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Environmental Regulatory Update Table

June 1991

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

Environmental Sciences Division
Publication No. 3643

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ENVIRONMENTAL SCIENCES DIVISION
ENVIRONMENTAL REGULATORY UPDATE TABLE
JUNE 1991

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Environmental Sciences Division
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Prepared for the
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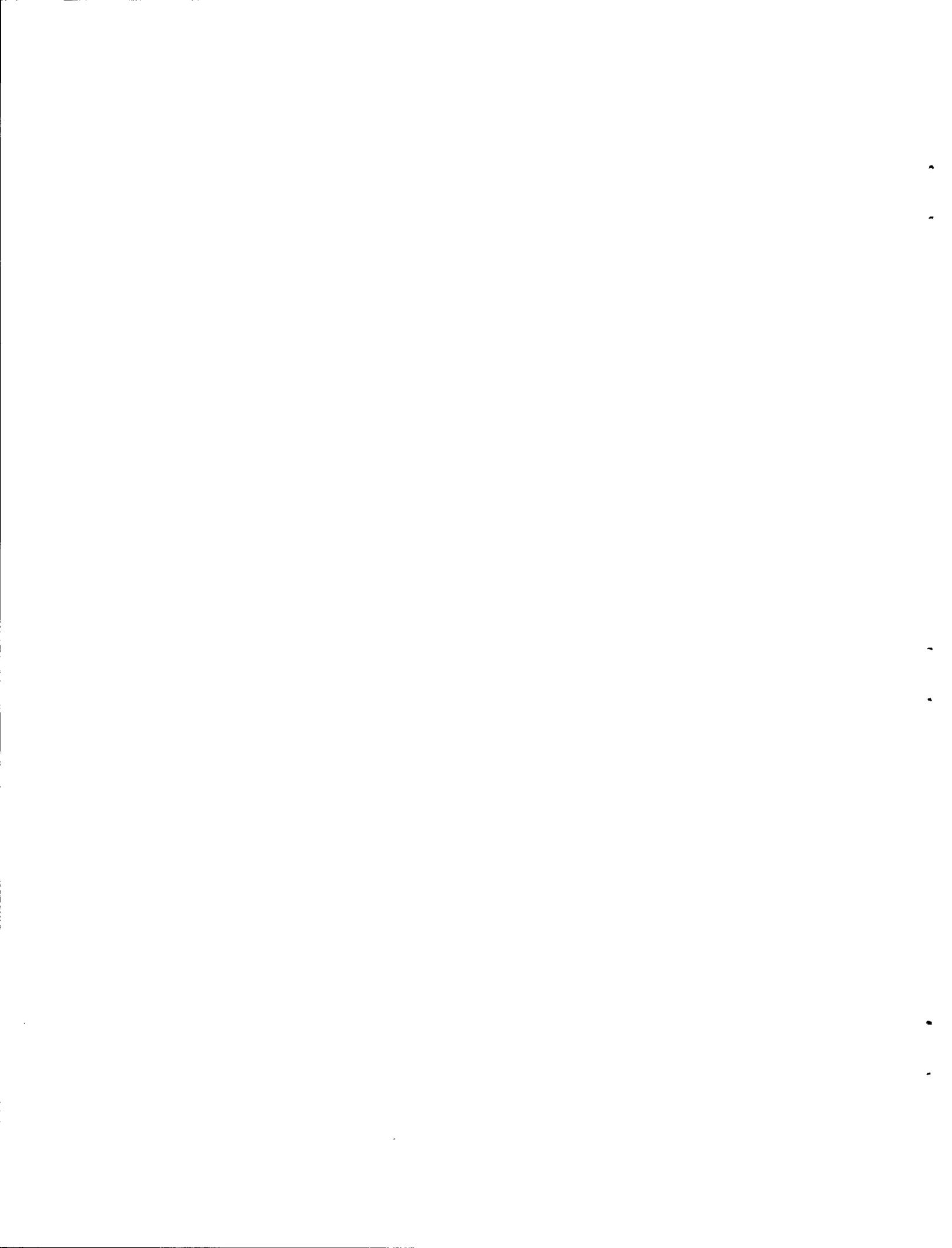
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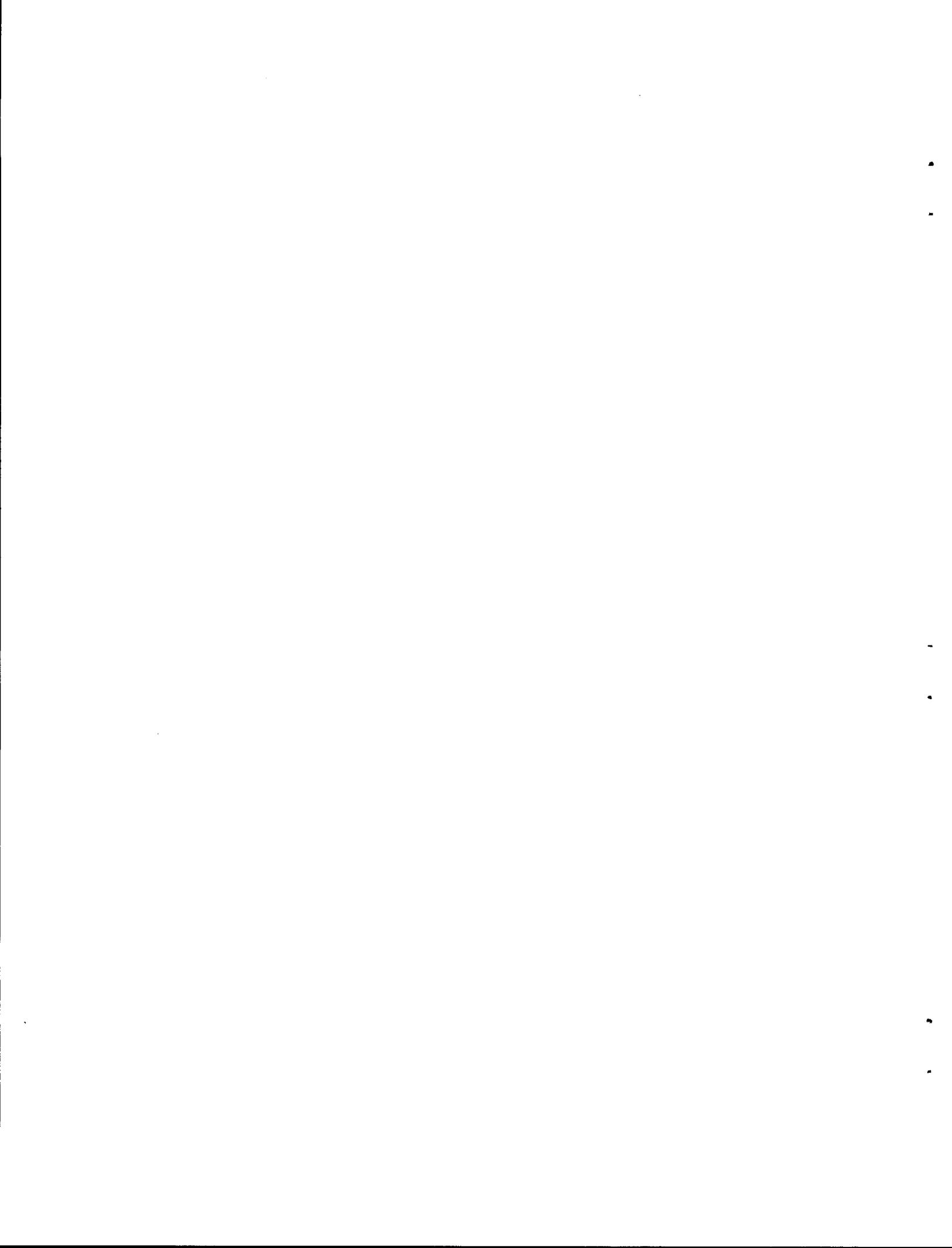
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Monthly Environmental Regulatory Update

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

JUNE 1991

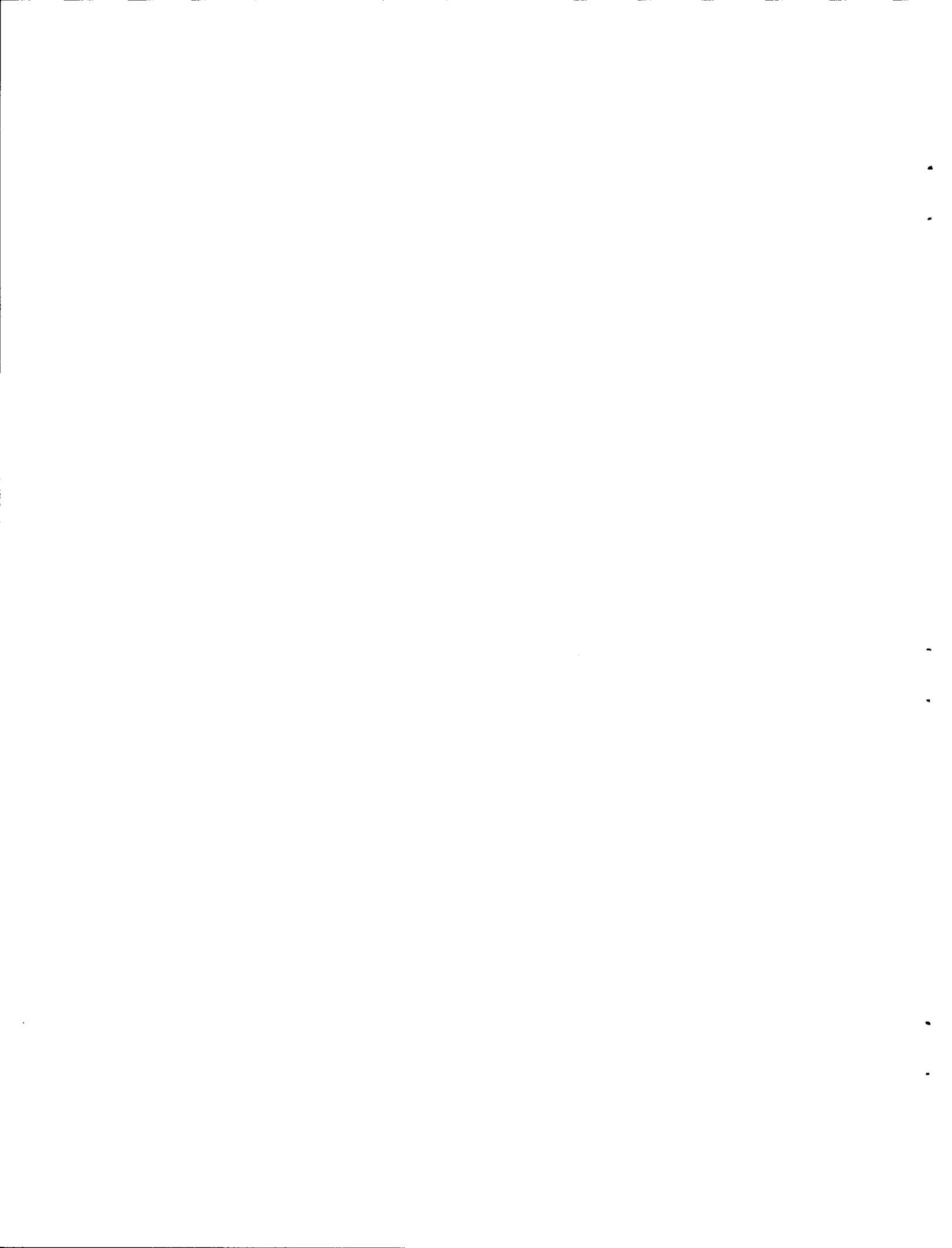


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*RU numbers are identifiers that are assigned to each regulatory initiative for tracking purposes. The first three digits are coded to the statute, and the last three digits are specific to individual initiatives. The update table is first organized 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 - June, 1991

1. Maximum Contaminant Level Goals and National Primary Drinking Water Regulations for Lead and Copper - Final Rule

As required by the Safe Drinking Water Act (SDWA), EPA issues a final rule (NPRM: 8-18-88) establishing Maximum Contaminant Level Goals (MCLGs) and National Primary Drinking Water Regulations (NPDWRs) in 40 CFR parts 141 and 142 for controlling lead and copper in drinking water. The rule applies to community and non-transient, non-community public water systems (PWS). MCLGs are to be set at a level at which "no known or anticipated adverse effects on the health of persons occur and which allows an adequate margin of safety" [Section 1412(b)(4), SDWA]. Nevertheless, MCLGs are not regulatory requirements. Rather, they are non-enforceable health goals to be achieved to the extent feasible. In the rule, EPA has set an MCLG of zero for lead and an MCLG of 1.3 mg/L for copper. NPDWRs, composed of either Maximum Contaminant Levels (MCLs) or treatment technique requirements, are enforceable standards. The Agency decided not to set MCLs because a major contributor of lead and copper in drinking water is a result of corrosion of plumbing materials not owned or controlled by PWS. In addition, even after source water treatment to reduce corrosion, data indicate variability of contaminant levels as measured at the tap. Therefore, in the rule, EPA has established a treatment technique requirement as the NPDWR for lead and copper in drinking water. The treatment technique requires PWS to: (1) install or improve corrosion control to minimize lead and copper levels at the users' taps, while ensuring that the treatment used does not result in a violation of any NPDWR; (2) treat source water, if necessary, to reduce the lead and copper levels entering the distribution system; (3) replace certain lead service lines; and (4) conduct public education. The first two requirements will be triggered if a certain level ("action level") of lead or copper as measured in more than 10% of targeted tap samples is exceeded. However, systems that serve more than 50,000 people will have to follow the corrosion control requirement regardless of the lead and copper tap levels. The lead service line replacement and public education requirements are solely dependent on the lead action level. The rule sets the lead action level at 0.015 mg/L and the copper action level at 1.3 mg/L. Finally, the rule also establishes comprehensive monitoring requirements for lead and copper in drinking water. The provisions of 40 CFR 141.86-141.91 and 142.14-142.17 became effective on June 6, 1991. The remaining portions of the rule will become effective on November 6, 1991.

(6-7-91, 56 FR 26460, RU# 880-034)

2. Preliminary Draft List of Hazardous Air Pollutant Source Categories Under Section 112 of the Clean Air Act - Notice

The Clean Air Act (CAA) Amendments of 1990 substantially revised Section 112 of the CAA, covering the regulation of hazardous air pollutants (HAPs). Under the new Section 112, Congress has greatly expanded the number of HAPs requiring regulation

from a previous number of only 7 to a new total of 189. In addition, the Amendments require a major shift in regulatory approach from regulation of HAPs using health-based substance-specific standards to regulation under technology-based standards applicable to categories and subcategories of emission sources rather than to the 189 substances themselves.

The CAA required that EPA publish by November 15, 1991 a list identifying the source categories and subcategories for which new technology-based HAP emission standards must be promulgated. On June 21, 1991, EPA issued a preliminary draft of this source category list. The terms "category" and "subcategory" are not defined under Section 112, and EPA has not distinguished categories from subcategories in the notice. The categories on the preliminary draft list are arranged into 19 large industry groups, such as "production of synthetic organic chemicals." Where data availability allow, the Agency may define the various industry groupings themselves as the "categories" and the individual items under each industry grouping as the "subcategories." For industry groups where not much is known about the processes involved, however, EPA suggests that the need to subdivide many of the groups will only become recognized as more information becomes available. The issue of defining categories and subcategories has significance in light of the statutory schedule for promulgating emission standards in groups within two, four, seven, and ten years after enactment of the CAA Amendments. EPA is, therefore, soliciting comments on the criteria for defining categories and subcategories. The preliminary draft list also does not distinguish between major and area sources of HAPs. The term "major source" is defined by Section 112(a)(1) to mean "any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit...10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants." The term "area source" means any stationary source of HAPs that is not a major source. EPA states that the information used to develop the preliminary draft list is not sufficient to determine whether the sources listed should be classified as major or area. The Agency requests comments on the issue of how to approach the listing of major and area sources, as well as a variety of other issues, by July 21, 1991. (6-21-91, 56 FR 28548, RU# 120-166)

3. Toxic Chemical Release Reporting; Community Right-to-Know; Sunset Provisions - Final Rule

Under Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA), EPA issues a final rule (NPRM: 1/11/91) to retain the range reporting option and the optional pollution prevention question on the Section 313 toxic chemical release reporting form (EPA Form R). The range reporting option on Form R allowed facilities to report releases to the environment or off-site transfers of less than 1000 pounds/year of Section 313 chemicals within certain ranges (0 pounds, 1-499 pounds, 500-999 pounds) instead of as a specific estimate. After the 1989 reporting year the range reporting option was to lapse ("sunset") if no action was taken by EPA. This sunset provision was added to provide for EPA review of the option's usefulness. In the rule, the Agency has

decided to keep the range reporting option with a minor modification. To allow for the recording of small releases, EPA has replaced the zero pound range with a 1-10 pound range. Facilities that are certain they have zero releases of a Section 313 chemical would report them specifically as a "0". The Agency was also committed to review the optional pollution prevention question on Form R. Here, submitters of the Section 313 toxic chemical release reporting form could provide data on waste minimization activities as a means of documenting pollution prevention practices. The rule keeps this optional section on Form R for the 1990 reporting year. However, Section 7 of the Pollution Prevention Act of 1990 will require that data be collected on source reduction and recycling activities beginning with the 1991 reporting year. In the near future, EPA will issue a proposed rule to add such mandatory reporting requirements to Form R. The final rule became effective on June 26, 1991.
(6-26-91, 56 FR 29183, RU# 190-005)

4. National Emission Standards for Hazardous Air Pollutants for Source Categories; Proposed Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants

Revisions to Section 112 of the Clean Air Act (CAA) made by the 1990 CAA Amendments require EPA to promulgate stringent new technology-based emission control standards for 189 hazardous air pollutants (HAPs). These standards will require that Maximum Achievable Control Technology be applied to sources of HAPs. Section 112(i)(5) of the CAA, however, allows existing sources of HAPs to be granted six-year extensions on compliance with the new standards in exchange for voluntary early reductions of HAPs. EPA has issued a proposed rule to implement Section 112(i)(5). For a compliance extension to be granted, the source would have to demonstrate that it has achieved a reduction of 90% or more in HAP emissions (95% or more for particulates) before EPA proposes the applicable HAP standard. A source which achieves reduction after a standard's proposal but before January 1, 1994, however, can still qualify for the compliance extension if it makes an enforceable commitment before proposal of the standard to meet the reductions necessary. Thereafter, in either case, continued achievement of the emission reduction would be ensured by a permit containing an enforceable emission limitation for the source. The CAA requires that the emission reduction be computed by comparing total post-control HAP emissions with total HAP emissions in base year 1987. The base year may be 1985 or 1986 if the emission data are based on information received by EPA before 11-15-90. If a source emits high-risk pollutants (i.e., HAP's for which high risks of adverse public health effects may be associated with exposure to small quantities), a second reduction demonstration would be required that incorporated weighting factors based on the toxicity of the pollutant emitted. Foreseeing the inability of sources to meet a 90% reduction for many high-risk pollutants, EPA is proposing in 40 CFR part 63 an offsetting system in which a source could make up for a shortfall in achieving the reduction of a high-risk pollutant by demonstrating greater than necessary reduction of another HAP. The Agency proposes a list of high-risk pollutants consisting of 26 carcinogens and 9 noncarcinogens and their respective weighting factors.

The proposed rule applies to existing sources, which are defined in Section 112(a)(4) of the CAA as any source for which construction or reconstruction began before the proposal of an applicable standard. Further, for purposes of the early reduction program, EPA is proposing a broad, multi-part definition of a "source" to encourage maximum participation in the program. For sources qualifying for the program, the proposed rule would provide flexibility by allowing differing methods and procedures for documenting emissions. In a subsequent *Federal Register* notice, EPA will announce the availability of a document on acceptable methods for documenting emissions of source categories subject to CAA Section 112(d) standards. Finally, EPA plans to administer the early reduction program until states have approved permit programs under Title V of the CAA. Nevertheless, the Agency will attempt to coordinate program efforts with State regulatory agencies regardless of a state's permitting status to reduce the potential for confusion and uncertainty while implementing the program. EPA is requesting comments on all aspects of the proposed rule by July 29, 1991. (6-13-91, 56 FR 27338, RU# 120-167)

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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 56 FR 18022 4/22/91	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.	Notice of data availability, listing decision, supplemental NPRM 8/91. Final rule 5/92.

(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.

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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 56 FR 18030 4/22/91	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 40 CFR 51 40 CFR 52	NPRM 53 FR 33314 8/30/88 Regulatory Agenda 56 FR 18029 4/22/91	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 9/91.

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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 promulgates a definition of sludge dryer and revises the definition of incinerator to explicitly exclude sludge dryers (as proposed 7/18/90, 55 FR 29230, RU# 840-223). EPA also 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.	Effective 8/21/91.

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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 56 FR 18028 4/22/91	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.
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 56 FR 18024 4/22/91	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 56 FR 18030 4/22/91	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.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*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.	<u>Placed on hold indefinitely.</u>
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 56 FR 18031 4/22/91	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 corrective action requirements.	Final rule 1/93.
*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 56 FR 18024 4/22/91	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.	<u>Reproposed NPRM and guidelines on hold.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
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 56 FR 18031 4/22/91	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 40 CFR 264 40 CFR 265	Planned NPRM - Phase II 56 FR 18049 4/22/91	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 7/91. Final rule 7/92.
840-146	Treatment and Disposal of Hazardous Soil and Debris 40 CFR 268	ANPRM 56 FR 24444 5/30/91	EPA requests data and comments on (1) possible BDAT and treatment capacity for wastes identified and listed as hazardous since the enactment of the HSWA of 1984, two newly listed petroleum refining wastes, and contaminated debris; (2) modifications and additions to treatment standards for various wastes; and (3) waste minimization and treatment technologies and performance.	Comments on waste minimization issues by 7/29/91. NPRM (debris) 11/91, final rule 5/92. NPRM (soil) 5/92, final rule 4/93.
*840-148	Metals Emissions Controls for Hazardous Waste Incinerators 40 CFR 264	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 6/92.</u>

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840-149	Experimental Facilities Conducting Hazardous Waste Research 40 CFR 264 40 CFR 270	Planned NPRM 56 FR 18025 4/22/91	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 56 FR 18027 4/22/91	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 9/91. Final rule 9/92.
*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."	<u>Final document 9/91.</u>
*840-161	State Hazardous Waste Management Program - Minnesota 40 CFR 171	Immediate final rule 56 FR 28709 6/24/91	EPA grants final authorization to Minnesota for revisions to its state hazardous waste management program, subject to public review and comment.	<u>Comments by 7/24/91. Final authorization effective 8/23/91.</u>
840-162	Corrective Action Orders for USTs 40 CFR 24	NPRM 55 FR 33430 8/15/90 Regulatory Agenda 56 FR 18032 4/22/91	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 8/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*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 56 FR 18030 4/22/91	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.	<u>Final rule 10/91.</u>
*840-173	Solid Waste Test Methods (Manual SW-846 Third Edition - Updates I and II) 40 CFR 260 40 CFR 261 40 CFR 262 40 CFR 264 40 CFR 265 40 CFR 268 40 CFR 270	NPRM - Update I 54 FR 3212 1/23/89 NOA 55 FR 4440 2/8/90 Regulatory Agenda 56 FR 18029 4/22/91 Planned NPRM - Update II 56 FR 18021 4/22/91	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. EPA will propose to revise certain test methods and add other new test methods that are approved or required under RCRA. These new and revised methods are found in Update II to the Third Edition of SW-846.	Final rule 9/91. <u>NPRM 10/91, final rule 4/92.</u>
840-175	Releases to Groundwater (Subpart F) - Corrective Action 40 CFR 264 40 CFR 270	Planned NPRM 56 FR 18025 4/22/91	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.
840-176	Groundwater Monitoring - Hazardous Constituents 40 CFR 264 40 CFR 270	Planned NPRM 56 FR 18026 4/22/91	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 11/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-185	UST - Financial Responsibility 40 CFR 280	ANPRM 53 FR 3818 2/9/88 Planned NPRM 56 FR 18028 4/22/91	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 9/92, final rule 9/93.
840-189	Wastes from the Combustion of Coal 40 CFR undetermined	NOA 53 FR 9976 3/28/88 Regulatory Agenda 56 FR 18020 4/22/91	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 56 FR 18019 4/22/91	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 56 FR 18022 4/22/91	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 10/91. Final rule 10/92.</u>

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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 56 FR 18023 4/22/91	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.	NPRM 11/91, final rule 11/92.
*840-212	State Hazardous Waste Management Program - Mississippi 40 CFR 271	Immediate final rule 56 FR 29589 6/28/91	EPA approves Mississippi's hazardous waste program revision consisting of the TCLP Rule, subject to public review and comment.	<u>Comments by 7/29/91. Final authorization effective 8/27/91.</u>
840-221	Hazardous Waste Management System - Subpart C - Groundwater Data 40 CFR 260.22	NPRM 54 FR 41930 10/12/89 Regulatory Agenda 56 FR 18029 4/22/91	EPA proposes to require those who submit delisting petitions for hazardous wastes to provide groundwater monitoring data as part of their petition.	Final rule 9/91.
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.
840-229	State Hazardous Waste Management Program - Utah 40 CFR 272	Immediate final rule 56 FR 23648 5/23/91	EPA grants final authorization to Utah for revisions to its state hazardous management program, subject to public review and comment.	Final authorization effective 7/22/91.

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840-230	Underground Storage Tanks Containing Petroleum - Financial Responsibility Requirements 40 CFR 280 40 CFR 281	NPRM 55 FR 24692 6/18/90 Regulatory Agenda 56 FR 18031 4/22/91	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 9/91.
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	Final guidance document 8/91.
*840-242	State Hazardous Waste Management Program - Ohio 40 CFR 271	Immediate final rule 56 FR 14203 4/8/91 Response to comments and corrections 56 FR 28088 6/19/91	EPA grants final authorization to Ohio for revisions to its state hazardous waste management program, subject to public review and comment. EPA addresses comments received on its 4/8/91 final rule authorizing Ohio's state hazardous waste management program and adds two parts that were inadvertently left out of the final rule.	Final authorization effective 6/7/91. <u>Comments by 7/19/91. Final authorization effective 8/19/91.</u>

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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 Regulatory Agenda 56 FR 18028 4/22/91	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 56 FR 18025 4/22/91	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.	<u>NPRM 7/91</u> . Final rule 6/92.

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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 56 FR 18026 4/22/91	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.	NPRM 8/91.
840-256	State Hazardous Waste Management Program - Colorado 40 CFR 271	Immediate final rule 56 FR 21601 5/10/91	EPA grants final authorization to Colorado for revisions to its state hazardous waste management program, subject to public review and comments.	Final authorization effective 7/9/91.
*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 Final regulatory determination 56 FR 27300 6/13/91	EPA issues its final regulatory determination for 20 special wastes from the processing of ores and minerals. EPA plans to address 18 of the wastes under Subtitle D. For the remaining two wastes, EPA plans to develop and promulgate a program under TSCA to address their management. In addition, EPA plans to use existing authorities under RCRA and CERCLA to address any site-specific groundwater contamination problems believed to pose substantial and imminent endangerment to human health or the environment.	Final rule effective 7/23/90. <u>Final regulatory determination effective 7/15/91.</u>

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840-267	Identification and Listing of Hazardous Wastes from Chlorotoluene Production 40 CFR 261 40 CFR 271 40 CFR 302	Planned NPRM 56 FR 18023 4/22/91	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 11/91.
*840-268	Identification and Listing of Hazardous Wastes from Coke By-Product Industries 40 CFR 261 40 CFR 271 40 CFR 302	Planned NPRM 56 FR 18024 4/22/91	The hazardous waste listing regulations will be amended by adding seven new waste codes from the coke by-products industry. These wastes will be designated hazardous substances under CERCLA.	<u>NPRM 9/91. Final rule 9/92.</u>
*840-269	Technical Amendment to Final UST Rules For Overfill Prevention 40 CFR 280	NPRM 55 FR 17767 4/27/90 Regulatory Agenda 56 FR 18031 4/22/91	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.	<u>Final rule 8/91.</u>
*840-286	Permit Modifications to Hazardous Waste Management Facilities 40 CFR 270.41	Planned NPRM 56 FR 18022 4/22/91	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.	<u>NPRM 10/91.</u>

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840-287	Adequacy Determinations for State Solid Waste Programs 40 CFR 239	Planned NPRM 56 FR 18028 4/22/91	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 8/91, final rule 8/92.
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.
840-294	Amendments to Biennial Reporting Requirements 40 CFR 262.41 40 CFR 264.75 40 CFR 271.10	Planned NPRM 56 FR 18024 4/22/91	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.	NPRM 7/91, final rule 12/91.
840-295	Treatment of Indian Tribes as States Under RCRA Subtitle C 40 CFR 271	Planned NPRM 56 FR 18027 4/22/91	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 7/91.
840-296	Materials Source Separation for Municipal Waste Landfills 40 CFR 256 40 CFR 257 40 CFR 258	Planned ANPRM 56 FR 18020 4/22/91	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 on hold.

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840-297	Standards for Downgradient Groundwater Monitoring Well Locations 40 CFR 265	NPRM, NOA 56 FR 2108 1/18/91 Regulatory Agenda 56 FR 18029 4/22/91	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.	Final rule 12/91.
840-300	Surface Impoundment Retrofitting - Capacity Variance 40 CFR 268.5	Planned NPRM 56 FR 18026 4/22/91	EPA will issue an interpretive rule that will allow four years to retrofit surface impoundments for those wastes granted a national capacity variance unless treatment capacity becomes available sooner.	NPRM 9/91. Final rule 4/92.
COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT				
*180-025	Natural Resource Damage Assessments - Type B 43 CFR 11	ANPRM 54 FR 39016 9/22/89 NPRM 56 FR 19752 4/29/91	To comply with a court decision, DOI proposes revisions to the type B natural resource damage assessment rule. The proposed rule provides for a unified process for trustees to develop claims for both (1) the costs of restoration, rehabilitation, replacement, and/or acquisition of equivalent resources and (2) reliably calculated lost values of the injured resources, with no required hierarchy of valuation methodologies for determining those values.	<u>Final rule undetermined.</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 56 FR 18061 4/22/91	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 9/91.

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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 56 FR 18060 4/22/91	EPA proposes to clarify the federally permitted release exemptions from CERCLA release reporting and liability provisions.	Final rule 8/91.
*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 56 FR 18060 4/22/91	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.	<u>Final rule 10/91.</u>
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 56 FR 18062 4/22/91	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 1/92.

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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 56 FR 18060 4/22/91	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 8/91.
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 56 FR 18061 4/22/91	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.	Final rule returned unsigned from OMB; next action under discussion.
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 56 FR 17424 4/22/91	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.	NPRM 12/91.
		ANPRM 53 FR 21043 6/2/88 ANPRM 54 FR 39015 9/22/89 Correction 54 FR 41363 10/6/89 Planned NPRM 56 FR 17424 4/22/91	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 9/91.

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*180-086	Toxicological Profiles	Notice 56 FR 27261 6/13/91 Correction 56 FR 29308 6/26/91	ATSDR announces the availability of final toxicological profiles for the third set of 30 hazardous substances on the CERCLA priority list.	
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 56 FR 18062 4/22/91	EPA proposes regulations prescribing the manner in which notice of citizen suits is to be provided.	Final rule 9/91.
180-092	National Contingency Plan - Subpart K, Federal Facilities Requirements 40 CFR 300	Planned NPRM 56 FR 18058 4/22/91	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.	NPRM 8/91. Final rule 8/92.
180-096	CERCLA Cost Recovery Program 40 CFR 308	Planned NPRM 56 FR 18058 4/22/91	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.	NPRM undetermined; still at OMB.

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180-105	RQs of Lead, Lead Compounds, and Lead-Containing Hazardous Waste Streams 40 CFR 117 40 CFR 302 40 CFR 355	Planned NPRM 56 FR 18058 4/22/91	EPA is considering proposing a rule to adjust the reportable quantities of lead metal, lead compounds, and lead-containing hazardous waste streams.	NPRM 12/91.
180-106	Procedures for Reimbursement Petitions Under CERCLA 40 CFR undetermined	Planned NPRM 56 FR 18059 4/22/91	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 12/91.
180-107	Natural Resource Damage Assessments - Oil Pollution 15 CFR Ch. IX	ANPRM 55 FR 53478 12/28/90 Planned NPRM 56 FR 17149 4/22/91	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.	NPRM 3/92, final 8/92.
180-110	List of Substances and Threshold Quantities 40 CFR 63	Planned NPRM 56 FR 18057 4/22/91	EPA must promulgate an initial list of 100 substances that, in the event of accidental release, are known to cause or be anticipated to cause serious adverse human health or environmental effects. EPA must establish a threshold quantity for each substance listed. EPA is as yet undecided about whether to promulgate under the CAA or CERCLA/SARA.	NPRM 11/91, final rule 11/92.
180-111	National Priorities List - Eleventh Update 40 CFR 300.60	Planned NPRM 56 FR 18058 4/22/91	EPA will propose to revise the National Priorities List (NPL) for uncontrolled hazardous waste sites in the National Contingency Plan. CERCLA requires the NPL to be updated at least annually.	NPRM 7/91.

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180-112	National Priorities List - Twelfth Update 40 CFR 300.66	Planned NPRM 56 FR 18058 4/22/91	EPA will propose to revise the National Priorities List (NPL) for uncontrolled hazardous waste sites in the National Contingency Plan. CERCLA requires the NPL to be updated at least annually.	NPRM 8/91.
180-113	Revisions to the NCP Required by the Oil Pollution Act 40 CFR 300	Planned NPRM 56 FR 18059 4/22/91	The Oil Pollution Act of 1990 requires that EPA prepare and publish revisions to the National Contingency Plan (NCP) for the removal of oil and hazardous substances to implement the requirements of the Oil Pollution Act. EPA will also consider new mandates, such as adding a Fish and Wildlife Plan and Area Contingency Plans.	NPRM 12/91.
*180-114	National Contingency Plan - Lender Liability 40 CFR 300	NPRM 56 FR 28798 6/24/91	EPA proposes to interpret the CERCLA term, "security interest exemption," to clarify the range of activities that may be undertaken by a private or governmental lending institution or other entity that holds a security interest in a facility in the course of protecting the security interest, without being considered to be participating in the facility's management and thereby voiding the exemption.	<u>Comments by 7/24/91.</u>
*180-115	Hazardous Substances Priority List - Methodology for Generation	Notice; request for comments 56 FR 29485 6/27/91	EPA provides notification that the algorithm used to generate the priority list of hazardous substances is being reevaluated and revised to include more current and comprehensive information in the ranking process. ATSDR and EPA are soliciting public comment on this revised approach for evaluating and ranking hazardous substances found at NPL sites. The revised algorithm will be applied to an inventory of candidate substances to generate a new priority list of 275 hazardous substances which will be the subject of toxicological profiles. The new list will be published by 10/17/91 and revised annually thereafter.	<u>Comments by 7/28/91.</u>

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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 Final rule 56 FR 29183 6/26/91	EPA retains the range reporting option on the Sect. 313 toxic chemical release reporting form and the optional pollution prevention question on Form R. In addition, EPA replaces Form R and Instructions in the CFR with a Notice of Availability and a listing of reportable data elements.	Final rule of 6/26/91 effective 6/26/91.
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 56 FR 18062 4/22/91	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 56 FR 18062 4/22/91	EPA proposes regulations prescribing the manner in which notice of citizen suits is to be provided.	Final rule 9/91.

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REGULATORY UPDATE TABLE - JUNE 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
190-042	Administrative Hearing Procedures for Superfund Claims 40 CFR 305	Planned NPRM 56 FR 18061 4/22/91	EPA will establish procedures for conducting administrative hearings for persons who have made claims against Superfund but are dissatisfied with the award.	Interim final rule 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.
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 56 FR 18062 4/22/91	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.
190-048	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).	Final guidance document 9/91.

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REGULATORY UPDATE TABLE - JUNE 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
190-051	Toxic Chemical "Peak Release" Reporting Rule (Revision) 40 CFR 372	Planned NPRM 56 FR 17997 4/22/91	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 on hold pending review of Pollution Prevention Strategy.
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; EPA will not release schedule for action.
*190-056	Extremely Hazardous Substance List - Explosivity Criteria 40 CFR 355	ANPRM; NOA 55 FR 35012 8/27/90 Planned NPRM 56 FR 18059 4/22/91	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.	<u>NPRM 4/92.</u>
*190-057	Mandatory Pollution Prevention Reporting in TRI Reports 40 CFR 372	Planned NPRM 56 FR 18060 4/22/91	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 9/91.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
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 56 FR 18014 4/22/91 Planned NPRM 56 FR 18018 4/22/91	EPA is considering MCLGs and MCLs for radionuclides of radium, uranium, radon, gross alpha, gross beta, and photon emitters in drinking water. EPA would amend the NPDWRs for radionuclides to allow use of an additional analytical technique to measure radium-228 in drinking water.	<u>NPRM 7/91</u> , final rule 4/93. NPRM 8/91, final rule 2/92.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
880-013	NPDWRs - Inorganic and Organic Compounds (Phase V/25) 40 CFR 141 40 CFR 142 40 CFR 143	ANPRM 48 FR 45502 10/5/83 NPRM 55 FR 30370 7/25/90 Regulatory Agenda 56 FR 18017 4/22/91	EPA proposes MCLGs and NPDWRs for 18 synthetic organic chemicals and six inorganic chemicals. The NPDWRs consist of MCLs and monitoring, reporting, and public notification requirements. EPA also proposes the best available technology (BAT) upon which the MCLs are based, BAT for the purpose of issuing variances, and a SMCL for one contaminant.	Final rule 2/92.
880-027	Amendments to the UIC Program 40 CFR 144 40 CFR 146	NPRM 55 FR 26462 6/28/90 Regulatory Agenda 56 FR 18016 4/22/91	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 7/91.
880-030	Wellhead Protection and Sole Source Aquifer Demonstration Programs - Indian Tribes 40 CFR 35	NPRM 52 FR 46712 12/9/87 Regulatory Agenda 56 FR 18016 4/22/91	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 - JUNE 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*880-034	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 Final rule 56 FR 26460 6/7/91	EPA promulgates MCLGs and NPDWRs for controlling lead and copper in drinking water. EPA sets MCLGs of zero for lead and 1.3 mg/L for copper. EPA sets NPDWRs consisting of a treatment technique requirement that includes corrosion control treatment, source water treatment, lead service line replacement, and public education.	<u>Final rule effective 6/6/91 except for certain provisions which are effective 11/6/91. First phase of sampling to begin 1/1/92.</u>
*880-037	NPDWRs Implementation Primary Enforcement Responsibility 40 CFR 142	NPRM 55 FR 49398 11/28/90 Final rule 56 FR 25046 6/3/91	EPA issues a final rule to retain regulatory language at 40 CFR 142.17(a)(2) concerning the withdrawal of a state's primary enforcement responsibility for the Public Water System Supervision program.	<u>Effective 7/3/91.</u>
*880-046	NPDWRs - Arsenic 40 CFR 141	Planned NPRM 56 FR 18014 4/22/91	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.	<u>NPRM 11/92.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
880-047	Drinking Water Laboratory Certification Regulations 40 CFR 141 40 CFR 142	Planned NPRM 56 FR 18014 4/22/91	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 6/92.
880-049	Management of Class V Injection Wells Under Part C 40 CFR 144 40 CFR 145 40 CFR 146	Planned NPRM 56 FR 18016 4/22/91	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 1/92.
880-050	NPDWRs - Contaminants From First Drinking Water Priority List (Phase VI) 40 CFR 141	Planned NPRM 56 FR 18015 4/22/91	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 6/93.
880-053	Revision of VOC Analytical Methods 40 CFR 141	Planned NPRM 56 FR 18015 4/22/91	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 8/91. Final rule 7/92.
880-056	Class I Hazardous Waste Injection Wells - UIC Regulations 40 CFR 146	Planned NPRM 56 FR 18018 4/22/91	As part of a settlement agreement, EPA will propose a rule to provide that a casing inspection log shall be run whenever the owner or operator conducts a workover in which the injection tubing is pulled. The Director may waive this requirement.	NPRM 7/91, final rule 7/92.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
CLEAN WATER ACT				
140-018	Guidelines Establishing Test Procedures for the Analysis of Pollutants 40 CFR 136	NPRM 56 FR 5090 2/7/91 Notice 56 FR 24814 5/31/91	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.	Final rule 10/91.
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 NOA 55 FR 47210 11/9/90 Regulatory Agenda 56 FR 18011 4/22/91	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 9/91.
140-041	Disposal Sites - Denial or Restriction 40 CFR 231	Planned NPRM 56 FR 18008 4/22/91	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 1/93, final rule 1/94.

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REGULATORY UPDATE TABLE - JUNE 1991

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*140-066	Water Quality Standards for Toxic Pollutants 40 CFR 131	Planned NPRM 56 FR 18005 4/22/91	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.	<u>NPRM 9/91.</u>
*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 56 FR 18007 4/22/91	EPA will propose revisions to the NPDES regulations to clarify existing requirements and policies.	<u>NPRM 8/91. Final rule 8/92.</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 56 FR 18010 4/22/91	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 7/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
140-077	NPDES - Surface Water Toxics Control Program (Water Quality Planning and Management) 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 NOA 56 FR 13827 4/4/91 Regulatory Agenda 56 FR 18010 4/22/91	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.	Final rule effective 9/26/89. Supplemental final rule 7/91.
140-084	NPDES Permit Application - Standard Form A, Short Form A 40 CFR 122.21(j)	Planned NPRM 56 FR 18008 4/22/91	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.	NPRM 1/92. Final rule 1/93.
140-085	NPDES Permit Application Requirements for Storm Water Discharges 40 CFR 122	NPRM 56 FR 12101 3/21/91	EPA proposes to extend until 5/18/92 the deadline for submission of individual industrial storm water applications and to set a fixed deadline of 5/18/92 for submission of individual applications from rejected members of storm water group applications.	Final rule 3/92.
*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.	<u>Final rule 11/91.</u>

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*140-092	Oil Pollution Prevention 40 CFR 112	Planned NPRM - Phase I 56 FR 18020 4/22/91	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.	<u>Phase I NPRM 8/91,</u> <u>final rule 8/92.</u>
		Planned NPRM - Phase II 56 FR 18059 4/22/91	The Oil Pollution Act of 1990 was passed requiring facility-specific contingency plans. As Phase II of this rule, EPA will implement the legislative mandate for facility response plans.	Phase II NPRM 10/91, final rule 8/92.
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 Regulatory Agenda 56 FR 18009 4/22/91	EPA proposes to allow regulatory authorities to: (1) establish cyanide limitations and standards based on best professional judgement for elevated levels of non-amenable cyanide resulting from the complexing 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.
140-103	NPDES and Sludge Management State Programs - Indian Tribes 40 CFR 122 40 CFR 123 40 CFR 124 40 CFR 501	Planned NPRM 56 FR 18007 4/22/91	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.	NPRM 7/91.

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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 56 FR 18011 4/22/91	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 12/91.
140-108	Shore Protection Act Section 4103(B) Regulations 40 CFR undetermined	Planned ANPRM 56 FR 18009 4/22/91	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 10/91.
140-109	Effluent Guidelines and Standards for the Waste Treatment Category 40 CFR Subchapter N	Planned NPRM 56 FR 18007 4/22/91	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 4/94, final rule 11/96.
140-110	Secondary Treatment Requirements for Municipal Discharge into Marine Waters 40 CFR 125	NPRM 56 FR 2814 1/24/91 Regulatory Agenda 56 FR 18011 4/22/91	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.	Final rule 1/92.

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140-111	CWA Section 404 Program Definition 40 CFR 232.2(q)	Planned NPRM 56 FR 18008 4/22/91	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 7/92, final rule 10/92.
*140-114	Bioconcentratable Contaminants	NOA 56 FR 13150 3/29/91 Comment period extended 56 FR 26411 6/7/91	EPA announces the availability of the draft guidance document entitled "Assessment and Control of Bioconcentratable Contaminants in Surface Waters" to provide guidance to state and federal regulators on assessing and, where necessary, controlling the release of pollutants which, due to their chemical properties, accumulate in tissues of aquatic organisms.	<u>Comments by</u> <u>7/26/91</u> . Final guidance document 4/92.
140-115	Nationwide Permit Program 33 CFR 330	NPRM 56 FR 14598 4/10/91	The Corps of Engineers proposes to amend its nationwide permit program regulations and to issue 13 new nationwide permits, reissue the existing nationwide permits, and add new conditions to all of the nationwide permits.	Final rule undetermined.

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CLEAN AIR ACT				
RCRA Air Emission Standards for Volatile Organics at TSD Facilities -- RU# 840-142				
List of Substances and Threshold Quantities -- RU# 180-110				
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 56 FR 18052 4/22/91	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 ₂ , 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.
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 56 FR 18040 4/22/91	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.

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120-008	Stack Height Regulation 40 CFR 51.100	Planned NPRM 56 FR 18047 4/22/91	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 Regulatory Agenda 56 FR 18053 4/22/91	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.	Final rule 9/92.
120-055	NESHAPs - Chromium Industrial Cooling Towers 40 CFR 61	NOI to list 50 FR 24317 6/10/85 Planned NPRM 56 FR 18043 4/22/91	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 10/92. Final rule 11/93.

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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 56 FR 18034 4/22/91	EPA must promulgate regulations establishing standards and requirements regarding the use and disposal of Class I substances during the service, repair, or disposal of appliances and industrial process refrigeration. As required by Sect. 608, the rules shall include requirements that maximize the recapture and recycling of such substances.	<u>NPRM 11/91. Final rule 11/92.</u>
		Section 114 information request 55 FR 49116 11/26/90 Temporary final rule 56 FR 9518 Correction 56 FR 18034 3/13/91 Planned NPRM 56 FR 18034 4/22/91	As required by Sect. 604 of the CAA, EPA issues a temporary final rule to implement 1991 limits on production and consumption of ozone-depleting chemicals. The regulation takes effect immediately and remains in effect only during 1991. It will be replaced by regulations for 1992 and subsequent years which will implement the Montreal Protocol's reduction requirements with the goal of eventual complete phase-out of CFC's.	Effective 1/1/91; remains in effect for calendar year 1991. <u>NPRM 8/91,</u> final rule by 9/15/91.
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 56 FR 18033 4/22/91	EPA will not expedite the review schedule for the primary and secondary NO ₂ 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.

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REGULATORY UPDATE TABLE - JUNE 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*120-084	NAAQS - Carbon Monoxide 40 CFR 50.8 40 CFR 82	Call for Information 52 FR 27580 7/22/87 NOA 55 FR 14858 4/19/90 Regulatory Agenda 56 FR 18033 4/22/91	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>
120-093	NESHAPs - Hazardous Organics 40 CFR 63	Planned NPRM 56 FR 18043 4/22/91	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 11/91. Final rule 11/92.
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 9/91.
120-103	NESHAPs - Organic Solvent Cleaning 40 CFR 63	Planned NPRM 56 FR 18044 4/22/91	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 6/92. Final rule 6/93.
120-113	Methods for Measurement of Condensable Particulate Emissions 40 CFR 51	NPRM 55 FR 41546 10/12/90	EPA proposes to add a CAA method for states (SIPs) to measure condensable particulate matter (CPM) emissions from stationary sources.	Final rule 9/91.

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REGULATORY UPDATE TABLE - JUNE 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
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.	Effective 8/12/91.
120-116	NSPS - Municipal Landfills 40 CFR 51 40 CFR 52 40 CFR 60	NPRM 56 FR 24468 5/30/91	EPA proposes to add subpart WWW to 40 CFR 60 for control of new sources and proposes emission guidelines and compliance schedules for existing sources under subpart C. Subpart WWW would limit emissions from certain new and modified municipal solid waste landfills and implement Sect. 111(b) of the CAA. The proposed emission guidelines implement Sect. 111(d) of the CAA which requires the Administrator to prescribe regulations under which the states will submit plans for the control of existing emissions of certain air pollutants for which NSPS have been established.	Comments by 8/1/91. Final rule 7/92.
*120-117	NESHAPs - Benzene 40 CFR 61	NPRM 56 FR 13368 4/1/91 Notice 56 FR 26404 6/7/91 Notice 56 FR 26406 6/7/91	EPA proposes to revise the benzene NESHAP for coke by-product recovery plants to add provisions for the use of carbon adsorbers and vapor incinerators as alternative means of complying with the standards for process vessels, storage tanks, and tar-intercepting sumps. EPA submits to OMB for review a revision of the information collection requirements of 40 CFR 61 - NESHAP for Benzene Equipment Leaks. EPA gives notice of a proposed settlement concerning litigation instituted against EPA challenging regulations issued under Sect. 112 of the Clean Air Act for benzene emissions from certain source categories (9/14/89, 54 FR 38044).	Final rule undetermined.

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REGULATORY UPDATE TABLE - JUNE 1991

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*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 Notice of reconsideration; compliance waiver 55 FR 13480 4/10/90 NPRM 55 FR 13482 4/10/90 Stay extended 56 FR 23519 5/22/91	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.
		55 FR 13480 4/10/90 NPRM 55 FR 13482 4/10/90 Stay extended 56 FR 23519 5/22/91	EPA announces limited reconsideration of Subpart R regarding radon emissions from phosphogypsum stacks that requires disposal of phosphogypsum in stacks or mines. EPA proposes to 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 use of discrete quantities of phosphogypsum for R&D 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 10/1/91. Final rule undetermined; no schedule as yet.
		NPRM 56 FR 6339 2/15/91 Final rule 56 FR 18735 4/24/91	EPA stays 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.	Final rule effective 4/15/91. Subpart I stayed until 11/15/92.
		ANPRM 56 FR 10524 3/13/91	EPA plans to propose a rule to rescind Subpart I as it applies to nuclear power reactors.	<u>NPRM 8/91.</u>
		NPRM 56 FR 10523 3/13/91	EPA proposes to stay the effectiveness of Subpart I as applied to nuclear power reactors until the rulemaking concerning rescission of Subpart I for nuclear power reactors has been concluded.	<u>Final rule 8/91.</u>

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*120-137	SIP Completeness Criteria 40 CFR 51	NPRM 56 FR 23826 5/24/91	EPA proposes to make minor changes to the SIP completeness criteria.	<u>Final rule</u> <u>undetermined.</u>
120-148	NAAQS - Lead 40 CFR 50.12	Planned NPRM 56 FR 18040 4/22/91	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 40 CFR 63	Planned NPRM 56 FR 18043 4/22/91	EPA is considering revising the asbestos NESHAP to further reduce the risks to health.	NPRM 4/92. Final rule 4/93.
120-155	VOC Equipment Leak Fugitive Emissions 40 CFR Ch. 1	Notice 54 FR 37725 9/12/89 Notice 55 FR 14349 4/17/90 Notice 55 FR 27680 7/5/90 Notice 56 FR 9315 3/6/91	EPA issues a notice summarizing major provisions and language of the negotiated rule, agreed to by the negotiating committee, to control VOC fugitive emissions from equipment leaks.	NPRM 12/91. Final rule 12/92.
120-158	NSPS - Medical Waste Incineration 40 CFR 60	Planned NPRM 56 FR 18041 4/22/91	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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*120-164	Ambient Air Monitoring Methods - Equivalent Method Designation	Notice 56 FR 27014 6/12/91	EPA designates a reference method for the measurement of ambient concentrations of nitrogen dioxide. The method, "Advanced Pollution Instrumentation, Inc. Model 200 Nitrogen Oxides Analyzer," is an automated method (analyzer) which utilizes the measurement principle (gas phase chemiluminescence) and calibration procedure specified in appendix F of 40 CFR 50.	
*120-166	List of Source Categories for Hazardous Air Pollutants 40 CFR 63	NOA 56 FR 28548 6/21/91	EPA issues a preliminary draft of the list of source categories of hazardous air pollutants required by Sect. 112(c) of the Clean Air Act.	<u>Comments by 7/21/91. Final list of categories 11/91; final regulatory schedule 11/92.</u>
*120-167	Compliance Extensions for Early Reduction of Hazardous Air Pollutants 40 CFR 63	NPRM 56 FR 27338 6/13/91	EPA proposes to implement provisions in Sect. 112(i)(5) of the Clean Air Act to allow an existing source to obtain a six-year extension of compliance with an emission standard if the source has achieved an emission reduction of 90 percent or more of hazardous air pollutants by certain dates specified in the Act.	<u>Comments by 7/29/91. Final rule 11/91.</u>
120-168	List of Hazardous Air Pollutants - Petitions for Addition/Deletion 40 CFR 63	Planned NPRM 56 FR 18053 4/22/91	Under Sect. 112(b) of the CAA Amendments of 1990, petitions may be submitted to EPA to add to or delete hazardous air pollutants from the initial list of 189 hazardous air pollutants. This notice will describe the data set that must be provided in submitting an adequate petition.	Interim guidance document and decision on rulemaking action 7/91.
120-170	Requirements for the Enhanced Monitoring of Ozone and Its Precursors 40 CFR 58	Planned NPRM 56 FR 18034 4/22/91	EPA will propose a rule for the enhanced monitoring of ozone, nitrogen oxides, and VOCs in areas designated as nonattainment for ozone. The rule will address location, minimum number of monitors per area, and sampling frequency for each class of pollutant.	NPRM 10/91. Final rule 5/92.

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*120-171	Rules for Prevention of Significant Deterioration (PSD) and New Source Review (NSR) 40 CFR 51 40 CFR 52	Planned NPRM 56 FR 18035 4/22/91	EPA will propose to amend EPA's existing new source review regulations, including prevention of significant deterioration, to conform with the new requirements of the CAA Amendments of 1990.	<u>NPRM 4/92. May be split into separate PSD and NSR rules.</u>
120-172	Operating Permit Program 40 CFR 70	NPRM 56 FR 21712 5/10/91	Under the CAA Amendments of 1990, EPA proposes a new 40 CFR part 70 to require states to develop programs for issuing operating permits to major stationary sources, sources covered by NSPS and NESHAPS, and sources covered under the acid rain program.	Final rule 11/91.
120-173	Enhanced Monitoring and Compliance Certification Regulations 40 CFR 70 40 CFR 71	Planned NPRM 56 FR 18035 4/22/91	Regulations will be developed to provide guidance on the appropriate monitoring methods, recordkeeping and reporting requirements, and periodic compliance certification requirements for permits issued under Title V.	NPRM 11/91. Final rule 5/92.
*120-174	California Clean Fuels Pilot Program - Credits Program CFR undetermined	Planned NPRM 56 FR 18037 4/22/91	The CAA Amendments of 1990 mandate EPA to establish a pilot program in California to demonstrate the effectiveness of clean-fuel vehicles in controlling air pollution in ozone attainment areas. As part of this program, EPA will promulgate a vehicle credits program granting manufacturing credits for the sale of more clean-fuel vehicles than required or vehicles meeting more stringent standards than required.	<u>NPRM 8/91. Final rule 1/92.</u>
*120-175	Clean Fuel Fleet Programs CFR undetermined	Planned NPRM 56 FR 18037 4/22/91	This rule will establish clean fuel fleet emission standards, guidelines for a clean fuel fleet credit program, regulations governing the conversion of conventional vehicles to meet clean fuel fleet standards, and regulations exempting clean fuel fleet vehicles from transportation control measures.	<u>NPRM 8/91. Final rule 1/92. Vehicle conversion regulations - NPRM 11/92, final rule 11/93.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
120-176	General Provisions for Major and Area Sources of Air Toxics 40 CFR 63	Planned NPRM 56 FR 18044 4/22/91	General provisions are being developed for 40 CFR 63 which will include standards for 189 hazardous air pollutants to be regulated under Sect. 112 of the CAA Amendments of 1990.	NPRM 8/91. Final rule 11/92.
*120-177	Identification of Lesser Quantity Cutoffs for Major Sources Under Sect. 112 40 CFR 63	Planned NPRM 56 FR 18045 4/22/91	A regulation is under consideration to address the definition of "major source" in Sect. 112, defined as a source that emits 10 tons or more per year of a listed hazardous pollutant or 25 tons per year or more of a mixture of pollutants. This regulation would list pollutants for which a lesser quantity has been developed and the criteria for doing so.	<u>NPRM 10/91.</u>
120-178	Standards for Tank Vessel Loading Operations CFR undetermined	Planned NPRM 56 FR 18045 4/22/91	This regulation will control VOC emissions from tank vessel loading operations, as required by Sect. 183 of the CAA Amendments of 1990. Approximately 60,000 megagrams of VOCs are emitted annually from tank vessel loading operations.	NPRM 9/91. Final rule 11/92.
*120-179	General Preamble - Requirements for Approval of SIP Submittals	Notice of draft document 56 FR 27257 6/13/91 Correction 56 FR 28959 6/25/91	EPA announces the availability of a staff working draft of the General Preamble for Title I of the Clean Air Act Amendments of 1990. The General Preamble is a compilation of requirements for SIP submittals and will form a universal discussion for all upcoming SIP approval actions.	<u>Comments by 7/26/91.</u>
120-180	Designation and Classification of Nonattainment Areas 40 CFR 81	Planned final rule 56 FR 18051 4/22/91	Title I requires that areas be designated attainment/unclassifiable or nonattainment and classify areas for ozone, carbon monoxide and PM-10. This action revises 40 CFR 81 by adding classifications of nonattainment areas and new nonattainment areas, and formalizes the designations, classifications, and boundaries for all pollutants. It will also cover additional nonattainment designations for lead and SO ₂ .	Final rule 7/91.

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120-181	Guidance for Implementation of Sect. 112(g) - Modifications 40 CFR 63	Planned final guidance 56 FR 18053 4/22/91	Guidance is being developed in accordance with the requirements of Sect. 112(g) of the CAA Amendments of 1990 that will set de minimus levels for the 189 listed hazardous air pollutants and establish relative toxicity ranking for determinations of offsets.	Final guidance document 5/92.
120-182	Control Techniques Guidelines CFR undetermined	Final guidance document 56 FR 18054 4/22/91	The CAA Amendments of 1990 require EPA to issue control techniques guidelines (CTGs) for these eleven source categories within three years of enactment: chemical manufacturing distillation operations and reactor processes, wood furniture and plastic parts manufacturing, web offset lithography, petroleum and industrial wastewater treatment, automobile refinishing, volatile organic liquid storage tanks, use of clean-up solvents at industrial plants, chemical manufacturing batch processes, and pesticides applications.	Final guidance document 11/93.
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 56 FR 18345 4/22/91	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 until 12/91, pending action on RU# 700-074.
*700-068	NWPA Payment-Equal-To-Taxes (PETT) Provisions	Proposed notice of interpretation and procedures 55 FR 8180 3/7/90 Regulatory Agenda 56 FR 17235 4/22/91	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.	<u>Final action 12/91.</u>

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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 56 FR 18352 4/22/91	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; decision on action 11/91.
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.	Rulemaking decision by 12/91.
LOW-LEVEL RADIOACTIVE WASTE (LLW) POLICY AMENDMENTS ACT				
740-003	Environmental Protection Standards for LLW Disposal 40 CFR 193 40 CFR 764	ANPRM 48 FR 39563 8/31/83 Planned NPRM 56 FR 18013 4/22/91	EPA intends to develop environmental radiation protection standards and 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 12/91. Final rule 12/92.
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 Deferral of action 56 FR 21631 5/10/91	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 until consensus-building process is completed.

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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 56 FR 18359 4/22/91	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 on hold indefinitely until consensus-building process is completed.
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.
740-021	Low-Level Waste Manifest Information and Reporting 10 CFR 20 10 CFR 61	Planned NPRM 56 FR 18349 4/22/91	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 7/91. Final rule 7/92.

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.
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100-018	Residual Radioactive Materials Cleanup - Radiation Protection Criteria 40 CFR 194	ANPRM 51 FR 22264 6/18/86 Planned NPRM 56 FR 18013 4/22/91	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.	On hold; no action planned at this time.
100-020	Definition of Safety Related and Important to Safety 10 CFR 50	Planned NPRM 56 FR 18344 4/22/91	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.
100-021	Exposure Limits for Transuranics	NPRM 42 FR 60956 11/30/77 Regulatory Agenda 56 FR 18013 4/22/91	EPA proposes interim guidance to federal agencies to limit radiation doses to the general population from transuranic elements present in the environment.	On hold; no action planned at this time.
100-033	Explanation to Table S-3, Uranium Fuel Cycle Environmental Data 10 CFR 51	NPRM 46 FR 15154 3/4/81 Regulatory Agenda 56 FR 18343 4/22/91	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.	Next action undetermined.
100-039	Residual Radioactivity Criteria for Unrestricted Release of Lands and Structures 10 CFR 20	NOA 55 FR 6137 2/21/90 Planned NPRM 56 FR 18354 4/22/91	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.

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100-053	Criteria for Extraordinary Nuclear Occurrence 10 CFR 140	NPRM 50 FR 13978 4/9/85 Regulatory Agenda 56 FR 18344 4/22/91	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.	Final rule on hold until Fall 1991.
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.	Final revision by 8/91.
100-129	Environmental Standards for the Management and Disposal of Spent Nuclear Fuel, HLW, and TRU Radioactive Wastes 40 CFR 191	Planned NPRM 56 FR 18012 4/22/91	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 12/91, final rule 12/92.
*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.	<u>Final policy statement 10/91.</u>

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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 56 FR 18346 4/22/91	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 9/91.
*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 56 FR 18361 4/22/91	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.	<u>Final rule 7/91.</u>
100-179	Fitness-For-Duty Programs for Category I Fuel Facilities and Shipments 10 CFR 26	Planned NPRM 56 FR 18355 4/22/91	NRC will propose to amend the Commission's fitness-for-duty regulations to include Category I fuel facilities and Category I shipments.	NPRM 8/91. Final rule 6/92.

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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 56 FR 18359 4/22/91	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.	<u>Final rule 9/91.</u>
100-187	Licenses and Radiation Safety Requirements for Large Irradiators 10 CFR 36	NPRM 55 FR 50008 12/4/90 Regulatory Agenda 56 FR 18360 4/22/91	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 Notice 56 FR 27546 6/14/91	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. NRC submits to OMB for review a revision to the information collection requirements of 10 CFR 21, "Reporting of Defects and Noncompliance," and 10 CFR 50.55(e), "Reporting of Defects in Design and Construction."	Final rule 9/91. <u>Comments at any time.</u>

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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.	<u>Final rule 8/91.</u>
100-214	Nuclear Power Plant Structures, Systems, and Components 10 CFR 50	ANPRM 54 FR 9229 3/6/89 Planned NPRM 56 FR 18348 4/22/91	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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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
100-222	Code and Standards for Nuclear Power Plants 10 CFR 50	Planned NPRM 56 FR 18347 4/22/91	NRC will incorporate by reference Subsection IWE, "Requirements for Class MC Components of Light-Water Cooled Power Plants," and Subsection IWL, "Requirements for Class CC Concrete Components of Light-Water Cooled Power Plants," of Sect. XI of the ASME Code.	NPRM 12/91.
100-224	Primary Reactor Containment Leakage Testing for Water-Cooled Reactors 10 CFR 50	NPRM 51 FR 39538 10/29/86 Regulatory Agenda 56 FR 18357 4/22/91	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 9/91.
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 56 FR 18348 4/22/91	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 10/91.
100-248	Emergency Response Data System 10 CFR 50	NPRM 55 FR 41095 10/9/90 Regulatory Agenda 56 FR 18361 4/22/91	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.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*100-249	Requirements for Possession of Industrial Devices 10 CFR 31 10 CFR 32	Planned NPRM 56 FR 18350 4/22/91	NRC will propose to amend regulations for the possession of industrial devices containing byproduct material to require device users to report to the NRC on a periodic basis if 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 8/91.</u> Final rule 6/92.
*100-252	Import and Export of Radioactive Waste 10 CFR 110	ANPRM 55 FR 4181 2/7/90 Planned NPRM 56 FR 18350 4/22/91	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 10/91.</u>
100-256	U-AVLIS Uranium Enrichment - Permits for Access to Restricted Data 10 CFR 725	NPRM 55 FR 15237 4/23/90 Regulatory Agenda 56 FR 17235 4/22/91	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 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 10/92.
100-258	Emergency Preparedness Regulations 10 CFR 50	Planned NPRM 56 FR 18350 4/22/91	NRC will propose to clarify the linkage between 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 9/91. Final rule 5/92.
		NOA 56 FR 12734 3/27/91 Planned NPRM 56 FR 18351 4/22/91	NRC will propose a rule to amend regulations concerning those portions of emergency plans that cannot be exercised prior to issuance of a Part 52 combined license. This will be accomplished on a "high priority basis." on a "high priority basis."	NPRM sent to Commission 4/90; awaiting their action on it.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*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.	<u>Final decision on whether to proceed with rulemaking 8/91.</u>
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 56 FR 18353 4/22/91	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 8/91. Final rule 6/92.
*100-275	Import and Export of Nuclear Equipment and Material 10 CFR 110	Notice 55 FR 53596 12/31/90 Planned NPRM 56 FR 18354 4/22/91	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.	<u>NPRM placed on hold.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*100-276	Timeliness in Conduct of Decommissioning of Material Facilities 10 CFR 30 10 CFR 40 10 CFR 70 10 CFR 72	Planned NPRM 56 FR 18354 4/22/91	NRC will propose to require decontamination and decommissioning of material facilities within a fixed period of time after cessation of operations.	NPRM 8/91, final rule 5/92.
100-277	Challenges to Orders That Are Made Immediately Effective 10 CFR 2	NPRM 55 FR 27645 7/5/90 Regulatory Agenda 56 FR 18353 4/22/91	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 2 10 CFR 40 10 CFR 70 10 CFR 74	NPRM 55 FR 51726 12/17/90 NOA 56 FR 7884 2/26/91 Regulatory Agenda 56 FR 18362 4/22/91	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.	Final rule 9/91.
100-279	Code and Standards for Nuclear Power Plants - ASME Code Addenda 10 CFR 50	NPRM 56 FR 3796 1/31/91 Regulatory Agenda 56 FR 18348 4/22/91	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.	Final rule 12/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*100-283	Regulatory Guides	NOA 56 FR 26844 6/12/91	The NRC issues NUREG-1435, Volume 2, Status of Safety Issues at Licensed Power Plants, Unresolved Safety Issues. The document covers the status of implementation and verification of Unresolved Safety Issues (USIs) at licensed operating plants and provides an historical perspective of the growth of issues designated as USIs.	
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.	Comments by 9/30/91.
*100-286	Reactor Coolant Pump Seal Failure	NOA 56 FR 16130 4/19/91 Corrections 56 FR 24418 5/30/91 Comment period extended 56 FR 28422 6/20/91	NRC announces the availability of draft regulatory and technical documents on Generic Issue 23, "Reactor Coolant Pump Seal Failure."	<u>Comments by 9/30/91.</u>
URANIUM MILL TAILINGS RADIATION CONTROL ACT				
930-029	Groundwater Protection Standards for Inactive Uranium Tailing Sites 40 CFR 192	NPRM 52 FR 36000 9/24/87 Regulatory Agenda 56 FR 18013 4/22/91	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 reworked and sent back to OMB for review; may be out by 8/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*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 56 FR 17234 4/22/91	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 11/91.</u>
TOXIC SUBSTANCES CONTROL ACT				
Containerized Liquids in Landfills -- RU# 840-024				
920-053	Test Rule - Exemption Policy Revision 40 CFR 790	Planned NPRM 56 FR 17998 4/22/91	EPA plans to propose appropriate procedural changes to reduce the resources required for consent order negotiation.	NPRM 9/91. Final rule 12/92.
*920-064	Comprehensive Assessment Information Rule 40 CFR 704	Planned NPRM 56 FR 18001 4/22/91	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.	<u>NPRM 12/91.</u>
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.

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REGULATORY UPDATE TABLE - JUNE 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
920-076	Termination of PCBs Disposal Approvals 40 CFR 761	NPRM 55 FR 46470 11/2/90 Regulatory Agenda 56 FR 18003 4/22/91	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 27961 6/18/91 Notice 56 FR 28894 6/25/91	EPA announces the receipt of chemical test data on 4-nonylphenol submitted pursuant to a TSCA consent order. EPA announces the receipt of chemical test data on 1,1,1-trichloroethane submitted pursuant to a consent order.	
920-113	SARA Section 110 Chemicals Generic Test Rule 40 CFR 799	Planned NPRM 56 FR 17998 4/22/91	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 4/92.
*920-119	PCBs - Wet Weight, Dry Weight Clarification 40 CFR 761	NPRM 55 FR 12866 4/6/90 Regulatory Agenda 56 FR 18003 4/22/91	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).	<u>Final rule and clarification 10/91.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
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 9/91.
920-124	Reduction of Lead Consumption and Use 40 CFR Subchapter R	ANPRM 56 FR 22096 5/13/91	EPA initiates a regulatory investigation to determine the most cost-beneficial way to reduce human exposure to lead. The investigation will explore use of TSCA Sect. 6 to determine if uses of lead present unreasonable risks.	Comments by 8/12/91.
*920-125	PCBs Disposal Amendments 40 CFR 761	ANPRM 56 FR 26738 6/10/91	EPA is considering amending its TSCA PCB disposal regulations to address (1) alternative disposal methods to those currently permitted which do not pose an unreasonable risk of injury to human health and the environment, (2) classes of PCBs not contemplated by the disposal regulations, and (3) regulatory requirements for existing classes of PCBs and PCB items.	Comments by 8/9/91. NPRM 2/92.
		NOA 56 FR 26745 6/10/91	EPA announces the availability of draft proposed guidance regarding alternative disposal methods which may be used for certain non-liquid PCBs under site-specific conditions. The guidelines are for use by regional administrators.	Comments by 8/9/91.
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.	NPRM 10/91.

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920-127	Environmental Hazard Communication Rule	Planned NPRM 56 FR 18001 4/22/91	The Office of Toxic Substances will propose to require Environmental Hazard Communication (EHC) with the sale of commercial chemicals, probably in the form of requiring that environmental information be included on Material Safety Data Sheets (MSDS) whenever the information is available.	NPRM 12/91.
*920-128	TSCA Sect. 8(e) Compliance Audit Program	NOA 56 FR 28458 6/20/91	EPA announces the availability of the TSCA Sect. 8(e) reporting guide and modifications to the Sect. 8(e) Compliance Audit Program and the Agreement for the Sect. 8(e) Compliance Audit Program.	

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 Notice extending existing approvals 56 FR 8388 2/28/91	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.	Extension of existing approvals effective 3/1/91. NPRM 7/91.
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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*400-019	Highway Transport - Requirements for Cargo Tanks 49 CFR 107 49 CFR 171 49 CFR 172 49 CFR 173 49 CFR 176 49 CFR 177 49 CFR 178 49 CFR 180	NPRM 50 FR 37766 9/17/85 Final rule 54 FR 24982 6/12/89 Partial grant of petitions; effective date extended 55 FR 21035 5/22/90 Effective date extended; final rule amended 55 FR 37028 9/7/90 Corrections and revisions 56 FR 27872 6/17/91	RSPA revises and clarifies the regulations pertaining to the manufacture of cargo tanks and the operation, maintenance, repair, and requalification of all specification cargo tanks, including vacuum loaded tanks. It establishes registration requirements for persons who are engaged in the manufacture, repair, or certification of cargo tanks and includes improved standards for inspection and testing of cargo tanks, improved valves and closures to prevent leakage and the risk of fire in overturns and other accidents, and new qualification criteria for cargo tank manufacturers, repairers, and inspectors. RSPA makes corrections and clarifying revisions to certain requirements pertaining to cargo tank motor vehicles.	Effective date extended to 12/31/90. Amendment effective 12/31/90. Compliance authorized from 10/1/90. <u>Corrections and revisions effective 6/17/91.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
400-033	Performance-Oriented Packaging Standards 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 47 FR 16268 4/15/82 NPRM 52 FR 16482 5/5/87 Supplemental NPRM 52 FR 42772 11/6/87 Supplemental NPRM 54 FR 31158 7/26/89 Notice of competent authority ruling 55 FR 10750 3/22/90 Supplemental NPRM 55 FR 21342 5/23/90 Supplemental NPRM 55 FR 26574 6/28/90 Final rule 55 FR 52402 12/21/90 Notice of competent authority approval 56 FR 7076 2/21/91	RSPA sets performance-oriented packaging standards for small packages based on the Recommendation of the U.N. Committee of Experts on the Transport of Dangerous Goods and the ICAO Technical Instructions. Conformance to these standards will improve packaging, classification, and hazard communication.	Final rule effective 10/1/91.

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400-039	Pipeline Operator Qualifications 49 CFR 192 49 CFR 195	ANPRM 52 FR 9189 3/23/87 Planned NPRM 56 FR 17731 4/22/91	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.	NPRM 9/91.
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 56 FR 17731 4/22/91	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 56 FR 17733 4/22/91	This would clarify existing inspection requirements for tank car tanks; add new inspection requirements for thermal protection on tank car tanks; permit the use of new inspection techniques for tank cars transporting low vapor pressure commodities in lieu of periodic hydrostatic retests; and establish minimum in-service tank thickness requirements.	NPRM 7/91. Final rule 7/92.
400-061	Highway Routing Standards for Hazardous Materials 49 CFR 173.177 49 CFR 397	ANPRM 53 FR 11618 4/7/88 Planned NPRM 56 FR 17732 4/22/91	RSPA is considering establishing routing criteria, requirements, and methodologies for analyzing alternative routes for highway transport of non-radioactive hazardous materials.	NPRM 11/91.

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REGULATORY UPDATE TABLE - JUNE 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 ANPRM 56 FR 17730 4/22/91	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.	ANPRM 7/91.
400-063	Hazardous Liquid Pipeline Damage-Prevention Program 49 CFR 192 49 CFR 195	NPRM 53 FR 24747 6/30/88 Regulatory Agenda 56 FR 17738 4/22/91	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.	Final rule 9/91.
400-064	Maps and Records of Pipeline Location and Characteristics - State Notification 49 CFR 192 49 CFR 195	Planned NPRM 56 FR 17732 4/22/91	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 8/91. Final rule 8/92.
400-073	Implementation of the ICAO's Technical Instructions 40 CFR 172 49 CFR 171 49 CFR 175	NPRM 55 FR 46839 11/7/90 Regulatory Agenda 56 FR 17741 4/22/91	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.	Final rule 11/91.

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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.	Effective 9/30/91.
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 56 FR 17623 4/22/91	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 174 which govern the transportation of hazardous material by rail.	Final rule effective 10/1/91.

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REGULATORY UPDATE TABLE - JUNE 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 56 FR 17740 4/22/91	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 9/91.
400-094	Special Cargo Requirements for Benzene 46 CFR 151 46 CFR 153	NPRM 55 FR 2978 1/29/90 Regulatory Agenda 56 FR 17626 4/22/91	The Coast Guard proposes to revise the special cargo requirements for benzene and its mixtures by adding new regulations concerning occupational exposure to benzene. 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 56 FR 17739 4/22/91	RSPA proposes 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 or having a flash point at or above 100 degrees F, and those in a solid phase having temperatures at or above 464 degrees F.	Final rule 7/91.

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REGULATORY UPDATE TABLE - JUNE 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 NPRM 56 FR 11490 3/18/91 Regulatory Agenda 56 FR 17734 4/22/91	RSPA proposes to: (1) prohibit operators from transporting in a transmission line downstream of gas processing plants, sulfur recovery plants, or storage fields, natural gas containing more than a designated amount of H ₂ S; (2) require that the release of a designated excess of H ₂ S be reported to DOT; and (3) require that onshore/offshore gathering lines carrying a designated excess of H ₂ S have a contingency plan in place in case of a release of the gas.	Final rule 3/92.
400-099	Gas Pipelines Corrosion 49 CFR 192	NPRM 54 FR 27041 6/27/89 Regulatory Agenda 56 FR 17739 4/22/91	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 9/91.
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 56 FR 17737 4/22/91	RSPA proposes to amend the Hazardous Materials Regulations (HMR) to require that persons involved with the transportation of hazardous materials receive detailed training, and persons who work in proximity to hazardous materials receive training concerning hazardous materials awareness and safety procedures.	Final rule 8/91.
400-110	Hydrostatic Pressure Testing of Hazardous Liquid Pipelines 49 CFR 195	NPRM 56 FR 23538 5/22/91	RSPA proposes to extend hydrostatic testing or the alternative reduction in maximum operating pressure to all hazardous liquid steel pipelines where maximum operating pressure has not been established in accordance with the requirements of 49 CFR 195. RSPA also proposes to extend the same requirements for an adequate margin of safety to carbon dioxide pipelines that are required for hazardous liquid pipelines.	Comments by 7/22/91. Final rule 7/92.

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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 56 FR 17740 4/22/91	OPS proposes to change the procedures and policy for addressing deficiencies in operators' procedures and plans relating to gas, LNG, and hazardous liquid pipelines.	<u>Final rule 11/91.</u>
400-112	Operation and Maintenance Procedures for Pipelines 49 CFR 192 49 CFR 195	NPRM 54 FR 46685 11/6/89 Regulatory Agenda 56 FR 17738 4/22/91	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 or abnormal conditions. Operators would also be required to establish procedures for personnel safety in trenches containing hazardous vapor or gas.	Final rule 9/91.
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 56 FR 17734 4/22/91	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 12/91.
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.

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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.
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 56 FR 17735 4/22/91	RSPA considers amendments to improve the level of safety of tank car tanks through operational changes, design modifications, and retrofitting requirements. In a supplement to its 5/15/90 ANPRM, RSPA considers four further amendments to its tank car tank specifications.	NPRM 11/91.
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 Planned NPRM 56 FR 17735 4/22/91	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.	NPRM 12/91.
400-121	Excess Flow Valve Installation on Service Lines 49 CFR 192	ANPRM 55 FR 52188 12/20/90 Planned NPRM 56 FR 17736 4/22/91	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.	NPRM 12/91.

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REGULATORY UPDATE TABLE - JUNE 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
OCCUPATIONAL SAFETY AND HEALTH ACT				
*780-006	Occupational Exposure to Formaldehyde 29 CFR 1910	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 56 FR 26909 6/12/91	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. During this stay 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. Amendments effective 7/13/89. <u>Administrative stay of hazard communication requirements effective until 8/8/91.</u> <u>NPRM 7/91.</u>
*780-009	Occupational Exposure to Methylene Chloride 29 CFR 1910	ANPRM 51 FR 42257 11/24/86 Planned NPRM 56 FR 17568 4/22/91	OSHA intends to develop a permanent standard for occupational exposure to methylene chloride.	<u>NPRM 7/91.</u> Final rule 3/92.

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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 56 FR 17566 4/22/91	OSHA is reviewing current standards for respiratory protection and intends to propose revisions following analysis of the standards.	<u>NPRM 12/91.</u> Final rule 12/92.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
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 Regulatory Agenda 56 FR 17571 4/22/91	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. Final rule 8/91.

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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 56 FR 17572 4/22/91	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 11/92.
780-021	Construction Industry - Safety Standards for Fall Protection 29 CFR 1926	NPRM 52 FR 42718 11/25/86 Regulatory Agenda 56 FR 17572 4/22/91	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 11/91.
*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 56 FR 17568 4/22/91	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 9/91.</u>
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 56 FR 17573 4/22/91	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 8/91.

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REGULATORY UPDATE TABLE - JUNE 1991

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
780-028	Hazardous Materials - Process Hazards Management 29 CFR 1910	NPRM 55 FR 29150 7/17/90 Regulatory Agenda 56 FR 17577 4/22/91	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 11/91.
780-029	Occupational Exposure to Cadmium 29 CFR 1910	NPRM 55 FR 4052 2/6/90 Regulatory Agenda 56 FR 17576 4/22/91	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.	Final rule 2/92.
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 56 FR 17566 4/22/91	OSHA is evaluating the feasibility and usefulness of adoption of a generic standard on exposure monitoring for employees exposed to toxic substances.	Decision on whether to proceed with NPRM 11/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
780-042	Medical Surveillance Program for Employees 29 CFR 1910	ANPRM 53 FR 37595 9/27/88 Planned NPRM 56 FR 17565 4/22/91	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 56 FR 17577 4/22/91	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 3/92.
780-045	Hazardous Waste Training Course Certification 29 CFR 1910	NPRM 55 FR 2776 1/26/90 Regulatory Agenda 56 FR 17578 4/22/91	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 3/92.
780-047	Electrical Protective Equipment; Generation, Transmission, Distribution 29 CFR 1910	NPRM 54 FR 4974 1/31/89 Regulatory Agenda 56 FR 17573 4/22/91	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.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
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 56 FR 17576 4/22/91	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 9/91.
780-051	Confined Spaces - Permits and Safety Requirements 29 CFR 1910.146	NPRM 54 FR 24080 6/5/89 Regulatory Agenda 56 FR 17572 4/22/91	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 56 FR 17571 4/22/91	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 9/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*780-054	Personal Protective Equipment 29 CFR 1910	NPRM 54 FR 33832 8/16/89 Regulatory Agenda 56 FR 17574 4/22/91	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.	<u>Final rule 11/91.</u>
780-057	General Industry - Personal Fall Protective Equipment 29 CFR 1910	NPRM 55 FR 13423 4/10/90 Regulatory Agenda 56 FR 17572 4/22/91	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 12/91.
780-058	General Industry Standards - Walking and Working Surfaces 29 CFR 1910	NPRM 55 FR 13360 4/10/90 Regulatory Agenda 56 FR 17576 4/22/91	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 12/91.
780-059	Recording and Reporting Occupational Injuries and Illnesses 29 CFR 1904	Planned NPRM 56 FR 17569 4/22/91	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 56 FR 17566 4/22/91	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.	NPRM 11/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
ENDANGERED SPECIES ACT				
200-032	Endangered and Threatened Wildlife and Plants - Northern Spotted Owl 50 CFR 17	NPRM 54 FR 26666 6/23/89 Final rule 55 FR 26114 6/26/90	FWS designates the northern spotted owl as a threatened species. The present range of this owl is from southwestern British Columbia through western Washington, western Oregon, and the coast range area of northwestern California south to San Francisco Bay.	Effective 7/23/90.
		NPRM 56 FR 20816 5/6/91 Correction 56 FR 24239 5/29/91	The FWS proposes to designate as critical habitat for the northern spotted owl areas totalling 11,638,195 acres in California, Oregon, and Washington.	Revised NPRM 8/91.
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 (<u>Haliaeetus leucocephalus</u>) from endangered to threatened.	NPRM 8/91.
200-047	Endangered and Threatened Wildlife - Snake River Salmon	NPRM 56 FR 14055 4/5/91	The National Marine Fisheries Service proposes to list the Snake River sockeye salmon as an endangered species. The sockeye salmon production is currently limited to Redfish Lake in the Salmon River Basin in Idaho.	Final rule by 4/92.
200-048	Endangered and Threatened Plants - Utah Reed-mustard 50 CFR 17	NPRM 56 FR 14910 4/12/91	The FWS proposes to determine two Utah mustard plants, <u>Schoenocrambe argillacea</u> (clay reed-mustard) and <u>Schoenocrambe barnebyi</u> (Barneby reed-mustard) to be endangered species. The plants are located in Uinta and Emery Counties.	Final rule by 4/92.
*200-049	Endangered and Threatened Wildlife - Marbled Murrelet 50 CFR 17	NPRM 56 FR 28362 6/20/91	The FWS proposes to determine the marbled murrelet (<u>Brachyramphus marmoratus</u>) a threatened species of bird in Washington, Oregon and California.	Comments by 9/18/91. Final rule by 6/92.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*200-050	Endangered and Threatened Species - Snake River Spring and Summer Chinook Salmon 50 CFR 227	NPRM 56 FR 29542 6/27/91	The National Marine Fisheries Service (NMFS) issues a proposed determination that the Snake River spring and summer chinook salmon (<i>Oncorhynchus tshawytscha</i>) is a "species" under the Endangered Species Act because of compelling evidence that they are reproductively isolated from Snake River fall chinook salmon and there is a high probability of substantial gene flow between the spring and summer chinook salmon forms. Further, NMFS proposes to list this spring/ summer chinook salmon as threatened under the ESA.	<u>Comments by 8/26/91.</u>
*200-051	Endangered and Threatened Species - Snake River Fall Chinook Salmon	NPRM 56 FR 29547 6/27/91	The National Marine Fisheries Service issued a proposed determination that the Snake River fall chinook salmon (<i>Oncorhynchus tshawytscha</i>) is a "species" under the Endangered Species Act and proposed to list it as threatened under the Act.	<u>Comments by 8/26/91.</u>
MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT				
460-001	Ocean Dumping of Dredged Material 40 CFR 225 40 CFR 227 40 CFR 228	NOA 56 FR 13826 4/4/91 Planned NPRM 56 FR 18008 4/22/91	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.	NPRM 9/91, final rule 9/92.
NATIONAL ENVIRONMENTAL POLICY ACT				
DOE Integrated Environmental Restoration and Waste Management Program - Programmatic EIS -- RU# 840-293				
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 7/91.

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480-015	DOE Compliance With NEPA 10 CFR 1021	NPRM 55 FR 46444 11/2/90 Regulatory Agenda 56 FR 17235 4/22/91	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 7/91.
		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 7/91.
ARCHEOLOGICAL RESOURCES PROTECTION ACT				
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.	Final rule 9/91.
NATIONAL HISTORIC PRESERVATION ACT				
540-005	National Register of Historic Places 36 CFR 60 36 CFR 63	NPRM 51 FR 28204 8/5/86 Regulatory Agenda 56 FR 17446 4/22/91	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 9/91.

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FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT				
300-003	Guidelines on Disposal and Storage 40 CFR 165	Updating underway 50 FR 44656 10/29/85 Planned NPRM 56 FR 17993 4/22/91	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.	To be published in three parts: Phase I NPRM 1/92, Phase II 1993, Phase III 1994.
*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 Notice 56 FR 27485 6/14/91	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. EPA gives notice that it has forwarded to the Secretary of Agriculture a final rule on worker protection standards for agricultural pesticides.	<u>Final rule 8/91.</u>
*300-007	Restricted Use Classification for Groundwater Contaminating Pesticides	Notice 55 FR 5861 2/20/90 NPRM 56 FR 22076 5/13/91	EPA proposes two options for adding new criteria for selection of pesticide products as candidates for restricted use classification. The proposed criteria would require consideration of restricted use for pesticide products that may contaminate groundwater. Both options address the measured persistence and mobility of an ingredient of a pesticide and the detection of the ingredient in groundwater in at least three different counties.	<u>Final rule undetermined.</u>

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300-014	Microbial Pesticides 40 CFR 172	Planned NPRM 56 FR 17992 4/22/91	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 171	NPRM 55 FR 46890 11/7/90 Notice 56 FR 12007 3/21/91 Regulatory Agenda 56 FR 17994 4/22/91	EPA proposes to revise the rules regarding the certification of applicators of restricted use pesticides to upgrade the provisions of certification programs.	Final rule 3/92.
*300-023	Existing Stocks of Pesticide Products	Statement of policy 56 FR 29382 6/26/91	EPA issues a statement summarizing the policies that will generally guide EPA in making individual decisions concerning whether, and under what conditions, the Agency will permit the continued sale, distribution, and use of existing stocks of pesticide products whose registrations under FIFRA are amended, cancelled or suspended.	<u>Policy is now currently in effect. Comments by 8/26/91.</u>
FEDERAL MINE SAFETY AND HEALTH ACT				
*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 56 FR 17559 4/22/91	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.	<u>Final rule on hold.</u>

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330-004	Safety Standards for Explosives at Metal and Nonmetal Mines 30 CFR 56 30 CFR 57	NPRM 53 FR 45487 11/10/88 Final rule 56 FR 2070 1/18/91 Stay of final rule; reopening of rulemaking record 56 FR 14470 4/10/91 Effective date stayed 56 FR 22825 5/17/91	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 date of final rule stayed until 7/16/91 except for certain provisions which are stayed until further notice.
*330-005	Air Quality, Chemical Substances, and Respiratory Protection Standards 30 CFR 55 30 CFR 56 30 CFR 70 30 CFR 71 30 CFR 75 30 CFR 90	NPRM 54 FR 35760 8/29/89 Correction 55 FR 5118 2/13/90 Comment period extended 56 FR 29201 6/26/91	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.	Comments by <u>8/20/91</u> . Final rule 10/92.
330-006	Hazard Communication 30 CFR 46 30 CFR 56 30 CFR 57 30 CFR 77	NPRM 55 FR 46400 11/2/90 Regulatory Agenda 56 FR 17559 4/22/91	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.	Final rule 1/92.

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HISTORIC SITES ACT OF 1935				
410-004	National Natural Landmarks - Designation of Geological and Ecological Natural Areas 36 CFR 62	ANPRM 55 FR 43384 10/29/90 Planned NPRM 56 FR 17445 4/22/91	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. NPRM 10/91.
BIOTECHNOLOGY				
110-005	Microbial Products 40 CFR 704 40 CFR 720 40 CFR 721	Planned NPRM 56 FR 17999 4/22/91	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).	NPRM 9/91, final rule 9/92.
PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION				
*810-008	Northwest Conservation and Electric Power Plan Amendments - 1991	NOA 56 FR 10447 3/12/91 Notice of proposed amendments 56 FR 13344 4/1/91	Pacific Northwest Power and Conservation Planning Council proposes to amend the Columbia River Basin Fish and Wildlife Program to include wildlife loss estimates for the Bonneville hydroelectric projects.	<u>Final amendments undetermined.</u>
810-009	Power Plan Amendments - Columbia River Basin	Notice 56 FR 23947 5/24/91	The Pacific Northwest Electric Power and Conservation Planning Council invites recommendations to amend two specific provisions of the Columbia River Basin Fish and Wildlife Program: (1) provisions affecting anadromous fish and (2) resident fish and wildlife provisions.	Submit recommendations on first provisions by 8/9/91, final action 8/9/92; recommendations on second provisions by 9/15/91, final action 9/15/92.

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COASTAL ZONE MANAGEMENT ACT				
*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 56 FR 17147 4/22/91	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. <u>Reproposed NPRM 8/91, final 11/91.</u>
*160-003	Implementation of 1990 Reauthorization of Coastal Zone Management Act	Planned NPRM 56 FR 17149 4/22/91	NOAA is pursuing a phased rulemaking to implement the Coastal Zone Management Act Reauthorization Amendments of 1990. Phase I will include the Coastal Zone Enhancement Grants and the new provisions on program evaluation. Phase II will include program approval requirements for the new coastal nonpoint pollution control programs.	<u>Phase I NPRM 10/91.</u>
		NOA 56 FR 27618 6/14/91 Correction 56 FR 28959 6/25/91	EPA issues proposed guidance specifying management measures for the control of non-point sources causing coastal water pollution.	<u>Comments by 10/15/91. Final guidance 5/92.</u>
OTHER				
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 1/92.

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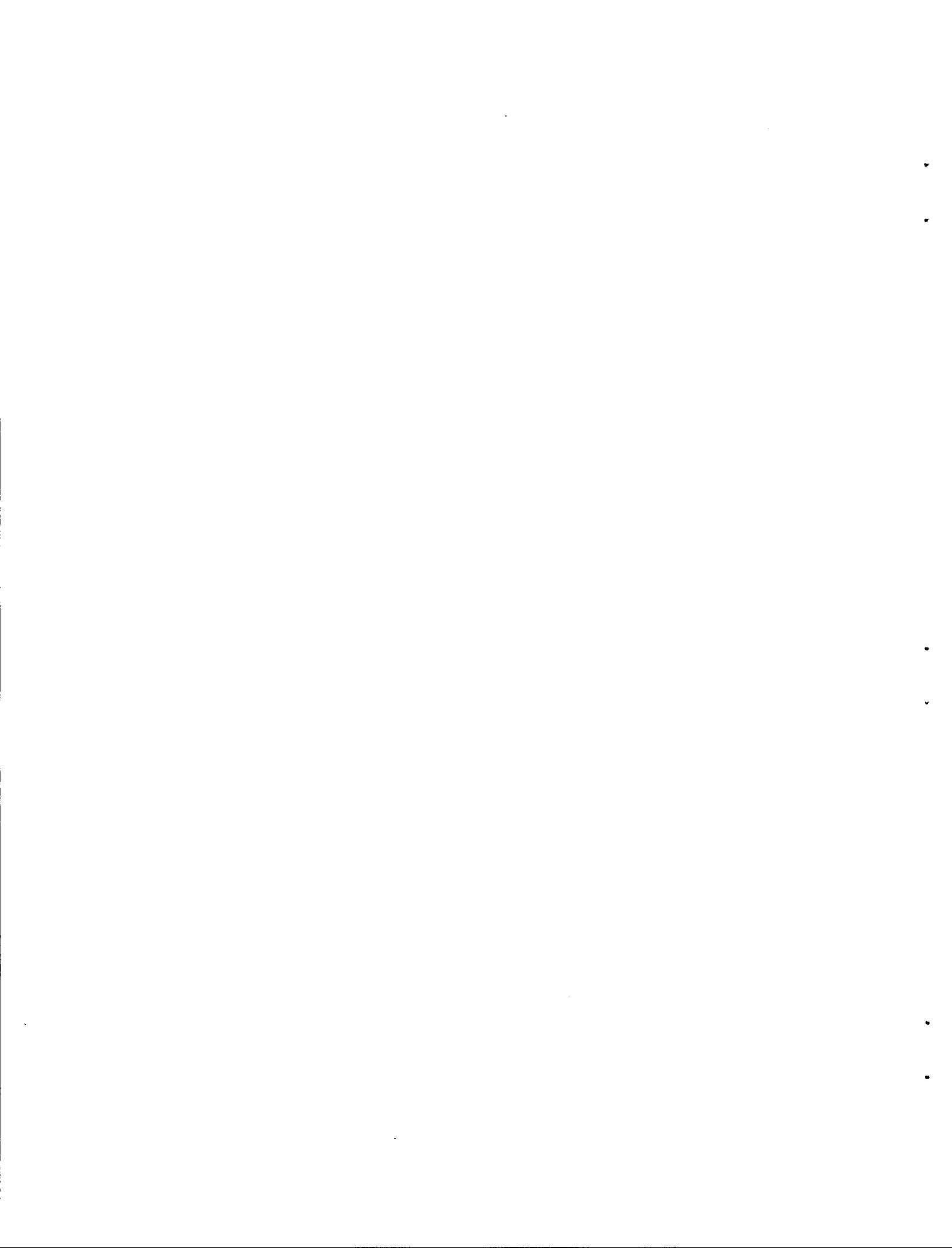
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805-024	Assessing Male Reproductive Risk	Proposed guidelines 53 FR 24850 6/30/88	EPA proposes guidelines for assessing the male reproductive risk of environmental pollutants. The guidelines are intended to guide Agency analysis of data on male reproductive toxicants according to appropriate scientific standards.	Final guidelines 1/92.
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 8/91.
*805-037	Protection of Essential Resources and Facilities 44 CFR 335	NPRM 54 FR 32359 8/7/89 Regulatory Agenda 56 FR 18082 4/22/91	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.	<u>Final rule undetermined; no schedule for action.</u>
*805-041	Task Force on Wetlands - No Net Loss Strategy	Notice 55 FR 30279 7/25/90 NOA 56 FR 8560 2/28/91	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. <u>First initiative 9/91.</u>
805-047	WAPA's Energy Planning and Management Program	Proposed Program 56 FR 16093 4/19/91	WAPA proposes to establish an Energy Planning and Management Program to replace its Guidelines and Acceptance Criteria for the Conservation Renewable Energy Program.	Comments by 7/31/91.

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*805-048	Security Skills Training and Qualifications Standards for Protective Force Personnel 10 CFR 1046	NPRM 56 FR 21631 5/10/91	DOE proposes new requirements for access authorizations and security skills training and qualification for DOE contractor personnel responsible for protection of DOE facilities.	<u>Final rule</u> <u>undetermined.</u>

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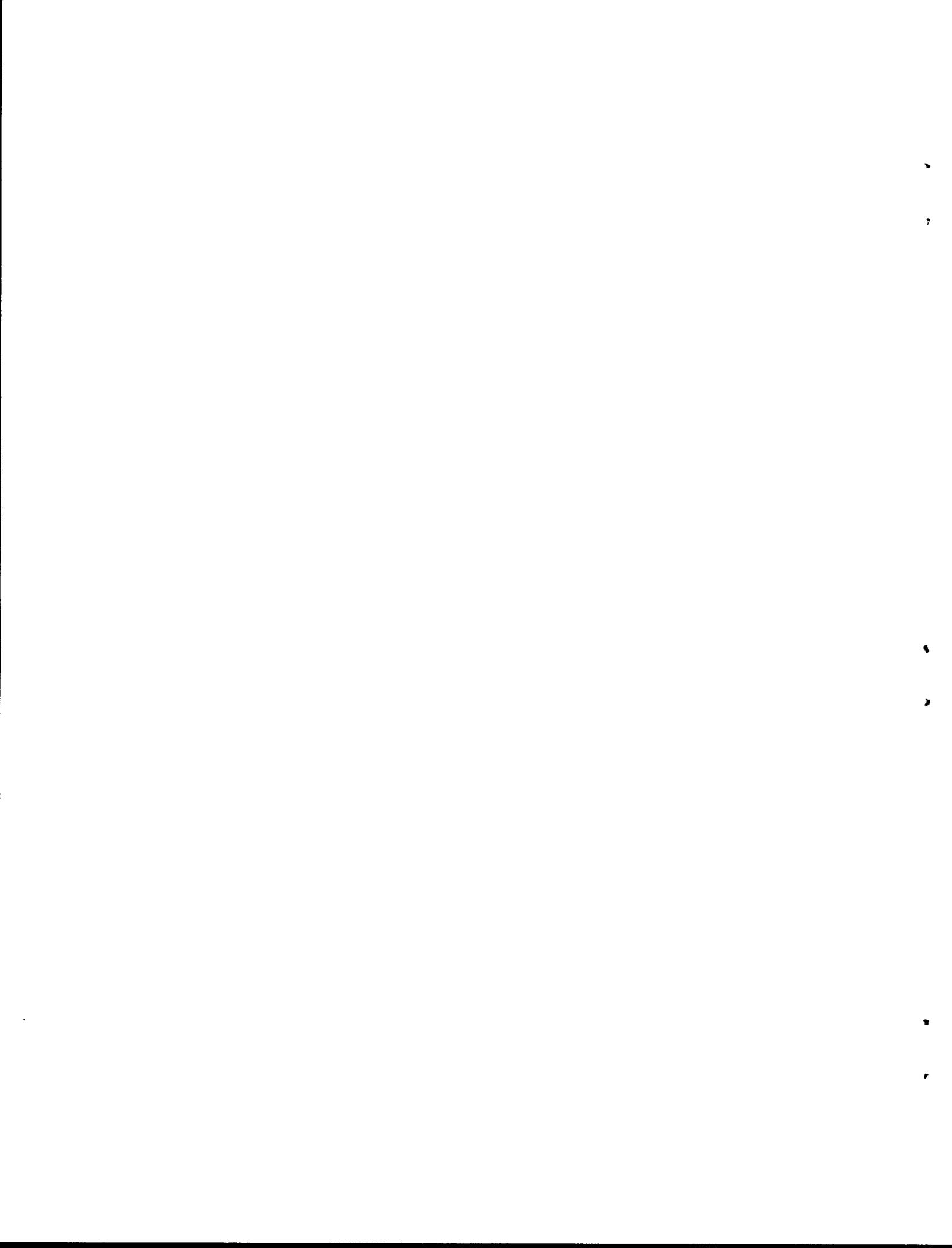
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