 174 which govern the transportation of hazardous material by rail.	Final rule effective 10/1/91. Compliance with regulations authorized as of 1/1/91. Petitions for reconsideration due by 3/21/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
400-093	Transportation Regulations - Compatibility with IAEA 49 CFR 171 49 CFR 172 49 CFR 173 49 CFR 174 49 CFR 175 49 CFR 176 49 CFR 177 49 CFR 178	NPRM 54 FR 47454 11/14/89 NOA 54 FR 48054 11/20/89 Regulatory Agenda 55 FR 44888 10/29/90	RSPA proposes to revise its regulations to make them compatible with those of the IAEA for the safe transport of radioactive materials (see comparable NRC regulation RU# 100-157).	Final rule 6/91.
400-094	Special Cargo Requirements for Benzene 46 CFR 151 46 CFR 153 46 CFR 197 46 CFR 30	NPRM 55 FR 2978 1/29/90 Regulatory Agenda 55 FR 44777 10/29/90	The Coast Guard proposes to revise the special carriage requirements for benzene and benzene mixtures and to add new regulations concerning occupational exposure to benzene on Coast Guarded inspected vessels. The regulations are being amended to incorporate the lower benzene exposure levels adopted by OSHA to provide workers in the marine mode with the same protection as their land-based counterparts.	Final rule 7/91.
*400-095	Elevated Temperature Materials 49 CFR 171 49 CFR 172 49 CFR 173	NPRM 54 FR 38930 9/21/89 Regulatory Agenda 55 FR 44887 10/29/90	RSPA is proposing to regulate materials which pose a hazard due to their being transported at elevated temperatures. Materials would include those in a liquid phase having temperatures at or above 212 degrees F and materials in a solid phase having temperatures at or above 464 degrees F. RSPA is also proposing to regulate, as flammable liquids, materials in a liquid phase with flash points at or above 100 degrees F which are transported at or above their flash points.	<u>Final rule 5/91.</u>

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
400-097	Transportation of Hydrogen Sulfide by Pipeline 49 CFR 192	ANPRM 54 FR 24361 6/7/89 Planned NPRM 55 FR 44882 10/29/90	Federal gas pipeline safety regulations do not specifically address all the safety risks associated with the presence of hydrogen sulfide in natural gas, such as those involving sulfide stress cracking and toxicity effects. RSPA will determine the need for regulations to control the concentration of hydrogen sulfide in natural gas pipeline systems.	NPRM 3/91. Final rule 3/92.
400-099	Gas Pipelines Corrosion 49 CFR 192	NPRM 54 FR 27041 6/27/89 Regulatory Agenda 55 FR 44887 10/29/90	RSPA proposes to require gas pipeline operators who must now inspect for corrosion on buried metallic pipe that is exposed to investigate further to determine the full extent of any corrosion that is found.	Final rule 4/91.
400-102	Training for Hazardous Materials Transportation 49 CFR 172 49 CFR 174 49 CFR 175 49 CFR 176 49 CFR 177	NPRM 54 FR 31144 7/26/89 Regulatory Agenda 55 FR 44884 10/29/90	RSPA is proposing to amend the Hazardous Materials Regulations (HMR) to require that persons who perform functions involving the transportation of hazardous materials receive training concerning regulatory requirements applicable to those functions, and persons who work in proximity to hazardous materials receive training concerning hazardous materials awareness and safety procedures.	Final rule 3/91.
*400-110	Hydrostatic Pressure Testing of Hazardous Liquid Pipelines	Planned NPRM 55 FR 44878 10/29/90	Studies have shown that large spill accidents attributable to latent material or construction defects can be prevented by restricting operation to not more than 80% of a prior test or operating pressure. This rule would set this safety standard for all hazardous liquid pipelines.	<u>NPRM 4/91. Final rule 4/92.</u>

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
400-111	Operator's Plans or Procedures 49 CFR 190 49 CFR 193 49 CFR 195	NPRM 54 FR 46684 11/6/89 Regulatory Agenda 55 FR 44888 10/29/90	OPS proposes to change the procedures and policy for addressing deficiencies in operators' procedures and plans relating to gas, LNG, and hazardous liquid pipelines. The proposed changes include making operators subject to all enforcement sanctions under the Natural Gas Pipeline Safety Act of 1968, as amended, and the Hazardous Liquid Pipeline Safety Act of 1979, as amended, for failure to maintain all plans and procedures in accordance with applicable requirements.	Final rule 6/91.
400-112	Operation and Maintenance Procedures for Pipelines 49 CFR 192 49 CFR 195	NPRM 54 FR 46685 11/6/89 Regulatory Agenda 55 FR 44885 10/29/90	OPS proposes to clarify and delineate the items that must be addressed in procedures for operations and maintenance of gas pipelines facilities to assure that operators take timely and appropriate actions under normal conditions or in responding to abnormal conditions. In addition, operators would be required to establish procedures for personnel safety in trenches where there may be a hazardous accumulation of vapor or gas.	Final rule 4/91.
400-113	Gas Pipeline Operating Above 72 Percent of Specified Minimum Yield Strength 49 CFR 192	ANPRM 54 FR 50780 12/11/89 Correction 54 FR 51816 12/18/89 Planned NPRM 55 FR 44881 10/29/90	A grandfather clause allows certain steel gas pipelines to operate at hoop stress levels above 72 percent of the specified minimum yield strength (SYMS) of the pipe - the highest operating hoop stress permitted on steel pipe in all other regulated gas pipelines. The Office of Pipeline Safety is concerned about this possible disparity in protection and invites public comments to determine an appropriate course of action.	NPRM undetermined.
400-116	Requirements for Explosives 49 CFR 171 49 CFR 172 49 CFR 173	NPRM 55 FR 18438 5/2/90 Correction 55 FR 24350 6/15/90 Final rule 55 FR 52402 12/21/90	RSPA amends the hazardous materials transportation regulations relating to hazard classification, packaging, and hazard communication for explosives to make them consistent with the United Nations Recommendations on the Transport of Dangerous Goods.	Final rule effective 10/1/91. Compliance with regulations authorized as of 1/1/91. Petitions for reconsideration due by 3/21/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
400-117	Revisions to Modal Regulations (Carrier Provisions) 49 CFR 174 49 CFR 175 49 CFR 177	NPRM 55 FR 18546 5/2/90 Final rule 55 FR 52402 12/21/90	RSPA revises the carrier provisions of the hazardous materials transportation regulations to align the requirements with previous proposals and with the ICAO's Technical Instructions for the Safe Transport of Dangerous Goods by Air.	Final rule effective 10/1/91. Compliance with regulations authorized as of 1/1/91. Petitions for reconsideration due by 3/21/91.
400-118	Specifications for Tank Car Tanks 49 CFR 173	ANPRM 55 FR 20242 5/15/90 Supplemental ANPRM 55 FR 35327 8/29/90 Planned NPRM 55 FR 44877 10/29/90	RSPA considers amendments to: (1) require thermal or head protection or both on new and existing tank car tanks constructed of aluminum or nickel; (2) disallow use of the half-head shield as an option to meet head protection requirements; (3) prohibit the use of tanks that have a manway opening located below the liquid level of the material transported; (4) disallow the use of "non-pressure" tanks to transport materials poisonous by inhalation; (5) increase the start-to-discharge pressure setting on certain tanks; (6) establish specifications for securement and accident survivability of closure fittings; and (7) phase out certain "grandfather" provisions. RSPA also solicits comments on operational changes and design modifications to consider instead of retrofitting tanks. In a supplement to its 5/15/90 ANPRM, RSPA considers four further amendments to its tank car tank specifications.	NPRM undetermined.
*400-120	Hazardous Liquid Pipelines Operating at 20 Percent or Less of Specified Minimum Yield Strength 49 CFR 195	ANPRM 55 FR 45822 10/31/90	RSPA solicits comments and information to use in determining whether and to what extent to remove the exception in the pipeline safety standards governing hazardous liquid pipelines which says that they do not apply to pipelines operated at 20 percent or less of the specified minimum yield strength of the pipe.	<u>NPRM 12/91.</u>

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
400-121	Excess Flow Valve Installation on Service Lines 49 CFR 192	ANPRM 55 FR 52188 12/20/90	The Office of Pipeline Safety seeks public participation in determining whether operators should be required to install excess flow valves on gas service lines to improve safety and reduce the frequency of incidents. Flow valves are designed to shut off automatically when a line is broken.	Comments by 3/20/91.
*400-122	Amendments to Hazardous Materials Program Procedures and Regulations 49 CFR 107 49 CFR 171 49 CFR 173	Final rule 56 FR 8616 2/28/91	RSPA issues a final rule to conform its Hazardous Materials Regulations to certain provisions of the Hazardous Materials Transportation Uniform Safety Act of 1990 enacted 11/16/90.	<u>Effective 11/16/90.</u>

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
<b>OCCUPATIONAL SAFETY AND HEALTH ACT</b>				
780-006	Occupational Exposure to Formaldehyde 29 CFR 1910 29 CFR 1926	NPRM 50 FR 50412 12/10/85 Final rule 52 FR 46168 12/4/87 Notice of partial approval 53 FR 6628 3/2/88 Corrections 53 FR 27923 7/25/88 Administrative stay 53 FR 50198 12/13/88 Corrections; technical amendments 54 FR 29545 7/13/89 Correction 54 FR 31765 8/1/89 Administrative stay extended 55 FR 51698 12/17/90	OSHA reduces its permissible exposure limits (PELs) for formaldehyde from an 8-hr time-weighted average (TWA) of 3 ppm to 1 ppm, revokes the 10 ppm TWA for up to 30 minutes, reduces from 5 ppm to 2 ppm the 15-minute short term exposure limit (STEL), and sets an "action level" of 0.5 ppm measured as an 8-hr TWA. The information requirements have been approved by OMB. The hazard communications requirements were approved after resubmittal by OSHA on 10/7/88. However, OSHA has granted an administrative stay of these provisions for nine months. During this period, OSHA will propose to revoke these hazard communication provisions and to invite comments on the substitution of the full Hazard Communication Standard. Pending completion of this rulemaking, affected employers must continue to comply with the provisions of OSHA's Hazard Communication Standard.	Effective date for hazard communication provisions 12/20/88. Administrative stay of hazard communication requirements effective until 3/11/91. Amendments effective 7/13/89. NPRM 9/91.
780-009	Occupational Exposure to Methylene Chloride 29 CFR 1910	ANPRM 51 FR 42257 11/24/86 Planned NPRM 55 FR 44715 10/29/90	OSHA intends to develop a permanent standard for occupational exposure to methylene chloride.	NPRM 4/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
780-011	Respiratory Protection 29 CFR 1910.134 29 CFR 1915.152 29 CFR 1918.102 29 CFR 1926.103	ANPRM 47 FR 20803 5/14/82 Planned NPRM 55 FR 44713 10/29/90	OSHA is reviewing current standards for respiratory protection and intends to propose revisions following analysis of the standards.	NPRM 4/91. Final rule 4/92.
*780-015	Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite 29 CFR 1910 29 CFR 1926	Administrative stay and revisions 51 FR 37002 10/17/86 Administrative stay extended 52 FR 15722 4/30/87 Corrections 52 FR 17752 5/12/87 Partial stay extended and final rule amended 53 FR 27345 7/20/88 Partial stay extended; final rule amended 54 FR 30704 7/21/89 Supplemental NPRM 55 FR 4938 2/12/90 Partial stay extended 55 FR 50685 12/10/90	On 6/20/86 OSHA revised the standards governing occupational exposure to asbestos, tremolite, anthophyllite, and actinolite in general industry and in the construction industry. OSHA has since received many comments regarding the appropriateness of regulating nonasbestiform tremolite, anthophyllite, and actinolite as presenting the same health risk as asbestos. OSHA has granted administrative stays of the standards as they apply to nonasbestiform varieties to allow time for OSHA to reopen the rulemaking record on the issue of whether, and how, to regulate occupational exposure to the nonasbestiform varieties. OSHA makes minor conforming amendments and extends the partial administrative stay of the revised final standards for occupational exposure as they apply to nonasbestiform tremolite, anthophyllite, and actinolite.  OSHA proposes to lift the administrative stay, remove 29 CFR 1910.1101, and amend the revised asbestos standards to remove non-asbestiform tremolite, anthophyllite, and actinolite from their scope.	Asbestos forms made effective 7/21/86. Administrative stay for other forms extended to 8/31/91.  <u>Final rule 3/91.</u>

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
780-020	Construction Standards - Safety Standards for Scaffolds 29 CFR 1926	NPRM 51 FR 42680 11/25/86 Regulatory Agenda 55 FR 44720 10/20/90	OSHA proposes to revise the construction industry safety standards for scaffolds to regulate the design, construction, and use of all scaffolds in construction.	Final rule 12/91.
780-021	Construction Industry - Safety Standards for Fall Protection 29 CFR 1926	NPRM 52 FR 42718 11/25/86 Regulatory Agenda 55 FR 44720 10/29/90	OSHA proposes to revise the construction industry safety standards to regulate the design and use of fall protection systems and procedures. The proposed revisions would address exposure hazards by using performance criteria rather than specification standards.	Final rule 9/91.
*780-022	Construction Industry - Safety Standards for Stairways and Ladders 29 CFR 1926	NPRM 51 FR 42750 11/25/86 Final rule 55 FR 47660 11/14/90 Corrections 56 FR 2585 1/23/91 Correction 56 FR 5061 2/7/91	OSHA amends its construction industry standards by revising and relocating the existing provisions for stairways and ladders from existing Subpart L and M into Subpart X.	Effective 1/14/91.
*780-025	Occupational Exposure to 2-Methoxyethanol, 2-Ethoxyethanol and Their Acetates 29 CFR 1910.1000	ANPRM 52 FR 10586 4/2/87 Planned NPRM 55 FR 44715 10/29/90	OSHA plans to develop standards for occupational exposure to 2-methoxyethanol, 2-ethoxyethanol, and their acetates, all of which are compounds used as industrial solvents.	<u>NPRM undetermined.</u>

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
780-026	Occupational Exposure to Methylenedianiline (MDA) 29 CFR 1910 29 CFR 1926	Proposed standards 52 FR 26776 7/16/87 NPRM 54 FR 20672 5/12/89 Regulatory Agenda 55 FR 44721 10/29/90	OSHA proposes an eight-hour time-weighted average (TWA) of 10 ppb and a short-term exposure limit (STEL) of 100 ppb for methylenedianiline. The regulation also includes requirements such as medical surveillance, exposure monitoring, hygiene facilities, engineering controls and work practices, proper respirator use, and recordkeeping.	Final rule 4/91.
780-028	Hazardous Materials - Process Hazards Management 29 CFR 1910	NPRM 55 FR 29150 7/17/90 Regulatory Agenda 55 FR 44716 10/29/90	OSHA proposes procedures for process safety management of hazards associated with processes using highly hazardous materials. These performance-oriented requirements would replace the specification-oriented requirements now in place. This is the first phase of a three-phase action.	Final rule 7/91.
780-029	Occupational Exposure to Cadmium 29 CFR 1910	NPRM 55 FR 4052 2/6/90 Regulatory Agenda 55 FR 44725 10/29/90	OSHA proposes two 8-hour time-weighted average permissible exposure limits (TWA PEL) of 5 and 1 micrograms of cadmium per cubic meter of air and a 15-minute excursion limit (EL) of five times the TWA PEL for all cadmium compounds, as well as a number of ancillary employee protection provisions dealing with monitoring, recordkeeping, hazard communication, and personal protective equipment. These regulations would apply to general industry, agriculture, the maritime industry, and the construction industry.	Final rule 9/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
780-032	Electrical Safety-Related Work Practices 29 CFR 1910 29 CFR 1926	NPRM 52 FR 45530 11/30/87 Corrections 53 FR 2047 1/26/88 Final rule 55 FR 31984 8/6/90 Correction 55 FR 46052 11/1/90	OSHA issues a new standard on electrical safety-related work practices for general industry. These new performance-oriented regulations complement the existing electrical installation standards. OSHA also issues amendments to the general industry standards which promote uniformity and reduce redundancy among the general industry standards.	Final rule, except for part 1910.332, effective 12/4/90. Part 1910.332 effective 8/6/91.
780-041	Generic Standard for Exposure Monitoring 29 CFR 1910	ANPRM 53 FR 37591 9/27/88 Planned NPRM 55 FR 44716 10/29/90	OSHA is evaluating the feasibility and usefulness of adoption of a generic standard on exposure monitoring for employees exposed to toxic substances.	NPRM 4/91.
780-042	Medical Surveillance Program for Employees 29 CFR 1910	ANPRM 53 FR 37595 9/27/88 Planned NPRM 55 FR 44716 10/29/90	OSHA is evaluating the feasibility and usefulness of adoption of a generic standard on medical surveillance programs for employees exposed to toxic substances or hazardous physical agents.	NPRM 1/92.
780-044	Asbestos Short-Term Exposure Limit 29 CFR 1910 29 CFR 1926	NPRM 55 FR 29712 7/20/90 Regulatory Agenda 55 FR 44725 10/29/90	In response to litigation, OSHA proposes to lower the PEL to 0.1 f/cc, set additional communication and notification requirements, require oversight of all construction operations, and more explicitly define the exemptions from the negative-pressure enclosure requirement.	Final rule 7/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

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780-045	Hazardous Waste Training Course Certification 29 CFR 1910	NPRM 55 FR 2776 1/26/90 Regulatory Agenda 55 FR 44726 10/29/90	DOL proposes accreditation procedures for training programs set up under the Hazardous Waste Operations and Emergency Response final rule of 3/9/89 for employees involved in clean-up operations at uncontrolled hazardous waste sites being cleaned up under government mandate and for employees involved in certain hazardous waste treatment, storage, and disposal operations. This rule does not propose to accredit training programs for employees engaged in emergency response activities.	Final rule 11/91.
780-047	Electrical Protective Equipment; Generation, Transmission, Distribution 29 CFR 1910	NPRM 54 FR 4974 1/31/89	OSHA proposes a standard for work practices used in operation and maintenance of electric power generation, transmission, and distribution facilities. Revisions to protective equipment requirements are included.	Final rule 12/91.
780-049	Occupational Exposure to Bloodborne Pathogens 29 CFR 1910	NPRM 54 FR 23042 5/30/89 Notice 54 FR 30330 7/19/89 Notice 54 FR 42378 10/16/89 NOA 55 FR 10250 3/20/90 Regulatory Agenda 55 FR 44724 10/29/90	OSHA proposes to reduce occupational exposure to Hepatitis B Virus (HBV), Human Immunodeficiency Virus (HIV) and other bloodborne pathogens by proposing a combination of engineering and work practice controls, personal protective clothing and equipment, training, medical follow-up of exposure incidents, and vaccination (where applicable). OSHA makes available a survey relating to the technological and economic feasibility of implementing the NPRM in non-hospital facilities, and notifies the public that the results of a similar survey on hospital facilities will be completed soon.	Final rule 5/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

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780-051	Confined Spaces - Permits and Safety Requirements 29 CFR 1910 29 CFR 1910.146	NPRM 54 FR 24080 6/5/89 Regulatory Agenda 55 FR 44721 10/29/90	OSHA proposes to establish safety requirements, including a permit system, for entry into those confined spaces which OSHA has identified as posing special dangers for entrants due to their configuration or other features.	Final rule 2/92.
780-052	Methods of Compliance 29 CFR 1910	NPRM 54 FR 23991 6/5/89 Regulatory Agenda 55 FR 44720 10/29/90	OSHA proposes to modify the existing provisions for controlling employee exposures to toxic substances found in 29 CFR 1910.1000(e) and 1910.134(a)(1). The agency proposes to incorporate additional flexibility in its requirements by setting forth the circumstances under which respiratory protection may be used in lieu of engineering controls.	Final rule 5/91.
780-054	Personal Protective Equipment 29 CFR 1910	NPRM 54 FR 33832 8/16/89 Regulatory Agenda 55 FR 44723 10/29/90	OSHA proposes to revise portions of the general industry safety standards addressing personal protective equipment. The criteria for personal protective equipment for eye, face, head, and foot would be revised to reflect improved developments in these types of equipment.	Final rule 6/91.
780-057	General Industry - Personal Fall Protective Equipment 29 CFR 1910	NPRM 55 FR 13423 4/10/90 Regulatory Agenda 55 FR 44720 10/29/90	OSHA proposes to amend the standards for personal protective equipment for general industry by adding criteria pertaining to personal fall protection systems, including fall arrest systems, work positioning systems, travel restricting systems, and fall protection systems for climbing.	Final rule 9/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

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780-058	General Industry Standards - Walking and Working Surfaces 29 CFR 1910	NPRM 55 FR 13360 4/10/90 Regulatory Agenda 55 FR 44724 10/29/90	OSHA proposes to revise its general industry standards for workplace walking and working surfaces in order to focus on the hazards that can result in trips, slips, and falls causing serious and fatal injuries. This proposed standard will also eliminate ambiguities and redundancies in the existing Subpart D standards and address areas not covered in the existing standards.	Final rule 9/91.
780-059	Recording and Reporting Occupational Injuries and Illnesses 29 CFR 1904	Planned NPRM 55 FR 44717 10/29/90	OSHA requires covered employers to record all work-related fatalities, illnesses, and certain injuries and to report summary data if selected to participate in the BLS annual survey. BLS and OSHA have tested several data collection vehicles and procedures and are revising the recordkeeping guidelines to improve the usefulness of the survey outputs.	NPRM 7/91.
780-060	PEL (Z Table) Update 29 CFR 1910	Planned NPRM 55 FR 44713 10/29/90	OSHA plans to establish a program to revise the Z Table on a regular basis to establish permissible exposure limits (PELs) and to use substance-specific standards only in those cases where complex issues or the nature of the risk necessitate additional protection.	Completion of options paper 3/91.
ENDANGERED SPECIES ACT				
*200-039	Endangered and Threatened Wildlife - Bald Eagle 50 CFR 17	ANPRM 55 FR 4209 2/7/90	The FWS will propose a regulation dealing with the possible delisting, downlisting, or reclassification of the bald eagle ( <i>Haliaeetus leucocephalus</i> ) from endangered to threatened.	<u>NPRM 4/91.</u>
200-042	Endangered and Threatened Plants - Leafy Prairie-clover 50 CFR 17	NPRM 55 FR 11230 3/27/90 Regulatory Agenda 55 FR 44590 10/29/90	FWS proposes to list <i>Dalea foliosa</i> (leafy prairie-clover) as an endangered species. This rare plant is found in one site in Morgan County, AL, seven sites in central Tennessee, and four sites in northeast Illinois. It is typically found growing in close association with cedar glades.	Final rule 3/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

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<b>MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT</b>				
*460-001	Ocean Dumping Regulations for Dredged Material 40 CFR 225 40 CFR 227 40 CFR 228	Planned NPRM 55 FR 45162 10/29/90	EPA will propose revisions to regulations applicable to the ocean dumping of dredged material in response to a recent court decision and to incorporate program experience. The revisions will make necessary technical changes and will improve the clarity of the regulations.	<u>NPRM 11/91. Final rule 11/92.</u>
<b>NATIONAL ENVIRONMENTAL POLICY ACT</b>				
480-012	NEPA - Revised Implementing Procedures	Notice of proposed revised procedures 54 FR 47832 11/17/89	The BLM proposes revisions to its procedures for implementing NEPA which will delete a number of obsolete and potentially misleading references and will refine the agency's list of actions that are categorically excluded from preparation of an environmental document.	Final revisions 3/91.
480-014	NEPA Review Procedures for ORD, Public and Other Federal Agency Involvement 40 CFR 6	NPRM 55 FR 18838 5/4/90 Regulatory Agenda 55 FR 45209 10/29/90	EPA proposes the following changes to its NEPA review procedures for projects conducted by the Office of Research and Development (ORD): (1) development of procedures to categorically exclude from a full NEPA review those ORD projects normally having no significant impact on the environment; (2) revision of criteria which address when an EIS is required on ORD projects; (3) provision to coordinate ORD's NEPA reviews with other EPA program reviews; and (4) general clarification of the NEPA review process for ORD actions. EPA also proposes to amend Subpart D, concerned with public and other federal agency involvement, to eliminate the requirement for public notice of categorical exclusion determinations.	Final rule 3/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
480-015	DOE Compliance With NEPA 10 CFR 1021	NPRM 55 FR 46444 11/2/90	DOE proposes to revise the rule on DOE compliance with NEPA to incorporate revised provisions of DOE's guidelines for implementing the procedural provisions of NEPA.	Final rule undetermined.
		Notice of proposed revocation 55 FR 47792 11/15/90	DOE proposes revocation of its National Environmental Policy Act Guidelines, as amended, as a technical, conforming change to take effect when new regulations codifying a modified version of the NEPA Guidelines take effect.	Final revocation undetermined.
<b>ARCHEOLOGICAL RESOURCES PROTECTION ACT</b>				
090-002	Curation of Federally Owned Archaeological Collections 36 CFR 79	NPRM 55 FR 37670 9/12/90	NPS proposes to amend the final rule of 9/12/90 to establish procedures for federal agencies to provide both information on the disposition of collections and copies of certain associated records to pertinent state officials, and procedures for discarding certain collection materials.	<u>Final rule 9/91.</u>
<b>NATIONAL HISTORIC PRESERVATION ACT</b>				
540-005	National Register of Historic Places 36 CFR 60 36 CFR 63	NPRM 51 FR 28204 8/5/86 Regulatory Agenda 55 FR 44605 10/29/90	DOI proposes a rule to clarify the various administrative procedures for identification of historic and archeological properties for the National Register of Historic Places by consolidating and updating 36 CFR 60 and 63.	Final rule Fall 1991.
<b>FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT</b>				
300-003	Guidelines on Disposal and Storage 40 CFR 165	Updating underway 50 FR 44656 10/29/85 Planned NPRM 55 FR 45147 10/29/90	The 1988 amendments to FIFRA significantly expand EPA authority to regulate the storage, transportation, and disposal of pesticides. The Agency may exercise this authority through labeling provisions, procedures for recall of canceled products, and other regulations for storage, transport, and disposal of pesticide residues.	NPRM under internal review; no scheduled action as yet. Under court-ordered 12/91 deadline.

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
300-004	Worker Protection Standards 40 CFR 156 40 CFR 170	ANPRM 49 FR 32605 8/15/84 NPRM 53 FR 25970 7/8/88 Corrections 53 FR 32322 8/24/88 Regulatory Agenda 55 FR 45148 10/29/90	EPA proposes to revise its regulations governing worker protection from agricultural pesticides. These revisions would expand the scope of the standards to include workers in forests, nurseries, and greenhouses, and workers who mix, load, and apply pesticides.	Final rule delayed until late 1991; low priority.
300-007	Restricted Use Classification for Groundwater Contaminating Pesticides 40 CFR 152.170	Notice 55 FR 5861 2/20/90 Planned NPRM 55 FR 45145 10/29/90	This rule will provide a scheme for identifying pesticides which may pose an unacceptable hazard because of the potential to leach into groundwater. The Agency will propose criteria for classifying such pesticides for restricted use. Restricted use pesticides generally may be applied only by state certified applicators.	NPRM delayed; action date undetermined.
300-014	Microbial Pesticides 40 CFR 172	Planned NPRM 55 FR 45146 10/29/90	EPA will propose to amend its experimental use permit regulations for pesticides to clarify the circumstances under which a permit is presumed not to be required and to specify that the presumption is based on risk. EPA will also propose to require notification before initiation of small-scale testing of certain genetically modified microbial pesticides.	NPRM 7/91.
*300-021	Certification of Restricted Use Pesticide Applicator 40 CFR 152	NPRM 55 FR 46890 11/7/90	EPA proposes to revise the rules regarding the certification of applicators of restricted use pesticides to upgrade the provisions of certification programs.	<u>Final rule undetermined.</u>
*300-022	Pesticide Aerosol Flammability	Notice 56 FR 6856 2/20/91	EPA seeks information and comments for potential revisions to its regulations and/or testing guidelines regarding pesticide aerosol flammability.	<u>Comments by 4/22/91.</u>

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
<b>FEDERAL MINE SAFETY AND HEALTH ACT</b>				
330-002	Metal and Nonmetal Mines - Radiation Standards 30 CFR 56 30 CFR 57	ANPRM 50 FR 47700 11/19/85 NPRM 51 FR 45678 12/19/86 Regulatory Agenda 55 FR 44709 10/29/90	The Mine Safety and Health Administration proposes to revise existing standards for ionizing radiation at underground metal and nonmetal mines. The rule will improve worker protection based on current developments in radiation protection principles.	Final rule still undergoing revisions. Low priority, no scheduled action date.
330-004	Safety Standards for Explosives at Metal and Nonmetal Mines	NPRM 53 FR 45487 11/10/88 Final rule 56 FR 2070 1/18/91	DOL updates and clarifies the Mine Safety and Health Administration's safety standards for explosives at metal and nonmetal mines to make them consistent with technological advances such as gaseous initiation systems, miniaturized detonating cord systems, and the use of bulk mixing of explosives materials.	Effective 3/19/91.
*330-005	Air Quality, Chemical Substances, and Respiratory Protection Standards 30 CFR 56 30 CFR 57 30 CFR 58 30 CFR 70 30 CFR 71 30 CFR 72 30 CFR 75 30 CFR 90	NPRM 54 FR 35760 8/29/89 Correction 55 FR 5118 2/13/90  Notice of public hearings; close of record 56 FR 8168 2/27/91	The Mine Safety and Health Administration proposes to revise existing standards for air quality and chemical substances at coal and metal/nonmetal mines. Permissible exposure limits (PELs) for substances that may pose health hazards at these mines and revised requirements for exposure monitoring, carcinogens, and respiratory protection programs are proposed.  The Mine Safety and Health Administration announces a third series of public meetings covering PELs other than NO <sub>2</sub> , NO, CO, and SO <sub>2</sub> and announces the closing of the record for the entire proposed rule.	Final rule 1992.  <u>Public hearings on 3/19, 3/26-27.</u> <u>Closure of rulemaking record 6/7/91.</u>

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## REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
330-006	Hazard Communication 30 CFR 46 30 CFR 56 30 CFR 57 30 CFR 77	NPRM 55 FR 46400 11/2/90 Comment period extended 55 FR 53314 12/28/90	MSHA proposes to establish a hazard communication standard that would require mine operators to assess the hazards of chemicals they produce or use and provide information to their employees concerning chemical hazards by means of a written hazard communication program, labeling of containers, MSDS sheets, and training programs.	Comments by 4/5/91.
<b>HISTORIC SITES ACT OF 1935</b>				
*410-004	National Natural Landmarks - Designation of Geological and Ecological Natural Areas 36 CFR 62	ANPRM 55 FR 43384 10/29/90	The National Park Service intends to amend its regulations governing the identification, notification, evaluation, nomination, and designation of geological and ecological natural areas as National Natural Landmarks (NNLs) to ensure that landowners are fully notified and provided full program disclosure and an understanding of the consequences of NNL designation before agreeing to it.	Comments at any time. <u>NPRM 4/91.</u>
<b>BIOTECHNOLOGY</b>				
*110-005	Microbial Products 40 CFR 704 40 CFR 720 40 CFR 721	Planned NPRM 55 FR 45151 10/29/90	EPA is proposing to amend its definition of "small quantities solely for research and development" and to amend reporting requirements for persons who are using microorganisms. EPA will establish a special notification mechanism for experimental releases of microorganisms. EPA also is proposing significant new use notification requirements under TSCA Sect. 5(a)(2).	<u>NPRM 11/91.</u>
<b>PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION</b>				
*810-007	Yakima Basin Fish Passage Project (Phase II) - Floodplain Action	Notice of proposal 56 FR 7691 2/25/91	Bonneville Power Administration proposes to construct, upgrade, or retrofit juvenile fish protection facilities at up to 66 irrigation diversions within the Yakima River Basin. Some of these activities may be located within the 100-year floodplain. An environmental assessment, including a floodplain assessment, is being finalized.	

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
<b>COASTAL ZONE MANAGEMENT ACT</b>				
160-002	National Estuarine Reserve Research System 15 CFR 921	NPRM 53 FR 43816 10/28/88 Interim final rule 55 FR 29940 7/23/90 Regulatory Agenda 55 FR 44345 10/29/90	NOAA revises the process for designation of research reserves to place greater emphasis using the reserves to address research and management issues and to provide financial assistance to states to enhance public awareness and education about estuarine areas. The regulations provide new guidance for delineating reserve boundaries, new procedures for the acquisition of land, and criteria for withdrawing the designation of a reserve.	Interim final rule effective 7/23/90. Reproposed NPRM 5/91, final rule 10/91.
<b>OTHER</b>				
805-023	Assessing Female Reproductive Risk	Proposed guidelines 53 FR 24834 6/30/88	EPA proposes guidelines for assessing the female reproductive risk of environmental pollutants. The guidelines are intended to guide Agency analysis of data on female reproductive toxicants according to appropriate scientific standards.	Final guidelines 5/91.
805-024	Assessing Male Reproductive Risk	Proposed guidelines 53 FR 24850 6/30/88	EPA proposes guidelines for assessing the male reproductive risk of environmental pollutants. The guidelines are intended to guide Agency analysis of data on male reproductive toxicants according to appropriate scientific standards.	Final guidelines 5/91.
805-028	Risk Assessment Guidelines for Exposure-Related Measurements	Proposed guidelines 53 FR 48830 12/2/88 Corrections 54 FR 4942 1/31/89	EPA proposes risk assessment guidelines for exposure-related measurements to assist those who must recommend, conduct, or evaluate an exposure assessment.	Final guidelines 3/91.

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REGULATORY UPDATE TABLE - FEBRUARY 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
805-037	Protection of Essential Resources and Facilities 44 CFR 335	NPRM 54 FR 32359 8/7/89 Regulatory Agenda 55 FR 45226 10/29/90	FEMA proposes to add a new Part 335 to 44 CFR which would cover federal agencies' responsibilities in assessing vulnerability and protecting essential resources and facilities, including those needed for defense.	Final rule 4/91.
*805-041	Task Force on Wetlands - No Net Loss Strategy	Notice 55 FR 30279 7/25/90	The Domestic Policy Council's Task Force on Wetlands requests comments on strategies for attaining "no net loss" of wetlands. DOE is represented on the Council.	Series of policy recommendations (regulations or executive orders) planned. First initiative Spring 1991.
		NOA 56 FR 8560 2/28/91	DOI announces the availability of a summary of the results of public meetings and the comments received by the Domestic Policy Council's Task Force on Wetlands regarding a strategy for working toward a national goal of "no net loss" of wetlands.	
*805-042	National Energy Strategy Report	NOA 56 FR 7039 2/21/91	DOE announces the availability of the National Energy Strategy Report. The report includes 17 chapters surrounding four basic themes: Increasing Energy and Economic Efficiency; Securing Future Energy Supplies; Enhancing Environmental Quality; and Fortifying Our Foundations.	<u>Available beginning 2/20/91 from Government Printing Office.</u>

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ALPHABETICAL INDEX TO STATUTES  
INDEX TO RU NUMBERS BY CFR CITATION

February 1991

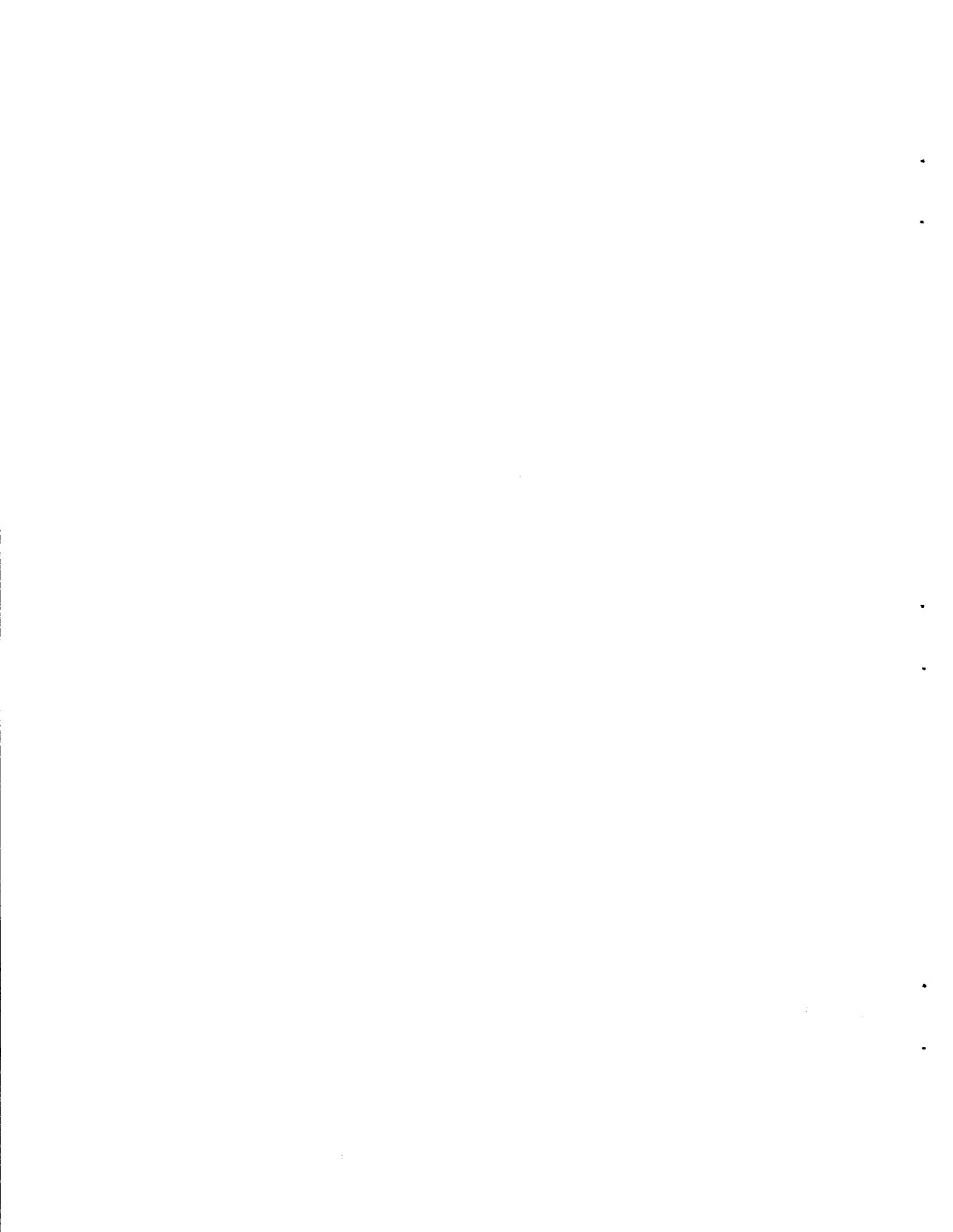
CFR CITATION	RU NUMBER	PAGE	CFR CITATION	RU NUMBER	PAGE
<b>ARCHAEOLOGICAL RESOURCES PROTECTION ACT</b>					
36 CFR 79	090-002	83			
<b>ATOMIC ENERGY ACT</b>			<b>BIOTECHNOLOGY</b>		86
10 CFR 2	100-174	50	40 CFR 704	110-005	
	100-194		40 CFR 720	110-005	
	100-277		40 CFR 721	110-005	
10 CFR 20	100-039		<b>COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT</b>		
	100-041		15 CFR Ch. IX	180-107	18
	100-186				
10 CFR 21	100-188		40 CFR undetermined	180-106	
10 CFR 26	100-179		40 CFR 117	180-042	
10 CFR 30	100-186			180-105	
	100-276		40 CFR 300	180-010	
10 CFR 31	100-249			180-037	
10 CFR 36	100-187			180-038	
10 CFR 40	100-186			180-039	
	100-276			180-044	
10 CFR 50	100-020			180-073	
	100-131			180-092	
	100-174			180-097	
	100-188			180-109	
	100-194		40 CFR 300.440	180-073	
	100-214		40 CFR 302	180-042	
	100-222			180-056	
	100-223			180-072	
	100-224			180-105	
	100-248		40 CFR 307	180-031	
	100-258		40 CFR 308	180-096	
	100-279		40 CFR 310	180-065	
10 CFR 51	100-033			180-088	
	100-265		40 CFR 326	180-088	
10 CFR 54	100-174		40 CFR 355	180-042	
10 CFR 61	100-262			180-072	
10 CFR 70	100-186			180-105	
	100-234		40 CFR 373	180-088	
	100-276		40 CFR 374	180-088	
10 CFR 71	100-157				
10 CFR 72	100-234		43 CFR 11	180-025	
	100-276			180-077	
10 CFR 73	100-234				
10 CFR 74	100-278		<b>CLEAN AIR ACT</b>		38
10 CFR 75	100-234		40 CFR 50	120-005	
10 CFR 110	100-252			120-095	
	100-275		40 CFR 50.7	120-095	
10 CFR 140	100-053		40 CFR 50.9	120-006	
10 CFR 710	100-189		40 CFR 50.11	120-083	
10 CFR 725	100-256		40 CFR 50.12	120-148	
			40 CFR 51	120-005	
40 CFR 191	100-129			120-010	
40 CFR 194	100-018				

CFR CITATION	RU NUMBER	PAGE	CFR CITATION	RU NUMBER	PAGE
	120-106		40 CFR 434	140-067	
	120-113		40 CFR 468	140-102	
	120-115		40 CFR 501	140-103	
40 CFR 51.100	120-008		40 CFR 503	140-035	
40 CFR 52	120-010				
	120-075		<b>COASTAL ZONE MANAGEMENT ACT</b>		87
	120-106		15 CFR 921	160-002	
	120-107				
	120-115		<b>ENDANGERED SPECIES ACT</b>		81
40 CFR 58	120-005		50 CFR 17	200-039	
40 CFR 60	120-115			200-042	
	120-116				
	120-142		<b>FEDERAL MINE SAFETY AND HEALTH ACT</b>		85
	120-158		30 CFR 46	330-006	
	120-160		30 CFR 56	330-002	
	120-161			330-005	
	120-162			330-006	
40 CFR 61	120-055		30 CFR 57	330-002	
	120-093			330-005	
	120-103			330-006	
	120-118			330-005	
	120-149		30 CFR 58	330-005	
	120-166		30 CFR 70	330-005	
	120-168		30 CFR 71	330-005	
40 CFR 63	120-167		30 CFR 72	330-005	
40 CFR 81	120-106		30 CFR 75	330-005	
	120-107		30 CFR 77	330-006	
40 CFR 82	120-065		30 CFR 90	330-005	
<b>CLEAN WATER ACT</b>		33	<b>FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT</b>		83
40 CFR undetermined	140-108		40 CFR 152	300-021	
40 CFR Subchapter N	140-109		40 CFR 152.170	300-007	
40 CFR 112	140-092		40 CFR 156	300-004	
40 CFR 122	140-039		40 CFR 165	300-003	
	140-067		40 CFR 170	300-004	
	140-077		40 CFR 172	300-014	
	140-103				
40 CFR 122.21(j)	140-084		<b>HAZARDOUS MATERIALS TRANSPORTATION ACT</b>		64
40 CFR 123	140-067		46 CFR 30	400-094	
	140-077		46 CFR 148	400-080	
	140-103		46 CFR 151	400-094	
40 CFR 124	140-039		46 CFR 153	400-094	
	140-067		46 CFR 197	400-094	
	140-103				
40 CFR 125	140-039				
	140-067		49 CFR 107	400-122	
	140-110		49 CFR 171	400-033	
	140-077			400-044	
40 CFR 130	140-066			400-062	
40 CFR 131	140-076			400-073	
	140-076			400-081	
40 CFR 135	140-098			400-093	
40 CFR 136	140-018			400-095	
	140-089			400-116	
40 CFR 230	140-104			400-122	
40 CFR 231	140-041			400-033	
40 CFR 232.2(q)	140-111		49 CFR 172	400-044	
40 CFR 233	140-104			400-079	
40 CFR 257	140-035			400-093	
40 CFR 300.440	140-095			400-095	
40 CFR 403	140-067			400-102	
40 CFR 414	140-095				



CFR CITATION	RU NUMBER	PAGE	CFR CITATION	RU NUMBER	PAGE
	780-020			840-138	
	780-021			840-148	
	780-022			840-149	
	780-026			840-171	
	780-032			840-173	
	780-044			840-175	
29 CFR 1926.103	780-011			840-176	
				840-195	
				840-248	
OTHER				840-251	
44 CFR 335	805-037		40 CFR 264.75	840-294	
			40 CFR 265	840-024	
RESOURCE CONSERVATION AND RECOVERY ACT		1		840-056	
40 CFR undetermined	840-189			840-107	
	840-191			840-109	
40 CFR 24	840-162			840-133	
40 CFR 124	840-138			840-135	
40 CFR 144	840-138			840-138	
40 CFR 256	840-225			840-173	
	840-296			840-195	
40 CFR 257	840-051			840-248	
	840-296			840-251	
40 CFR 258	840-051		40 CFR 266	840-297	
	840-296			840-009	
40 CFR 259	840-244			840-056	
40 CFR 260	840-009		40 CFR 268	840-071	
	840-024			840-146	
	840-056			840-173	
	840-109			840-193	
	840-138		40 CFR 270	840-201	
	840-148			840-009	
	840-171			840-056	
	840-173			840-107	
	840-195			840-109	
	840-223			840-131	
	840-251			840-133	
	840-266			840-135	
40 CFR 260.22	840-221			840-138	
40 CFR 261	840-009			840-148	
	840-056			840-149	
	840-071			840-171	
	840-082			840-173	
	840-107			840-175	
	840-148			840-176	
	840-173			840-195	
	840-195			840-223	
	840-266		40 CFR 270.41	840-286	
	840-267		40 CFR 271	840-009	
	840-268			840-024	
40 CFR 261.21	840-006			840-056	
40 CFR 262	840-173			840-082	
	840-195			840-109	
	840-266			840-131	
40 CFR 262.41	840-294			840-133	
40 CFR 264	840-024			840-195	
	840-056			840-206	
	840-107			840-209	
	840-109			840-267	
	840-131			840-268	
	840-133			840-295	
	840-135		40 CFR 271.10	840-294	

CFR CITATION	RU NUMBER	PAGE	CFR CITATION	RU NUMBER	PAGE
40 CFR 271.15	840-151		<b>TOXIC SUBSTANCES CONTROL ACT</b>		<b>61</b>
40 CFR 271.16	840-151		40 CFR Chapter I	920-126	
40 CFR 280	840-185		40 CFR 704	920-064	
	840-230		40 CFR 721	920-124	
	840-269		40 CFR 750	920-124	
40 CFR 281	840-230		40 CFR 761	920-076	
40 CFR 302	840-009			920-119	
	840-195		40 CFR 790	920-053	
	840-267			920-113	
	840-268		40 CFR 795	920-123	
			40 CFR 796	920-070	
<b>SAFE DRINKING WATER ACT</b>		<b>28</b>	40 CFR 797	920-070	
40 CFR 22	880-015		40 CFR 799	920-123	
40 CFR 35	880-030		<b>URANIUM MILL TAILINGS RADIATION</b>		
40 CFR 141	880-007		<b>CONTROL ACT</b>		<b>61</b>
	880-010		10 CFR 764	930-034	
	880-011				
	880-013		40 CFR 192	930-029	
	880-013				
	880-034				
	880-046				
	880-047				
	880-050				
	880-053				
40 CFR 142	880-010				
	880-011				
	880-013				
	880-015				
	880-034				
	880-037				
	880-047				
40 CFR 143	880-010				
	880-013				
40 CFR 144	880-027				
	880-049				
40 CFR 145	880-049				
40 CFR 146	880-027				
	880-049				
40 CFR 147	880-045				
<b>SUPERFUND AMENDMENTS AND REAUTHORIZATION</b>		<b>25</b>			
<b>ACT</b>					
40 CFR Ch. 1	190-014				
40 CFR 2	190-045				
40 CFR 22	190-043				
	190-044				
40 CFR 35	190-014				
40 CFR 300	190-014				
40 CFR 305	190-042				
40 CFR 310	190-038				
40 CFR 326	190-038				
40 CFR 355	190-056				
40 CFR 372	190-005				
	190-049				
	190-051				
	190-053				
	190-057				
40 CFR 373	190-038				
40 CFR 374	190-038				



## INTERNAL DISTRIBUTION

- |        |                     |        |                                  |
|--------|---------------------|--------|----------------------------------|
| 1.     | M. L. Ambrose       | 45.    | L. W. Long                       |
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| 30.    | S. K. Holladay      | 77.    | J. E. Van Cleve                  |
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| 33.    | D. B. Hunsaker, Jr. | 80.    | J. K. Williams                   |
| 34.    | J. L. Johnson       | 81.    | Margaret Wilson                  |
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RCRA (840-)	1
CERCLA (180-)	18
SARA (190-)	25
SDWA (880-)	28
CWA (140-)	33
CAA (120-)	38
NWPA (700-)	47
LLRWPA (740-)	48
AEA (100-)	50
UMTRCA (930-)	61
TSCA (920-)	61
HMTA (400-)	64
OSHA (780-)	74
ESA (200-)	81
MPRSA (460-)	82
NEPA (480-)	82
Archeological Resources Prot. (090-)	83
NHPA (540-)	83
FIFRA (300-)	83
Federal Mine Safety & Health (330-)	85
Historic Sites Act of 1935 (410-)	86
Biotechnology (110-)	86
Pacific NW Elec.Pow&Cons (810-)	86
CZMA (160-)	87
Other (805-)	87

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