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ENVIRONMENTAL SCIENCES DIVISION

ENVIRONMENTAL REGULATORY UPDATE TABLE

DECEMBER 1989

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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 and Compliance (EH-231) as soon as possible so that the Department can make its concerns known to the appropriate regulatory agency. Items of particular interest to EH-231 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 Group, Division of Environmental Guidance, U.S. Department of Energy (EH-231), (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 and Compliance

ENVIRONMENTAL REGULATORY UPDATE

DECEMBER 1989

REGULATORY UPDATE TABLE - DECEMBER 1989 UPDATE

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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 - December 1989

1. NESHAPs for Radionuclides - Final Rule

Pursuant to Sect. 112 of the Clean Air Act, EPA issues at 40 CFR Part 61 national emission standards for hazardous air pollutants (NESHAPs) for radionuclides regulating several categories of industrial sources such as Nuclear Regulatory Commission licensees and non-DOE federal facilities; DOE facilities (45); radon emissions from underground uranium mines, operation and disposal of uranium mill tailings piles, and DOE facilities (5); elemental phosphorus plants; phosphogypsum stacks; and uranium fuel cycle facilities. Because their limited release has a negligible effect on the risk of getting cancer, three other source categories proposed earlier (i.e., high-level radioactive disposal facilities, coal-fired boilers, and surface uranium mines) are not regulated under this rule. Appendix B to Part 61 is amended to include methods for measuring radionuclide emissions from stationary sources. Appendix D is added to Part 61 to list methods for estimating radionuclide emissions, and Appendix E is added to list compliance procedure methods for determining compliance with Subpart I (Table I of annual possession quantity and Table 2 of concentration levels). NESHAPs are established under a two step process as initiated by the vinyl chloride decision of 1987 (i.e., first determining safe or acceptable health risk levels based solely on health factors and then setting standards considering cost, feasibility, and other factors). EPA set the standards to reduce maximum individual risk (MIR) of getting cancer from radionuclides to 1 in 10,000 for 70 years lifetime exposure. The most likely maximum lifetime risk to an individual will be no more than 1 in 1,000,000. The rule was effective on December 15, 1989. However, enforcement of NESHAPs standards for NRC licensees, mainly hospitals, clinics, and research laboratories will be delayed until March 15, 1990 since radiotherapy to cancer patients may be impeded by any immediate effective date. Comments regarding NESHAPS regulating this category must be submitted by February 13, 1990. (12-15-89, 54 FR 51654, RU# 120-118)

2. Polychlorinated Biphenyls; Notification and Manifesting for PCB Waste Activities - Final Rule

EPA amends at 40 CFR Part 761 storage and disposal regulations for polychlorinated biphenyls (PCBs) as required by Sect. 6(e)(1) of the Toxic Substances Control Act (TSCA) (NPRM 9-26-88, 53 FR 37436). The rule establishes a tracking system for PCBs similar to the "cradle-to-grave" tracking system for hazardous wastes under RCRA Subtitle C requiring (1) certain parties to carry a manifest; (2) notification requirements for certain parties that handle PCB waste, and (3) PCB storage requirements including approval from legal authorities (particularly applicable for commercial storers as redefined in the rule), closure plans for facilities, and proof of financial responsibility for assets for closure. Storers of PCB waste failing to comply with financial obligations will have to stop operations and close their facilities. Parties notifying EPA of PCB activities

would be required to obtain from the Agency a unique identification number to use in the manifests (i.e., shipping papers) and other documents making up the waste tracking system. Amendments were also made to PCB record-keeping requirements. PCBs must be marked with clear and adequate warnings and instructions with respect to their processing, distribution in commerce, use, or disposal, or any combination of these activities. The rule will help states in tracking PCBs outside their borders. The intent of the definition of PCB waste generators promoting consolidation of PCB waste from individual sites of use to users' storage areas was retained as proposed, and the definition was further expanded in the final rule to clarify when an owner would be considered a generator. The effective date for the rule is February 5, 1990. (12-21-89, 54 FR 52716, RU# 920-073)

REGULATORY UPDATE TABLE - DECEMBER 1989

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
RESOLUTION CONSERVATION AND RECOVERY ACT				
	General Pretreatment Regulation -- RU# 140-079			
	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.	Currently inactive.
840-008	Mixtures - Acutely Hazardous 40 CFR 261	NPRM 51 FR 5472 2/13/86	EPA is expanding the scope of 40 CFR 261 to cover certain mixtures of acutely hazardous materials. De minimus concentration limits will also be established. Until now, only products with a listed chemical as the sole active ingredient were regulated.	Final rule undetermined. Postponed indefinitely.
840-009	Management of Used Oil 40 CFR 260 40 CFR 261 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 54 FR 45307 10/30/89	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.	Decision on how to regulate used oil, 7/90.

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REGULATORY UPDATE TABLE - DECEMBER 1989

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 54 FR 45318 10/30/89	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 6/94.
840-051	Solid Waste Disposal Facility Criteria 40 CFR 257 40 CFR 258	NPRM 53 FR 33314 8/30/88 Regulatory Agenda 54 FR 45316 10/30/89	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 2/90.
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	Standards will be established for boilers and industrial furnaces that burn hazardous waste fuels in order to control emissions of organic compounds, metals, and hydrogen chloride. EPA issues a supplement discussing alternate approaches to address the following issues: control of CO, metals, HCl, particulate emissions, the small quantity burner exemption, the definition of waste that is indigenous when burned for reclamation, revisions to the proposed definition of halogen acid furnaces, applicability of the metals and organic emissions controls to smelting furnaces involved in materials recovery, and the status under the Bevill amendment of residues from burning hazardous wastes. The Agency is also considering issuance of a proposal to amend the hazardous waste incinerator standards to make them consistent with these proposed standards.	Final rule 12/90.

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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 54 FR 45315 10/30/89	EPA proposes to exclude certain materials from its regulations (40 CFR Part 261) on recycled hazardous secondary materials.	No projected timetable. Awaiting RCRA reauthorization.

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REGULATORY UPDATE TABLE - DECEMBER 1989

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-082	Identification of Hazardous Wastes by Toxicity Characteristics 40 CFR 261	NPRM 51 FR 21648 6/13/86 NOA 51 FR 24856 7/9/86 NOA 51 FR 33279 9/19/86 Supplemental NPRM 52 FR 18583 5/18/87 NOA 53 FR 18024 5/19/88 NOA; Supplemental NPRM 53 FR 28892 8/1/88 Regulatory Agenda 54 FR 45316 10/30/89	EPA proposes to amend its hazardous waste identification regulations by (1) expanding the toxicity characteristic to include 38 additional organic constituents, (2) introducing a modified leaching procedure, and (3) applying compound-specific dilution/attenuation factors (DAFs) for each of the organic constituents, while retaining the 100-fold dilution/attenuation factor for the inorganic constituents. EPA presents new data related to establishing regulatory levels for the toxicity characteristic and to modifying the groundwater fate and transport model and its use in the Delisting Program.	Final rule 3/90.
840-106	Mandatory Inspections 40 CFR undetermined	Planned NPRM 54 FR 4530d 10/30/89	EPA will propose a regulation to establish standards for EPA to follow when conducting mandatory inspections of hazardous waste treatment, storage, and disposal facilities subject to permitting under Sect. 3007.	NPRM 10/90. Final rule 6/91.
840-107	Location Standards for TSD Facilities 40 CFR 260 40 CFR 264 40 CFR 265 40 CFR 270	Planned NPRM 54 FR 45310 10/30/89	EPA plans to propose additional standards for location of hazardous waste treatment, storage, and disposal facilities under Sect. 3004(o)(7), 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 5/90. Final rule 7/92

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
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 54 FR 45310 10/30/89	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.	Reproposed NPRM awaiting action by OMB. On hold.
*840-116	Hazardous Waste Management System - Standards for Generators 40 CFR 262	ANPRM 51 FR 25487 7/14/86	EPA is reconsidering the 1980 regulations which allowed hazardous waste generators to accumulate hazardous waste on-site in tanks or containers for up to 90 days without obtaining a permit or meeting financial responsibility requirements.	<u>NPRM 1/90.</u>
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	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.	To be repropoed as Subpart S. Action date uncertain.
840-133	Solid Waste Management Units - Corrective Action for Continuous Releases 40 CFR 264 40 CFR 270	Planned NPRM 54 FR 45310 10/30/89	EPA may propose new technical and procedural standards for corrective actions for continuing releases from waste management units at permitted facilities. New standards may apply to a variety of media including ground and surface water, air, soil, and subsurface gas.	NPRM undetermined, under review by OMB.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
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 54 FR 45311 10/30/89	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.	A repropoed NPRM is on hold for 1989. To publish guidelines instead.
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 54 FR 45318 10/30/89	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 awaiting OMB action. On hold indefinitely.
*840-142	Air Emission Standards for Volatile Organics at TSD Facilities 40 CFR 261 40 CFR 264 40 CFR 265 40 CFR 269 40 CFR 270 40 CFR 271	NPRM - Phase I 52 FR 3748 2/5/87 Notice of supplemental information; request for comments 54 FR 30228 7/19/89 Planned NPRM - Phase II 54 FR 45330 10/30/89	EPA proposes accelerated RCRA air emission standards for volatile organics emissions from process vents and equipment leaks at hazardous waste TSD facilities handling or recycling hazardous wastes containing 10% or more volatile organics. 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.	<u>Final rule 3/90.</u> <u>NPRM 3/90</u> <u>Final rule 4/91.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-146	Treatment and Disposal of Hazardous Soil and Debris 40 CFR 268	Planned NPRM 54 FR 45311 10/30/89	EPA is investigating the need to set separate treatment standards for soil and debris containing hazardous waste.	NPRM 12/90. Final rule 10/91.
*840-148	Metals Emissions Controls for Hazardous Waste Incinerators 40 CFR 264	Planned NPRM 54 FR 45311 10/30/89	EPA will propose additional controls on emissions of metal and residual organic compounds to strengthen the incinerator standards of Subpart D of 40 CFR 264.	<u>NPRM 2/90.</u> <u>Final rule 2/91.</u>
840-149	Experimental Facilities Conducting Hazardous Waste Research 40 CFR 264 40 CFR 270	Planned NPRM 54 FR 45311 10/30/89	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 9/90. Final rule 9/91.
840-150	Mobile Hazardous Waste Treatment Units 40 CFR 260 40 CFR 265 40 CFR 270	NPRM 52 FR 20914 6/3/87 Regulatory Agenda 54 FR 45319 10/30/89	EPA proposes modified permitting procedures and other regulations to facilitate the use of mobile treatment units (MTUs) in treatment of hazardous wastes. Alternative delisting procedures under 270.22 and 270.32(f) are also proposed to incorporate delisting of hazardous waste residues into the permitting process for all types of facilities.	Final rule 1/90.
840-151	State Programs - Compliance Monitoring and Enforcement 40 CFR 271.15 40 CFR 271.16	Planned NPRM 54 FR 453.3 10/30/89	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 4/90. Final rule 1/91.

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840-156	Batch-Type Adsorption Procedures for Estimating Soil Attenuation of Chemicals	NOA draft 52 FR 22380 6/11/87	EPA issues a NOA of a draft Technical Resource Document entitled "Batch-Type Adsorption Procedures for Estimating Soil Attenuation of Chemicals."	Final document 4/90.
840-165	State Hazardous Waste Management Program - Wisconsin 40 CFR 271	Immediate final rule 54 FR 48243 11/22/89	EPA grants final authorization to Wisconsin's revision of its RCRA program subject to review and comment.	Effective 1/22/90.
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 54 FR 45318 10/30/89	EPA proposes to amend Subpart F groundwater monitoring regulations to foster the early detection of leaks and to better tailor the current groundwater monitoring regulations to site-specific conditions.	Final rule 2/90.
840-173	Hazardous Waste Management System; Testing and Monitoring Activities 40 CFR 260 40 CFR 261 40 CFR 262 40 CFR 264 40 CFR 265 40 CFR 268 40 CFR 270	NPRM 54 FR 3212 1/23/89 Regulatory Agenda 54 FR 45316 10/30/89	EPA proposes to revise certain testing methods that are approved or required under Subtitle C, to add new testing methods, and to make specified Quality Control (QC) procedures mandatory for all testing conducted under the hazardous waste regulations.	Final rule 5/90.

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840-175	Releases to Groundwater from Regulated Units - Corrective Action 40 CFR 264 40 CFR 270	Planned NPRM 54 FR 45312 10/30/89	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 6/90. Final rule 6/91.
840-176	Groundwater Monitoring - Hazardous Constituents 40 CFR 264 40 CFR 270	Planned NPRM 54 FR 45313 10/30/89	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 1/90.
840-185	UST - Financial Responsibility 40 CFR 280	ANPRM 53 FR 3818 2/9/88 Planned NPRM 54 FR 45314 10/30/89	EPA will propose to establish financial responsibility requirements for owners and operators of underground storage tanks (UST) containing hazardous substances. An exemption is to be proposed for federally owned tanks.	NPRM 9/91. Final rule 9/92.
840-189	Wastes from the Combustion of Coal 40 CFR Undetermined	NOA 53 FR 9976 3/28/88 Regulatory Agenda 54 FR 45307 10/30/89	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.
840-191	Municipal Waste Combustor Ash Management 40 CFR Undetermined	Planned NPRM 54 FR 45308 10/30/89	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.	NPRM 9/90. Final rule 11/91.

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840-193	No-Migration Variance for Restricted Hazardous Waste Land Disposal 40 CFR 268	Planned NPRM 54 FR 45308 10/30/89	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."	NPRM 3/90. Final rule 3/91. A guidance manual for petitioners is available from NTIS.
*840-195	Identification and Listing of Hazardous Wastes - De minimus 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 54 FR 45308 10/30/89	EPA will propose exemptions from regulation for any currently listed wastes that are not hazardous because the hazardous constituents are present at levels lower than the concentration levels established by this rule. This includes chlorinated aliphatics production wastes and wastes from explosives and inorganic chemicals.	<u>NPRM 11/90.</u> <u>Final rule 11/91.</u>
*840-201	Land Disposal Restrictions - TCLP (Method 1311) 40 CFR 268	NPRM 53 FR 18792 5/24/88	EPA proposes to revise the Toxicity Characteristic Leaching Procedure (TCLP), "Method 1311." The changes involve the use of a stainless steel cage in the bottle extractor and the addition of a more detailed method flow chart.	<u>Final rule 3/90.</u>
840-221	Hazardous Waste Management System - Subpart C - Groundwater Data 40 CFR 260.22	NPRM 54 FR 41930 10/12/89	EPA proposes to require those who submit delisting petitions for hazardous wastes to provide groundwater monitoring data as part of their petition.	Final rule 10/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*840-223	Definition of Wastewater Treatment Unit 40 CFR 264 40 CFR 270	Planned NPRM 54 FR 45312 10/30/89	EPA will amend the current regulations to explain more clearly that thermal treatment units, except sludge dryers, are not exempt from regulation under the "wastewater treatment unit exclusion."	<u>NPRM 2/90. Final rule 2/91.</u>
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.
840-230	Underground Storage Tanks Containing Petroleum - Financial Responsibility Requirements	Regulatory Agenda 54 FR 45319 10/30/89	EPA is considering establishing final procedures for suspension of enforcement from the financial responsibility requirements which were published on 10/26/88. EPA is currently evaluating the need for this regulation.	Final action about suspension of this regulation 4/90.
840-231	Waste Minimization Program for Hazardous Waste Generators	Draft guidance document 54 FR 25055 6/12/89	EPA issues "Draft Guidance to Hazardous Waste Generators on the Elements of a Waste Minimization Program," intended to help generators comply with the certification requirements of Sects. 3002(b) and 3005(h) of RCRA/HSWA. The guidance is an application of the proposed source reduction and recycling policy statement (see RU# 840-232).	Final guidance document undetermined.
*840-232	Pollution Prevention Policy Statement (Source Reduction and Recycling)	Proposed Policy Statement 54 FR 3845 1/26/89	EPA makes available for comments its proposed policy statement on pollution prevention. EPA's proposed policy encourages organizations, facilities, and individuals to fully utilize source reduction and recycling techniques in order to reduce risk to public health, safety, welfare, and the environment. See RU# 840-231 for draft guidance document that is an application of this proposed policy statement.	<u>Final policy statement 5/90.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*840-236	State Hazardous Waste Management Program - Texas 40 CFR 271	NPRM 54 FR 5500 2/3/89	EPA proposes to tentatively grant final RCRA authorization for revisions to Texas' hazardous waste program.	<u>Final rule 1/90.</u>
840-238	State Hazardous Waste Management Program - Michigan 40 CFR 271	Immediate final rule 54 FR 48608 11/24/89	EPA approves final authorization for revisions to Michigan's RCRA program, subject to review and comment.	Effective 1/23/90.
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 Regulatory Agenda 54 FR 45315 10/30/89	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, effective 7/24/89 in RI and Puerto Rico. Final rule undetermined.
840-247	Modification of Hazardous Waste Listing F019 40 CFR 261 40 CFR 302	NPRM 54 FR 32320 8/4/89 Regulatory Agenda 54 FR 45318 10/30/89	EPA proposes to modify the hazardous waste listing F019, wastewater treatment sludges from the chemical conversion coating of aluminum. The modification would narrow the scope of the F019 listing to exclude the process of zirconium phosphating of aluminum cans because it does not use or form any Appendix VIII constituents in hazardous concentrations.	Final rule 1/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-248	Revision of Subtitle C Financial Test Criteria 40 CFR 264 40 CFR 265	Planned NPRM 54 FR 45312 10/30/89	EPA proposes to revise financial test criteria that must be satisfied by owners and operators employing the test to demonstrate RCRA financial responsibility requirements. The anticipated revisions will adjust test criteria so as to increase availability of this assurance mechanism to viable firms and increase sensitivity to bankruptcy prediction.	NPRM 6/90. Final rule 6/91.
840-249	Definition of Hazardous Waste Tank, Surface Impoundment, and Waste Pile 40 CFR 260	Planned NPRM 54 FR 45312 10/30/89	EPA will propose to clarify the difference between tanks, piles, and surface impoundments by revising the definitions for these units in 40 CFR 260.1. EPA expects to address the use of liners for primary containment as well as other issues relating to the use of "earthen" and "nonearthen" materials.	NPRM 7/90. Final rule 6/91.
840-250	Land Disposal Restrictions for Third Third of Scheduled Wastes 40 CFR 148 40 CFR 261 40 CFR 264 40 CFR 265 40 CFR 268 40 CFR 271	NPRM 54 FR 48372 11/22/89	EPA proposes RCRA land disposal restrictions for the third third wastes including treatment standards and prohibition effective dates, as well as underground injection effective dates. EPA also proposes interpretations of the following issues: The dilution prohibition, Bevill Amendment wastes, the applicability of California list prohibitions to wastes receiving national capacity variances and newly listed wastes, and commercial chemicals that are hazardous wastes when discarded. Mixed radioactive and hazardous wastes are also regulated.	Final rule 5/90.
840-251	Hazardous Waste Sump Requirements 40 CFR 260 40 CFR 264 40 CFR 265	Planned NPRM 54 FR 45313 10/30/89	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 4/90. Final rule 3/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTI-INFLATIONARY CHANGES	SCHEDULED ACTION
*840-264	Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities	NOA 54 FR 37501 9/11/89 Correction 54 FR 50019 12/4/89	EPA announces the availability of an interim final guidance document entitled "Statistical Analysis of Ground-Water Monitoring Data at RCRA Facilities." The document provides guidance to RCRA facility permit applicants and writers concerning the statistical evaluation of ground-water monitoring data pursuant to the recently promulgated requirements of 40 CFR 264 Subpart F.	
840-266	Definition of Designated Facility and Mining Waste Exclusion 40 CFR 260 40 CFR 261 40 CFR 262	NPRM 54 FR 39298 9/25/89 Regulatory Agenda 54 FR 45316 10/30/89	EPA proposes to modify the RCRA subtitle C definition of "designated facility" for purposes of clarifying the requirements for completing hazardous waste shipment manifests for transporting wastes from one state where they are regulated as hazardous to another in which they are not regulated as hazardous. EPA also proposes to permanently remove seven of the 20 conditionally retained mineral processing wastes from the Bevill exclusion.	Final rule 1/90.
840-267	Identification and Listing of Hazardous Wastes from Chlorotoluene Production 40 CFR 261 40 CFR 271 40 CFR 302	Planned NPRM 54 FR 45309 10/30/89	The hazardous waste listing regulations will be amended to add new waste codes from the production of chlorotoluenes and to designate these wastes hazardous substances under CERCLA.	NPRM 6/91.
840-268	Identification and Listing of Hazardous Wastes from Coke By-Product Industries 40 CFR 261 40 CFR 271 40 CFR 302	Planned NPRM 54 FR 45309 10/30/89	The hazardous waste listing regulations will be amended by adding nine new waste codes from the coke by-products industry. These wastes will be designated hazardous substances under CERCLA.	NPRM 4/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*840-269	Technical Amendment to Final UST Rules For Overfill Prevention 40 CFR 280.26(c)	Planned NPRM 54 FR 45314 10/30/89	EPA will propose to add a provision to the overfill prevention equipment requirements that provides a performance standard alternative to the two design choices already in the final UST regulations. This will clarify EPA's interpretation of the "other alternatives allowed" provision in the final UST regulations.	<u>NPRM 1/90.</u> Final rule 12/90.
840-270	State Hazardous Waste Management Program - Louisiana 40 CFR 271	Immediate final rule 54 FR 48889 11/28/89	EPA grants final authorization to Louisiana's revision of its RCRA program subject to review and comment.	Effective 1/29/90.
*840-271	Identification and Listing of Hazardous Wastes F024 and F025 40 CFR 261 40 CFR 271 40 CFR 302	Final rule 54 FR 50968 12/11/89	EPA lists as hazardous one generic category of waste generated during the manufacture of chlorinated aliphatic hydrocarbons by free radical catalyzed processes having carbon chain lengths ranging from one to five (F025). In response to comments on another generic category of waste generated by the same process (F024), EPA finalizes this listing without substantive change. EPA also adds two compounds to the Appendix VIII list of hazardous constituents, designates these wastes as hazardous substances under CERCLA, and sets reportable quantity limits for them (see RU# 180-028).	<u>Effective</u> <u>6/11/90.</u>
*840-272	Pollution Prevention Research Awards	Notice 54 FR 51070 12/12/89	EPA has entered into cooperative agreements with six states (CA, CT, IL, MN, NJ, and WA) to participate in a pollution prevention research program called the Waste Reduction Innovative Technology Evaluation (WRITE).	
*840-273	State Hazardous Waste Management Program - Massachusetts 40 CFR 271	Notice 54 FR 53068 12/27/89	EPA publishes a compliance schedule for Massachusetts to modify its hazardous waste program by adopting the federal program revisions. As required, Massachusetts previously received a good faith extension, has made progress towards adopting federal changes, and has submitted a proposed timetable to complete the necessary revisions.	

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*840-274	State Hazardous Waste Management Program - Idaho 40 CFR 271	Notice of tentative determination 54 FR 52800 12/22/89	EPA intends to grant final authorization of Idaho's hazardous waste program, including a request for interim authorization for the corrective action provisions of the Hazardous and Solid Waste Amendments of 1984.	<u>Comments by 1/26/90.</u>
COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT				
180-025	Natural Resource Damage Assessments - Type B 43 CFR 11	ANPRM 53 FR 15714 5/3/88 Notice 54 FR 3095 1/23/89 ANPRM 54 FR 39016 9/22/89	DOI intends to make modifications to its ongoing efforts to develop a type B natural resource damage assessment procedure which is a procedure for detailed assessments in individual cases.	NPRM 3/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*180-028	RQ Adjustments - Hazardous Substances 40 CFR 116 40 CFR 117 40 CFR 261 40 CFR 271 40 CFR 302	NPRM 52 FR 8140 3/16/87 Supplement to NPRM 53 FR 11890 4/11/88 Final rule 54 FR 33426 8/14/89 Corrections 54 FR 47022 11/8/89 Technical corrections 54 FR 53057 12/27/89 Final rule 54 FR 50968 12/11/89	EPA adjusts RQs for 258 hazardous substances. EPA lowers the RQs of 54 substances, raises the RQs of 121 substances, and leaves the RQs of 83 substances at their statutory levels. EPA designates as hazardous substances under CERCLA hazardous wastes F024 and F025 newly-designated under RCRA (see RU# 840-271) and sets final reportable quantities for them.	Final rule effective 10/13/89. <u>Technical</u> <u>corrections</u> <u>effective</u> <u>12/27/89.</u> <u>Effective</u> <u>6/11/90.</u>
180-029	Continuous Releases of Hazardous Substances 40 CFR 302 40 CFR 355	NPRM 53 FR 12868 4/19/88 Regulatory Agenda 54 FR 45338 10/30/89	EPA proposes regulations to clarify the reduced reporting requirements pursuant to Sect. 103(f)(2) of CERCLA for facilities that have continuous and stable releases of hazardous substances in amounts at or above their reportable quantities.	Final rule 4/90.

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180-031	Response Claims Procedures 40 CFR 307	NPRM 54 FR 37892 9/13/89 Regulatory Agenda 54 FR 45341 10/30/89 Corrections 54 FR 46423 11/3/89	EPA proposes to establish procedures for (1) filing, evaluating, and resolving claims for costs incurred for responding to releases of hazardous substances, pollutants, or contaminants and (2) notifying concerned parties regarding limitations on the payment of response claims.	Final rule 5/90.
*180-037	National Priorities List - Fifth Update 40 CFR 300	NPRM 51 FR 21099 6/10/86 Final rule 52 FR 27620 7/22/87 Final rule 54 FR 13296 3/31/89 Final rule 54 FR 41015 10/4/89	EPA adds six sites to the NPL from those proposed in the fifth update. Eight sites from the fifth update remain proposed.	Final rule of 7/22/87, effective 8/21/87. Final rule of 3/31/89, effective 5/1/89. Final rule of 10/4/89, effective 11/3/89. <u>Remaining sites to be finalized by 6/90.</u>
*180-038	National Priorities List - Sixth Update 40 CFR 300	NPRM 52 FR 2492 1/22/87 Final rule 52 FR 27620 7/22/87 Final rule 54 FR 41015 10/4/89	EPA adds 14 sites to the NPL from those proposed in the sixth update. Thirteen sites from the sixth update remain proposed.	Final rule of 7/22/87 effective 8/21/87. Final rule of 10/4/89, effective 11/3/89. <u>Remaining sites to be finalized by 6/90.</u>

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*180-039	National Priorities List - Seventh Update 40 CFR 300	NPRM 53 FR 23988 6/24/88 Final rules 54 FR 41000 54 FR 41015 10/4/89	In two separate final rules, EPA lists 56 sites and drops two sites from those proposed in the seventh update. One hundred three sites remain proposed from the seventh update.	Effective 11/3/89. <u>Remaining sites to be finalized by 6/90.</u>
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 54 FR 45338 10/30/89	EPA proposes to clarify the federally permitted release exemptions from CERCLA release reporting and liability provisions.	Final rule 8/90.
*180-043	National Priorities List - Eighth Update 40 CFR 300	NPRM 54 FR 19526 5/5/89 Final rules 54 FR 41000 54 FR 41015 10/4/89	EPA issues two final rules listing on the NPL five of the sites proposed in the eighth update. Five other sites from the eighth update remain proposed.	Effective 11/3/89. <u>Remaining sites to be finalized by 6/90.</u>

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180-044	Hazard Ranking System 40 CFR 300	ANPRM 52 FR 11513 4/9/87 NPRM 53 FR 51962 12/23/88 NOA 54 FR 37949 9/14/89 Regulatory Agenda 54 FR 45339 10/30/89	EPA proposes revisions to the Hazard Ranking System, the principal mechanism for placing sites on the NPL. The NPL is a list of releases and potential releases of hazardous substances, pollutants, or contaminants that are eligible for Superfund-financed remedial actions. These revisions would change the way EPA evaluates potential threats to public health and the environment from hazardous waste sites and may affect the type and number of such sites included on the NPL.	Final rule 3/90.
*180-045	National Contingency Plan 40 CFR 300	NPRM 53 FR 51394 12/21/88 Supplemental notice 54 FR 41566 10/10/89 Regulatory Agenda 54 FR 45339 10/30/89 Correction 54 FR 48835 11/27/89 Correction 54 FR 50306 12/5/89	EPA proposes revisions to the NCP, necessitated by the reauthorization of CERCLA. The NCP directs government and responsible party response to and cleanup of discharges of oil and releases of hazardous substances, pollutants, and contaminants. EPA gives notice it is considering the interpretation of the RCRA term "land disposal" as it applies to certain actions involving the excavation, treatment, and redeposition of hazardous wastes for consideration in finalizing the NCP.	Final rule 2/90.

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*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 54 FR 45338 10/30/89	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 9/90.</u>
180-059	Accidental Release Information Program 40 CFR undetermined	Planned 52 FR 4096 10/26/87 Notice 54 FR 3528 1/24/89	The Accidental Release Information Program will require facilities with severe or repeated accidental releases of hazardous substances to submit information on causes and resulting prevention measures to EPA.	NPRM 6/90. Final rule 1/91.
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 54 FR 45341 10/30/89	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 10/90.
*180-068	Federal Agency Hazardous Waste Compliance Docket	Notice 53 FR 4280 2/12/88 Notice 53 FR 46364 11/16/88 Notice 54 FR 51472 12/15/89	EPA publishes the initial list of federal facilities under CERCLA Sect. 120(c), the hazardous waste compliance docket. There are 44 DOE facilities listed. EPA issues the second update to the Federal Agency Hazardous Waste Compliance Docket as required by CERCLA/SARA. A number of DOE facilities are listed. The list is current as of 7/19/89.	

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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 54 FR 45338 10/30/89	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 7/90.
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 54 FR 45338 10/30/89	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.	Final rule 2/90.
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 ANPRM 53 FR 21043 6/2/88 ANPRM 54 FR 39015 9/22/89 Correction 54 FR 41363 10/6/89	DOI intends to revise the type A natural resource damage assessment procedure for coastal and marine environments to conform with recent court rulings, specifically, the incorporation of restoration or replacement values and the inclusion of all reliably calculated lost use values, with no required hierarchy of methodologies for conducting those valuations. DOI intends to make modifications to its ongoing efforts to develop a type A natural resource damage assessment procedure for Great Lakes environments to conform with recent court rulings.	NPRM 3/90. NPRM 3/90.

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180-083	Health Assessments and Health Effects of Hazardous Substances: Releases and Facilities 42 CFR 90	NPRM 53 FR 32259 8/24/88 Regulatory Agenda 54 FR 44642 10/30/89	The Agency for Toxic Substances and Disease Registry proposes regulations under which it will conduct health assessments and related health effects studies at sites on or proposed for the NPL.	Final rule 1/90.
*180-086	Hazardous Substances Priority List for Toxicological Profiles	Notice 54 FR 42568 10/17/89 NOA 54 FR 49816 12/1/89	ATSDR announces that the third set of 30 draft toxicological documents profiling 48 hazardous substances will be available on or about 10/17/89 for review and comment. EPA announces the availability of five of the final versions of the first 25 toxicological profiles prepared by ATSDR. The available profiles are for aldrin/dieldrin, benzene, chromium, selected PCBs, Arochlor, and 2,3,7,8-tetrachlorodibenzo-p-dioxin.	Comments by 2/16/90.
*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 54 FR 45342 10/30/89	EPA proposes regulations prescribing the manner in which notice of citizen suits is to be provided.	<u>Final rule 4/90.</u>
180-092	National Contingency Plan - Subpart K, Federal Facilities Requirements 40 CFR 300	Planned NPRM 54 FR 45337 10/30/89	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 2/90. Final rule 12/90.

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*180-093	National Priorities List - Federal Facility Sites - Ninth Update 40 CFR 300	NPRM 54 FR 29820 7/14/89 Final rule 54 FR 41015 10/4/89 Final rule 54 FR 48184 11/21/89	EPA adds 27 federal sites to the NPL. DOE sites include FMPC, BPA's Ross Complex, INEL, Oak Ridge Reservation, SRS, BNL, Monticello Mill Tailings Site, and the Mound Plant. Thirty-six federal facilities sites remain proposed.	Effective 12/21/89. <u>Remaining sites to be finalized by 6/90.</u>
180-096	CERCLA Cost Recovery Program 40 CFR 305	Planned NPRM 54 FR 45336 10/30/89	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 costs expended 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 7/90. Final rule 7/91.
*180-097	National Priorities List - Tenth Update 40 CFR 300	NPRM 54 FR 43778 10/26/89	EPA proposes the tenth update to the NPL. This update proposes to add 25 new sites, including two federal facility sites in New London, CT and Rapid City, SD.	<u>Final rule undetermined.</u>
*180-099	Superfund Program - Interim Municipal Settlement Policy	Notice; request for comments 54 FR 51071 12/12/89	EPA publishes the "Interim Policy on CERCLA Settlements Involving Municipalities or Municipal Wastes." The policy addresses how the treatment of municipalities and municipal wastes affects the treatment of private parties and certain kinds of commercial, institutional, or industrial wastes in the Superfund settlement process as well.	<u>Comments by 2/12/90.</u>

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SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT				
SARA Section 110 Chemicals Generic Test Rule -- RU# 920-113				
190-002	Emergency Planning, Right-to-Know - Hazardous Substances List Revision 40 CFR 355	NPRM 54 FR 30700 7/21/89 Regulatory Agenda 54 FR 45341 10/30/89	EPA proposes to delete dimethyl sulfide; isopropyl formate; methyl disulfide; phenol, 2,2-thiobis(4,6-dichloro); piprotal; and sodium pentachlorophenate from the SARA list of extremely hazardous substances.	
*190-005	Community Right-to-Know Release Reporting (Toxic Chemical Release Reporting) 40 CFR 372	NPRM 54 FR 16138 4/21/89 Final rule 54 FR 49948 12/1/89	EPA adds nine chemicals to the list of toxic chemicals under Sect. 313, Title III of SARA. The additions include: 2,3-dichloropropene, m-dinitrobenzene, p-dinitrobenzene, allyl alcohol, isosafrole, o-dinitrobenzene, creosote, dinitrotoluene, and toluenediisocyanate.	<u>Effective 12/1/89.</u>
*190-012	Hazardous Substance Activity Reporting in Transfer of Federal Property 40 CFR 373	NPRM 53 FR 850 1/13/88 Regulatory Agenda 54 FR 45341 10/30/89	EPA proposes a rule to require that federal agencies transferring real property on which any hazardous substance has been disposed of, stored, or released must include in the contract a notice of such activity. EPA will prescribe a form.	<u>Final rule 2/90.</u>

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*190-014	Technical Assistance Grants - NPL Sites 40 CFR Ch. 1 40 CFR 35	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	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.	Effective immediately. <u>Effective 12/1/89.</u> <u>Comments by 1/30/90.</u>
190-027	Cooperative Agreements and Superfund State Contracts for Superfund Response Action 40 CFR 31 40 CFR 35	Interim final rule 54 FR 4132 1/27/89 Regulatory Agenda 54 FR 45347 10/30/89	EPA establishes the administrative requirements for CERCLA-funded cooperative agreements and Superfund state contracts for states, political subdivisions thereof, and federally-recognized Indian tribes. It sets forth the pre-award, post-award, and after-the-grant requirements which are conditions for receiving a Superfund cooperative agreement or Superfund state contract.	Interim final rule effective 1/27/89. Final rule 4/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
190-028	Emergency and hazardous Chemical Inventory Forms and Community Right-to-Know Reporting Requirements 40 CFR 350 40 CFR 355 40 CFR 370 40 CFR 372	NPRM 54 FR 12992 3/29/89	EPA proposes reporting thresholds that would apply on or before 10/17/89, for manufacturing facilities and 9/24/90, for non-manufacturing facilities. These thresholds are as follows: 500 lbs or the threshold planning quantity (TPQ), whichever is lower, for extremely hazardous substances (EHSs) and 10,000 lbs for all other hazardous chemicals for which facilities are required to have or prepare a MSDS. EPA is also clarifying the definition of "facility," proposing a minor change to the Tier I and Tier II forms, and correcting the listing for RQs for two extremely hazardous substances in mixtures under Sects. 311 and 312.	Final rule 2/90.
		Interim final rule 54 FR 41904 10/12/89 Supplemental notice 54 FR 41907 10/12/89 Partial final rule 54 FR 43164 10/20/89	EPA issues an interim final rule extending for one year the RQs for hazardous chemicals that applied during the first two years of reporting. EPA also gives notice of its intent to establish uniform effective dates for SARA final RQs and announces the results of an analysis of RQs under state right-to-know laws.	Interim final rule effective 10/17/89.
			EPA corrects the RQs for two extremely hazardous substances, hydrogen chloride and methacrylonitrile. A final rule on the other proposed issues will be published at a later date.	Partial final rule effective 10/20/89.
*190-035	Toxic Chemical Release Reporting List - Deletion of Sodium Hydroxide 40 CFR 372	NPRM 53 FR 49688 12/9/88 Final rule 54 FR 51298 12/14/89	EPA grants a petition by deleting sodium hydroxide (solution) from the list of toxic chemicals under Sect. 313 of Title III of SARA because there is no evidence that release of sodium hydroxide causes adverse effects to human health or the environment under ordinary exposure scenarios.	<u>Effective</u> <u>12/14/89.</u>
190-036	Reporting of Underground Storage Tanks Under Title III	Notice 53 FR 52273 12/27/88	OMB and EPA solicit comments on whether owners/operators of facilities managing underground storage tanks should be able to substitute the "Notification for Underground Storage Tanks" form for the inventory reports required by SARA, as both contain similar information.	

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REGULATORY UPDATE TABLE - DECEMBER 1989

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*190-038	Regulations Governing Citizens Suits - SARA 40 CFR 310 40 CFR 326 40 CFR 373 40 CFR 374	NPRM 54 FR 3918 1/26/89 Regulatory Agenda 54 FR 45342 10/20/89	EPA proposes regulations prescribing the manner in which notice of citizen suits is to be provided.	Final rule 4/90.
190-041	National Institute of Environmental Health Sciences Hazardous Waste Worker Training 42 CFR 64	NPRM 54 FR 25479 6/15/89	DHHS proposes a new 42 CFR 64a entitled "National Institute of Environmental Health Sciences Hazardous Waste Worker Training" in order to administer the newly created training grants authorized by SARA.	<u>Final rule 2/90.</u>
190-042	Administrative Hearing Procedure for Superfund Claims 40 CFR 305	Planned NPRM 54 FR 45337 10/30/89	EPA will establish procedures for conducting administrative hearings for persons who have made claims against Superfund but are dissatisfied with the award.	NPRM 4/90.
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 rule 7/90.
190-045	Public Information - Confidentiality of Business Information 40 CFR 2	NPRM 54 FR 38156 9/14/89	EPA proposes to amend 40 CFR 2 to state that certain information collected under Sect. 313 of SARA relating to discharges to the air or water will be considered emission or effluent data under the Clean Air Act or the Clean Water Act, respectively, and will not be accorded confidential treatment.	Final rule undetermined.

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REGULATORY UPDATE TABLE - DECEMBER 1989

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*190-048	Superfund Response Action Contractor Indemnification	Proposed policy 54 FR 46012 10/31/89 Comment period extended 54 FR 53184 12/27/89	EPA issues a proposed guidance document to implement Sect. 119 of CERCLA as amended by SARA. Sect. 119 provides the President with discretionary authority to indemnify response action contractors (RACs) for negligent releases arising out of response action activities at sites on the NPL and removal action sites. As delegated by the President, EPA may also extend indemnification to states (or a political subdivision) and potentially responsible parties (PRPs).	<u>Comments by 2/2/90. Final guidance document undetermined.</u>
SAFE DRINKING WATER ACT				
880-007	Primary Drinking Water Regulations - Radionuclides (Phase III) 40 CFR 141	ANPRM for MCLGs 48 FR 45502 10/5/83 ANPRM for MCLs 51 FR 34836 9/30/86 Planned NPRM 54 FR 45304 10/30/89	EPA is considering MCLGs and MCLs for radionuclides of radium, uranium, radon, gross alpha, gross beta, and photon emitters in drinking water.	NPRM 9/90. Final rule 6/92.
880-010	NPDWRs - Synthetic Organic Chemicals and Inorganic Chemicals - Phase II 40 CFR 141	ANPRM 48 FR 45502 10/5/83 NPRM MCLGs 50 FR 46936 11/13/85 Corrections 51 FR 4618 2/6/86 NPRM 54 FR 22062 5/22/89 Regulatory Agenda 54 FR 45305 10/30/89	EPA repropose SDWA MCLGs and proposes NPDWRs for 30 synthetic organic chemicals and 8 inorganic chemicals. NPDWRs include MCLs or treatment techniques, proposed monitoring, reporting, and public notification requirements. The notice also proposes the Best Available Technology (BAT) on which MCLs are based and the BAT for variances. Secondary MCLs for 9 contaminants and monitoring requirements for 100 chemicals are proposed.	Final rule 1/91.

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REGULATORY UPDATE TABLE - DECEMBER 1989

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
880-011	NPDWRs - Disinfectant and By-Products (Phase IV) 40 CFR 141 40 CFR 142	Planned NPRM 54 FR 45304 10/30/89	EPA may propose MCLGs for disinfectants and disinfection by-products in drinking water, to be followed by proposed MCLs and monitoring requirements at the same time the MCLGs are finalized. EPA will propose that all public water systems use disinfection.	NPRM 9/91. Final rule 9/92.
880-013	NPDWRs - Inorganic and Organic Compounds (Phase V/25) 40 CFR 141	ANPRM 48 FR 45502 10/5/83 Planned NPRM 54 FR 45304 10/30/89	EPA will set MCLGs and NPDWRs for about 30 inorganic and organic compounds.	NPRM 3/90. Final rule 9/91.
880-015	PWS Supervision Program - Administrative Enforcement 40 CFR 22 40 CFR 142	NPRM 54 FR 29516 7/12/89 Regulatory Agenda 54 FR 45305 10/30/89	EPA proposes procedures for implementing SDWA Sect. 1313(g) concerning compliance orders for violators of Part B or Sect. 1445 (public water suppliers and underground injectors).	Final rule 6/90.
*880-027	Amendments to the UIC Program 40 CFR 144 40 CFR 146	Planned NPRM 54 FR 45304 10/30/89	EPA will propose amendments to the UIC program and the noncompliance and program reporting requirements. A new regulation to codify Sect. 1445 (a)(1) of the SDWA as it applies to the UIC program will also be proposed.	<u>NPRM 2/90. Final rule 7/90.</u>

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REGULATORY UPDATE TABLE - DECEMBER 1989

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
880-029	NPDWR - Total Coliforms 40 CFR 141 40 CFR 142	NPRM 52 FR 42224 11/3/87 NOA 53 FR 16348 5/6/88 NOA 53 FR 37801 9/28/88 Final rule 54 FR 27544 6/29/89	EPA amends the current NPDWR, including the maximum contaminant level (MCL), monitoring requirements, and analytical requirements, for total coliform bacteria including fecal coliforms and E. coli. This rule applies to all public water systems. EPA also sets a maximum contaminant goal (MCLG) of zero for total coliforms.	Final rule of 6/29/89 effective 12/31/90.
880-030	Wellhead Protection and Sole Source Aquifer Demonstration Programs - Indian Tribes 40 CFR 35	NPRM 52 FR 46712 12/9/87 Regulatory Agenda 54 FR 45305 10/30/89	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 4/90.
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 Regulatory Agenda 54 FR 45305 10/30/89	EPA proposes MCLGs and NPDWRs for controlling lead and copper in drinking water. EPA is proposing a MCLG of zero for lead and 1.3 mg/l for copper and MCLs of 0.005 mg/l for lead and 1.3 mg/l for copper. EPA announces the availability of the final policy guidance for EPA Regional Administrators to use to oversee state implementation and enforcement of the lead prohibition and lead public notice provisions of the Act.	Final rule 11/90.

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REGULATORY UPDATE TABLE - DECEMBER 1989

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880-035	MCLGs - Microbiological Contaminants 40 CFR 141 40 CFR 142	NPRM 52 FR 42178 11/3/87 NOA 53 FR 37801 9/28/88 Final rule 54 FR 27486 6/29/89	EPA sets maximum contaminant level goals (MCLGs) for <u>Giardia lamblia</u> , viruses, and <u>Legionella</u> and promulgates NPDWRs for public water systems using surface water sources or groundwater sources under the direct influence of surface water that include: (1) criteria under which filtration are required and procedures by which the states are to determine which systems must install filtration, and (2) disinfection requirements. This rule also includes certain limits on turbidity as criteria for: (1) determining whether a public water system is required to filter, and (2) determining whether filtration, if required, is adequate.	Effective 12/31/90.
*880-037	NPDWR Implementation - Primary Enforcement Responsibility 40 CFR 35 40 CFR 142	NPRM 53 FR 29194 8/2/88 Final rule 54 FR 52126 12/20/89	EPA establishes the procedures and deadlines for state submission and EPA review and approval or disapproval of primacy program changes, and the actions to be taken by EPA if states with primacy do not adopt the new requirements pursuant to EPA's schedule. EPA also changes the frequency of some state reports from annual to quarterly and adds a requirement for states to adopt EPA's determination of best available technology (BAT) for use in granting variances. The rule also amends the state grant regulations to require Indian tribes to use the program grants to demonstrate program capability.	<u>Effective 1/19/90.</u>
*880-045	State-Administered UIC Programs - Incorporation by Reference Update 40 CFR 147	Planned NPRM 54 FR 45306 10/30/89	EPA will propose to amend the 40 CFR 147 incorporation by reference material to incorporate the most recent state statutes and regulations.	<u>NPRM 6/90. Final rule 12/90.</u>

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REGULATORY UPDATE TABLE - DECEMBER 1989

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CLEAN WATER ACT				
Confidentiality of Business Information -- RU# 190-045				
*140-017	Effluent Limitations - Nonferrous Metals Phase II 40 CFR 421	NPRM 54 FR 18412 4/28/89 Corrections 54 FR 22838 5/26/89 Regulatory Agenda 54 FR 45299 10/30/89	EPA is proposing amendments that include: (1) certain modifications of the effluent limitations for "best practicable technology" (BPT), "best available technology economically achievable" (BAT), and "new source performance standards" (NSPS) for direct dischargers; and (2) certain modifications to the pretreatment standards for new and existing indirect dischargers (PSNS and PSES).	<u>Final rule 3/90.</u>
*140-018	Chemical Test Procedures for Analysis of Pollutants 40 CFR 136	Interim final rule 52 FR 33542 9/3/87 NPRM 52 FR 33547 9/3/87 Regulatory Agenda 54 FR 45301 10/30/89	EPA proposes to amend 40 CFR 136 by adding new measurements and new test procedures for the analysis of pollutants under Sect. 304(h) of the Clean Water Act. This rule would: (1) add Direct Current Plasma (DCP) atomic emission spectrometric method to the list of approved methods for certain metals, (2) add multi-laboratory validation data to three previously approved methods for metals, (3) clarifies the interpretation of equivalency of methods approved under Part 136, and (4) allows the option to use hydrochloric acid as a preservative for samples to be analyzed for oil and grease.	Interim final rule effective 10/5/87. <u>Final rule 3/90.</u>
140-035	Disposal of Sewage Sludge 40 CFR 257 40 CFR 503	NPRM 54 FR 5746 2/6/89 NOA 54 FR 43124 10/20/89 Regulatory Agenda 54 FR 45300 10/30/89	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 10/91.

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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 3/90.
140-041	Disposal Sites - Denial or Restriction 40 CFR 231	Planned NPRM 54 FR 45343 10/30/89	EPA will revise existing 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 7/90. Final rule 6/91.
140-066	Water Quality Standards 40 CFR 131	Planned NPRM 54 FR 45295 10/30/89	EPA will propose revisions to paragraph 131.4(a)(2) of 40 CFR 131 to strengthen the factors for adoption, review, and approval of methods to implement narrative criteria for toxic pollutants in order to make the regulation consistent with the Water Quality Act of 1987.	NPRM 4/90. Final rule 4/91.
*140-067	Revisions to the NPDES Regulations 40 CFR 122 40 CFR 123 40 CFR 124 40 CFR 125 40 CFR 403 40 CFR 434 40 CFR 501	Planned NPRM 54 FR 45297 10/30/89	EPA will propose revisions to the NPDES regulations to clarify existing requirements and policies.	<u>NPRM 4/90. Final rule 4/91.</u>

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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 Regulatory Agenda 54 FR 45299 10/30/89	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 9/90.
140-077	NPDES - Surface Water Toxics Control Program 40 CFR 122 40 CFR 123 40 CFR 130 40 CFR 130	NPRM 54 FR 1300 1/12/89 Final rule 54 FR 23869 6/2/89 Regulatory Agenda 54 FR 45299 10/30/89	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 5/26/89. Supplemental final rule 5/90.
140-079	General Pretreatment Regulations for Existing and New Sources 40 CFR 122 40 CFR 403	NPRM 53 FR 47632 11/23/88 Regulatory Agenda 54 FR 45301 10/30/89	EPA proposes to amend the CWA general pretreatment and NPDES regulations to implement Sect. 3018(b) of RCRA and Sects. 207(b) and 402(b)(8) of CWA in order to carry out the recommendations of the Domestic Sewage Study. The Study examined the nature and sources of hazardous wastes discharged to POTWs, measured the effectiveness of EPA's programs in dealing with such discharges, and recommended ways to improve the programs to better control hazardous wastes entering POTWs.	Final rule 2/90.

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140-081	Proposed Effluent Guidelines	Notice 53 FR 32584 8/25/88 Planned NPRM 54 FR 45300 10/30/89	EPA will review existing effluent guidelines and promulgate new guidelines to implement Sect. 304(m) of the CWA.	Separate rulemakings to be issued for each industrial category as deemed necessary.
140-084	NPDES Permit Application - Form 2C, Standard Form A, Short Form A 40 CFR 122.21(j)	Planned NPRM 54 FR 45297 10/30/89	EPA will revise the current NPDES Permit Application Form 2C (industrial), 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 3/90.
140-085	NPDES Permit Application Requirements for Storm Water Discharges 40 CFR 122 40 CFR 123 40 CFR 124 40 CFR 504	NPRM 53 FR 49416 12/7/88 Regulatory Agenda 54 FR 45300 10/30/89	EPA proposes NPDES permit application requirements for storm water discharges from industrial activities, certain municipal systems, and for case-by-case discharges. The Agency also proposes exemptions from these requirements for mining, oil, and gas operations discharges.	Final rule 8/90.
*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>Comments by 2/2/90. Final rule 12/90.</u>

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140-092	Oil Pollution Prevention 40 CFR 112	Planned NPRM 54 FR 45308 10/30/89	EPA is pursuing a two-phase regulatory approach to propose changes to the oil spill prevention regulation. In Phase I, widely-accepted industry practices that are currently recommended practices in the regulation will be changed to required practices. To facilitate an inventory of facilities, a provision may be added requiring facilities to notify EPA of their existence. The Phase II regulatory effort will address other recommended modifications.	Phase I NPRM 4/90. Final rule 1/91.
*140-093	Class I Administrative Civil Penalties - Army's Authority 33 CFR 326 33 CFR 326.6	NPRM 54 FR 20608 5/12/89 NOA 54 FR 28714 7/7/89 Regulatory Agenda 54 FR 44561 10/30/89	The Department of Army proposes to amend the Corps of Engineers permit regulations to implement the Class I administrative civil penalties authority under CWA for controlling certain activities in waters of the U.S.	<u>Final rule 1/90.</u>
*140-095	NSPS, Effluent Limitations, and Pretreatment Standards - Organic Chemicals, Plastics, and Synthetic Fibers Point Source Category 40 CFR 414	Planned NPRM 54 FR 45296 10/30/89	EPA will propose to amend 40 CFR 414 to allow regulatory authorities to (1) establish cyanide limitations and standards based on best professional judgment for elevated levels of non-amenable cyanide resulting from the complexing of cyanide at the process source of cyanide-bearing waste streams, (2) establish metals limitations and standards to accommodate low background levels of metals in non-"metal-bearing waste streams." EPA will also propose amendments to Appendices A and B to correct listing errors, and an amendment to specify the method for determining BOD5 and TSS effluent limitations.	<u>NPRM 4/90.</u>

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140-098	Requirements for Citizen Suits Under the CWA 40 CFR 135	NPRM 54 FR 36020 8/30/89 Regulatory Agenda 54 FR 45301 10/30/89	EPA proposes regulations governing the manner in which parties in citizen suits must provide copies of filed complaints and proposed consent decrees under the new provisions of the CWA.	Final rule 12/90.
140-102	Copper and Beryllium Forming Point Source Effluent Guidelines and Standards 40 CFR 468	Planned NPRM 54 FR 45296 10/30/89	EPA will propose to establish guidelines and standards for the newly created subcategory of beryllium copper alloys.	NPRM 1/90.
*140-103	NPDES and Sludge Management State Programs Indian Tribes 40 CFR 122 40 CFR 123 40 CFR 124 40 CFR 501	Planned NPRM 54 FR 45296 10/30/89	EPA will propose to establish requirements and procedures by which an Indian tribe may be treated as a state and be approved to administer the NPDES and/or sludge management program.	<u>NPRM 5/90.</u>
140-104	Treatment of Indian Tribes as States for Purposes of Section 404 40 CFR 230 40 CFR 233	NPRM 54 FR 49180 11/29/89	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.	Comments by 1/29/90.

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CLEAN AIR ACT				
Confidentiality of Business Information -- RU# 190-045				
RCRA Air Emission Standards for Volatile Organics at TSD Facilities -- RU# 840-142				
120-005	NAAQS - Sulfur Oxides 40 CFR 50 40 CFR 51 40 CFR 58	ANPRM 44 FR 56730 10/2/79 NPRM 53 FR 14926 4/26/88 Notice 53 FR 29346 8/4/88 Clarification notice 53 FR 36587 9/21/88 Regulatory Agenda 54 FR 45330 10/30/89	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 7/90.
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 54 FR 45323 10/30/89	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 4/90. NPRM 10/90.

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*120-008	Stack Height Regulation 40 CFR 51.100	Planned NPRM 54 FR 45328 10/30/89	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 1/90. Final rule 12/90.
120-010	Guideline On Air Quality Models 40 CFR 51.24(l) 40 CFR 52.21(m)	Planned NPRM 54 FR 45327 10/30/89	Based on input provided to EPA at the Fourth Conference on Air Quality Monitoring in October, 1988, EPA will evaluate the need for additional revisions to the Guideline on Air Quality Models.	NPRM 8/90. Final rule 4/92.
*120-015	NSPS Industrial Boilers - Particulates, NOx 40 CFR 60	Proposed revision 54 FR 1606 1/13/89 Petition Denial 54 FR 1610 1/13/89 Final rule 54 FR 51820 12/18/89	EPA revises the NSPS for NOx for industrial-commercial-institutional steam generating units greater than 73 MW that burn natural gas, distillate oil, and low nitrogen residual oil and operate at low annual capacity. Smaller units using these fuels are exempt from NOx standards and performance testing and monitoring requirements.	<u>Effective</u> <u>6/19/84.</u>
*120-016	NSPS Industrial Boilers - SO2 and PM 40 CFR 60	Final rule 52 FR 47826 12/16/87 Proposed revision of rule 54 FR 28447 7/6/89 Final rule 54 FR 51818 12/18/89	EPA adopts amendments to the SO2 and PM emission standards for oil-fired industrial-commercial-institutional steam generating units with heat input capacities greater than 29 MW. The amendments (1) revise the definition of very low sulfur oil and (2) delete the PM emission limit of 43 ng/J (0.10 lb/million Btu) heat input for units that fire very low sulfur oils.	<u>Effective</u> <u>6/19/86.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
120-022	NSPS - Solvent Degreasing 40 CFR 60	NPRM 45 FR 39766 6/11/80 Call for information 52 FR 29548 8/10/87 Planned NPRM 54 FR 45320 10/30/89	EPA may propose a rule requiring states to control organic solvent cleaners to reduce emissions of specific organic solvents. EPA is considering developing NESHAPs under the CAA for organic solvents (trichloroethylene, perchloroethylene, and methylene chloride) used in degreasing and cleaning.	NPRM 8/90. Final rule 3/92.
120-053	NESHAPs - Chromium Industrial Cooling Towers 40 CFR 61	NOI to list 50 FR 24317 6/10/85 Planned NPRM 54 FR 45326 10/30/89	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 12/90. Final rule 4/92.
120-056	NSPS - Small Boilers 40 CFR 60	NPRM 54 FR 24792 6/9/89 Regulatory Agenda 54 FR 45332 10/30/89 Notice 54 FR 47126 11/9/89	EPA proposes to add Subpart Dc to 40 CFR 60 dealing with new source performance standards. The new subpart would limit emissions of SO ₂ , PM, and NO _x from small industrial-commercial-institutional steam generating boilers with heat input capacities of 100 million Btu/hr or less.	Final rule 9/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
120-065	Stratospheric Ozone Protection 40 CFR 62 40 CFR 82	NPRM 52 FR 47489 12/14/87 Supplemental NPRM 53 FR 18800 5/24/88 Final rule 53 FR 30566 8/12/88 Technical amendments 54 FR 28062 7/5/89 Partial final rule suspension 54 FR 29336 7/12/89 Proposed final rule revisions 54 FR 29353 7/12/89 ANPRM 54 FR 15228 4/17/89	EPA limits the production and consumption of certain chlorofluorocarbons and halons to reduce the risk of stratospheric ozone depletion. The final rule of 8/12/88 requires a near-term freeze at 1986 levels followed by a phased reduction to 80% and 50% of 1986 levels beginning in mid-1993 and mid-1996, respectively. EPA makes several technical revisions to the 8/12/88 final rule and publishes Appendices B and D. EPA suspends Sect. 82-11 for which revisions have been proposed. EPA proposes revisions to the final rule of 8/12/88 implementing the Montreal Protocol on stratospheric ozone depletion. The revisions interpret and implement "industrial rationalization," expand the definition of exports, detail reporting and recordkeeping requirements, and grant additional allowances and credits to any person who uses controlled substances as a feedstock for other substances. EPA will propose to add methyl chloroform and carbon tetrachloride to the list of ozone-depleting chemicals regulated by the Montreal Protocol on Substances That Deplete the Ozone Layer and the final rule implementing the Protocol.	Effective upon entry into force of Montreal Protocol which occurred 1/1/89. Amendments effective 7/5/89. Deletion of Sect. 82.9(d)(2)(vi) effective 9/5/89. Suspension effective 6/30/89. Final rule revisions undetermined. NPRM 6/90.
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.	Final rule undetermined. On hold indefinitely.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
120-083	NAAQS - Nitrogen Dioxide 40 CFR 50.11	Planned review of criteria document 54 FR 45320 10/30/89	EPA will not expedite the review schedule for the primary and secondary NO2 NAAQS, but will proceed on the normal review cycle to produce a revised criteria document. Completed research does not justify a separate short-term primary standard.	Complete review of criteria document and staff paper 9/91.
120-084	NAAQS - Carbon Monoxide 40 CFR 50.8	Call for Information 52 FR 27580 7/22/87 Planned review of criteria document 54 FR 45320 10/30/89	EPA will review ongoing studies on health effects of carbon monoxide and make a decision for or against a change in the NAAQS.	Complete review of criteria document and staff paper 9/90.
*120-085	NESHAPs - Asbestos (Compliance) 40 CFR 61 40 CFR 763	NPRM 54 FR 912 1/10/89 Corrections 54 FR 4941 1/31/89 Notice 54 FR 15802 4/19/89 Regulatory Agenda 54 FR 45333 10/30/89	EPA proposes to amend the NESHAPs for asbestos to enhance enforcement and improve compliance by (1) permitting the use of percent by area as an expression for the asbestos content of bulk materials, (2) adding monitoring and recordkeeping provisions, (3) revising notification requirements, and (4) adding recordkeeping and reporting provisions for waste disposal.	<u>Final rule 8/90.</u>
120-086	NESHAPs - Chromium 40 CFR 61	Planned NPRM 54 FR 45326 10/30/89	EPA is assessing chromium emissions and techniques available to control emissions from 11 identified source categories. If warranted, chromium or hexavalent chromium will be listed under Sect. 112 and standards will be developed.	NPRM, decision on whether to regulate, 4/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
120-088	NESHAPS - Cadmium 40 CFR 61	Regulatory Agenda 54 FR 45321 10/30/89	EPA is investigating cadmium emissions and techniques for control of emissions from identified source categories. If warranted, cadmium will be listed under Sect. 112 and EPA will develop emission standards.	Decision on regulation on hold.
120-093	NESHAPS - Hazardous Organics 40 CFR 61	Planned NPRM 54 FR 45326 10/30/89	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 11/90. Final rule 3/92.
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 2/90.
120-095	NAAQS-Particles 40 CFR 50 40 CFR 50.7	ANPRM 52 FR 24670 7/1/87 Planned NPRM 54 FR 45323 10/30/89	EPA will propose a new secondary NAAQS for fine particles (those less than 2.5 micrometers in aerodynamic diameter) in order to enhance visibility.	NPRM 1990.
*120-098	Health Assessment Documents - Trichloroethylene and Dichloromethane	NOA draft 52 FR 27257 7/20/87	EPA announces the availability of external review drafts of addenda to the health assessment documents for trichloroethylene and dichloromethane (methyl chloride), and a technical analysis of new methods and data on dichloromethane hazard assessments.	<u>Final documents undetermined.</u>
120-101	Standards of Performance for New Stationary Sources - Notification and Recordkeeping 40 CFR 60	NPRM 52 FR 36440 9/29/87	EPA proposes amendments to the CAA standards of performance for new stationary sources, revising the reporting requirements.	Final rule 4/90.

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RULE NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
120-103	NESHAPs - Organic Solvent Cleaning 40 CFR 61	Planned NPRM 54 FR 45322 10/30/89	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 3/91.
*120-106	PSD Set II for PM10 40 CFR 51 40 CFR 52 40 CFR 81	NPRM 54 FR 41218 10/5/89 Comment period extended 54 FR 49999 12/4/89	EPA proposes to revise the maximum allowable increases (increments) for particulate matter under the requirements for prevention of significant deterioration (PSD). The proposed increments would define maximum allowable increases in concentrations of PM10 as follows: 4 micrograms/cu.m. (annual arithmetic mean) and 8 micrograms/cu.m. (24-hour maximum) for Class I areas; 17 micrograms/cu.m. (annual arithmetic mean) and 30 micrograms/cu.m. (24-hour maximum) for Class II areas; and 34 micrograms/cu.m. (annual arithmetic mean) and 60 micrograms/cu.m. (24-hour maximum) for Class III areas.	<u>Comments by 2/3/90.</u> Final rule 9/90.
120-107	SIPs - Ozone and Carbon Monoxide 40 CFR 52 40 CFR 81	Proposed policy 52 FR 45044 11/24/87 Notice 53 FR 34500 9/7/88 NPRM 53 FR 20722 6/6/88 Regulatory Agenda 54 FR 45332 10/30/89	EPA is developing a program to address the fact that many areas in the country have not attained the national ambient air quality standards for ozone and carbon monoxide by the 12/31/87 deadline identified in the CAA. The program will describe how EPA will interpret the CAA so as to bring those areas into attainment, and the steps EPA will take to implement that interpretation.	Final policy statement undetermined, pending amendment of CAA.
120-113	Methods for Measurement of PM10 - Appendix M 40 CFR 51	ANPRM 53 FR 11688 4/8/88 NPRM 54 FR 24213 6/6/89	EPA proposes two test methods for determining PM10 emissions from stationary sources. The methods will be added to 40 CFR 51, Appendix M. Subpart K will be revised to direct states to Appendix M and to reiterate the fact that each SIP must include enforceable test methods with each emission limit in the SIP, including PM10.	Final rule 6/90.

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REGULATORY UPDATE TABLE - DECEMBER 1989

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*120-114	Standards of Performance for New Stationary Sources; State Plans for Designated Facilities 40 CFR 60	NPRM 53 FR 12962 4/20/88 Final rule 54 FR 52188 12/20/89	EPA amends existing requirements to allow a draft or final emission guideline document to be published pursuant to Sect. 111(d) of the CAA at the same time as the new source performance standard for similar new sources is proposed or promulgated.	<u>Effective</u> <u>12/20/89.</u>
*120-115	NSPS - Municipal Waste Combustors 40 CFR 51 40 CFR 52 40 CFR 60	NPRM 54 FR 52251 12/20/89	EPA proposes to add Subpart Ea to 40 CFR 60. Subpart Ea would limit emissions from new, modified, and reconstructed municipal waste combustors (MWCs).	<u>Comments by</u> <u>3/1/90.</u> Final rule 12/90.
120-116	NSPS - Municipal Landfills 40 CFR 60	Planned NPRM 54 FR 45324 10/30/89	This rule will regulate emissions from new and modified municipal landfills under Sect. 111(b). Pollutants to be regulated will include one or more designated pollutants (pollutants not regulated under Sects. 108-110 or 112 of the Act.)	NPRM 5/90. Final rule 8/91.

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REGULATORY UPDATE TABLE - DECEMBER 1989

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*120-117	NESHAPs - Benzene 40 CFR 61	NPRM 53 FR 28497 7/24/88 Final rule 54 FR 38044 9/14/89 Correction 54 FR 50887 12/11/89 Notice of clarification 54 FR 51423 12/15/89	EPA establishes standards for benzene emissions from coke by-product recovery plants and benzene storage vessels, presents its final decisions to require no additional control of benzene equipment leaks beyond the requirements of 40 CFR 61 Subpart J, and decides not to regulate benzene emissions from ethylbenzene/styrene plants and maleic anhydride process vents. EPA also announces its final decision on the policy approach for setting NESHAP that is consistent with the requirements of the court's decision on the vinyl chloride standards. EPA clarifies the coverage of the waste operations portion of the benzene NESHAPs NPRM of 9/14/89.	Effective 9/14/89.
		NPRM 54 FR 38083 9/14/89 Corrections 54 FR 40779 10/3/89 Correction 54 FR 41113 10/5/89 Regulatory Agenda 54 FR 45334 10/30/89	EPA proposes to limit benzene emissions from the following source categories: industrial solvent use, benzene waste operations, benzene transfer operations, and the gasoline marketing system. EPA also proposes not to regulate the chemical manufacturing process vent source category.	Final rule undetermined.
*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	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.	<u>Final rule</u> <u>effective</u> <u>12/15/89.</u> <u>Subpart I stayed</u> <u>until 3/15/90.</u> <u>Comments on</u> <u>Subpart I by</u> <u>2/13/90.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
120-119	NSPS - Method 7A 40 CFR 60	ANPRM 53 FR 20139 6/2/88 NPRM 54 FR 16375 4/24/89	EPA proposes to amend the CAA NSPS Method 7A for the determination of nitrogen oxide emissions from stationary sources by increasing the acid strength of the sample absorbing reagent.	Final rule 5/90.
*120-123	Standards for New Stationary Sources - Methods 15 and 16 40 CFR 60	NPRM 53 FR 34551 9/7/88 Final rule 54 FR 46236 11/2/89 Corrections 54 FR 51550 12/15/89	EPA revises obsolete portions of Appendix A of 40 CFR Part 60 by amending Methods 15 and 16 for determining total reduced sulfur emissions to reflect current technology.	Final rule effective 11/2/89.
120-139	NESHAPs - Test Methods 40 CFR 61	NPRM 54 FR 3791 1/26/89	EPA proposes to add Methods 108B and 108C, to Appendix B of 40 CFR 61. These methods are being proposed as alternative test methods to Method 108A.	Final rule 1/90.
*120-141	NSPS - Method 3 and 3B 40 CFR 60	NPRM 54 FR 8564 3/1/89	EPA proposes to divide NSPS Method 3 into Method 3, "Gas Analysis for the Determination of Dry Molecular Weight," and Method 3B, "Gas Analysis for the Determination of Emission Rate Correction Factor for Excess Air."	<u>Final rule 2/90.</u>
*120-142	NSPS - Fuel Gas Combustion Devices 40 CFR 60	NPRM 54 FR 8570 3/1/89 Technical amendments 54 FR 18308 4/28/89	EPA proposes to amend the emission monitoring requirements to require affected facilities to monitor SO2 after fuel gas combustion or, as an alternative, H2S in fuel gas combustion devices. EPA amends this proposed rule by adding the section detailing Performance Specification 7 (PS-7) which was inadvertently left out of the proposed rule.	<u>Final rule 6/90.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*120-145	Interim Cold Ambient Air Temperature Carbon Monoxide Emission Standards 40 CFR 86	Planned NPRM 54 FR 45328 10/30/89	EPA is considering the adoption of carbon monoxide emission standards applicable to a temperature range lower than the current Federal Test Procedure range of 68 to 86 degrees F.	<u>NPRM 1/90.</u>
120-148	NAAQS - Lead 40 CFR 50.12	Planned NPRM 54 FR 45323 10/30/89	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.	NPRM 10/90.
120-149	NESHAPs - Asbestos (Risk Reduction) 40 CFR 61	Planned NPRM 54 FR 45325 10/30/89	EPA is considering revising the asbestos NESHAP to reduce further the risks to health.	Awaiting decision by EPA administrator.
120-150	Air Pollutants CFR undetermined	Regulatory Decision 54 FR 45325 10/30/89	EPA is reviewing the health effects, sources, emissions to the ambient air, and the public exposure of various pollutants. EPA will publish decisions regarding regulatory mechanisms needed to protect the public health from these pollutants.	Separate rulemakings to be issued for individual pollutants pending amendment of CAA.
*120-152	Standards of Performance for New Stationary Sources - Test Methods 40 CFR 60	NPRM 54 FR 22920 5/30/89	EPA proposes to make additions and revisions to Method 21, which applies to the determination of VOC leaks from process equipment such as valves, flanges and connections, pumps and compressors, and pressure relief devices in order to correct deficiencies in the method that could lead to inconsistencies in the determination of VOC leaks.	<u>Final rule 5/90.</u>
		Notice 54 FR 50277 12/5/89	EPA submits to OMB for review an information collection requirement entitled "NSPS for Equipment Leaks of VOC in the Synthetic Organic Chemical Manufacturing Industry."	

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
120-156	NESHAPs - Vinyl Chloride 40 CFR 61	NPRM 50 FR 1182 1/9/85 Final rule 51 FR 34904 9/30/86 NPRM 54 FR 38938 9/21/89	In response to petitioners' requests, EPA proposes minor revisions to correct ambiguities in several definitions and in the applicability of certain regulatory requirements in the vinyl chloride standards.	Final rule undetermined.
120-158	NSPS - Medical Waste Incineration 40 CFR 60	Planned NPRM 54 FR 45325 10/30/89	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.
*120-159	Ambient Air Monitoring Reference Method Designation 40 CFR 50	Notice 54 FR 50820 12/11/89	EPA designates another reference method for measuring ambient concentrations of nitrogen dioxide. The method uses the gas phase chemiluminescence as specified in Appendix F, 40 CFR 50.	
*120-160	Standards of Performance for New Stationary Sources - Appendix A 40 CFR 60	NPRM 54 FR 52190 12/20/89	EPA proposes to add Method 23, "Determination of Polychlorinated Dibenzo-p-Dioxins (PCDDs) and Dibenzofurans (PCDFs) from Stationary Sources," and Method 26, "Determination of Hydrogen Chloride Emissions from Stationary Sources," to Appendix A of 40 CFR 60.	<u>Comments by 3/5/90.</u>
*120-161	Emission Guidelines for Existing Municipal Waste Combustors 40 CFR 60	Proposed guidelines 54 FR 52209 12/20/89	EPA proposes emission guidelines and compliance schedules for use by states in developing state regulations to control emissions from existing municipal waste combustors (MWCs).	<u>Comments by 3/1/90.</u>
*120-162	NSPS - Revision of Appendix F, Addition to Appendix B 40 CFR 60	NPRM 54 FR 52207 12/20/89	EPA proposes (1) to revise Procedure 1 of Appendix F to make it applicable without further revision for all regulated pollutants, and (2) to add Performance Specification 4A to Appendix B.	<u>Comments by 3/12/90.</u>

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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 54 FR 45635 10/30/89	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 NUPA.	On hold indefinitely. Awaiting EPA comments and action.
700-058	Storage of Spent Nuclear Fuel - Approved Casks 10 CFR 50 10 CFR 72	NPRM 54 FR 19379 5/5/89 Regulatory Agenda 54 FR 45637 10/30/89	NRC proposes to allow power reactor licensees to store spent fuel onsite in approved casks under a general, rather than site-specific, license. Criteria for obtaining a certificate of compliance for storage casks are included.	Final rule 7/90.
700-066	Rules of Practice for HLW License Proceedings 10 CFR 2	NPRM 54 FR 39387 9/26/89 Corrections 54 FR 40780 10/3/89 Regulatory Agenda 54 FR 45630 10/30/89	NRC proposes to amend its Rules of Practice for the licensing proceeding on the disposal of high-level radioactive waste at a geologic repository. The proposed rule would establish a new standard for the admission of initial contentions, would define "late contentions" as any contention proposed after the initial contentions were submitted, would require parties to present direct testimony on contentions, would establish a compulsory hearing schedule, and would eliminate sua sponte review by the Commission's adjudicatory boards.	Final rule undetermined.
700-067	Temporary Storage of Spent Fuel After Cessation of Reactor Operation 10 CFR 51	NPRM 54 FR 39765 9/28/89 Regulatory Agenda 54 FR 45630 10/30/89	NRC is proposing to revise its generic determinations on the timing of availability of a geologic repository for commercial high-level radioactive waste and spent fuel and the environmental impacts of storage of spent fuel at reactor sites after the expiration of reactor operating licenses.	Final rule undetermined.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
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 54 FR 45302 10/30/89	EPA intends to develop environmental radiation protection standards and/or guides for low-level radioactive (possibly including natural and accelerator produced) waste disposal to protect the public health and general environment from potential adverse effects from this activity. Criteria triggering regulations are being considered.	<u>NPRM 4/90.</u> Final rule 6/91.
740-004	LLW Below Regulatory Concern 10 CFR 2 10 CFR 20	ANPRM 51 FR 43367 12/2/86 Advance notice of proposed statement 53 FR 49886 12/12/88 Planned NPRM 54 FR 45625 10/30/89	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.	NPRM on hold indefinitely.
*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 54 FR 45625 10/30/89	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.	<u>Final rule 4/90.</u>

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740-014	Reasserting NRC's Sole Authority for Approving Onsite LLW Disposal in Agreement States 10 CFR 150	NPRM 53 FR 31880 8/22/88 Regulatory Agenda 54 FR 45636 10/30/89	NRC proposes to amend its regulations to reassert its jurisdiction for onsite low-level waste disposal for waste generated onsite at all reactors licensed by NRC in agreement states.	Final rule 1/90.
*740-015	LLW Disposal Facility - Environmental Monitoring Position Paper	NOA 52 FR 42486 11/5/87	NRC issues a branch technical position paper on implementation of an acceptable environmental monitoring program for LLW disposal facilities.	<u>Final paper 1/90.</u>
*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.	<u>Final rule 1/90.</u>
740-021	Low-Level Waste Manifest Information and Reporting 10 CFR 20 10 CFR 61	Planned NPRM 54 FR 45632 10/30/89	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 6/90. Interim final rule 5/91.
*740-022	Application of Quality Assurance for Characterizing a Radioactive Waste Disposal Site 10 CFR 61	NOA 54 FR 51033 12/12/89	NRC announces the availability of NUREG-1383, "Guidance on the Application of Quality Assurance for Characterizing a Low-Level Radioactive Waste Disposal Site," to provide guidance in meeting the quality assurance requirements of 10 CFR 61.	<u>Comments by 1/31/90.</u>

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*740-023	Low-Level Radioactive Waste Research Program Plan	NOA 54 FR 53404 12/28/89	NRC issues NUREG-1380, "Low Level Radioactive Waste Research Program Plan," which discusses scientific and technical uncertainties associated with the disposal of LLW, presents programmatic goals and objectives for resolving them, establishes a long-term strategy for conducting the confirmatory and investigative research required by NRC's regulatory staff, and includes schedules and milestones for completing that research.	<u>Comments at any time.</u>
ATOMIC ENERGY ACT				
Transportation Regulations - Compatibility with IAEA -- RU# 400-093				
100-016	Protection Requirements for Spent Fuel Shipments 10 CFR 73	NPRM 49 FR 23867 6/8/84	The rule modifies the present interim requirements for protection of shipments of irradiated reactor fuel cooled for 150 days or more. Present interim requirements will remain for fuel cooled less than 150 days.	Final rule postponed indefinitely.
100-018	Residual Radioactive Materials Cleanup - Radiation Protection Criteria 40 CFR 194	ANPRM 51 FR 22264 6/18/86 Planned NPRM 54 FR 45303 10/30/89	EPA is developing public health and environmental radiation protection criteria for cleanup of residual radioactivity at decommissioned sites. Licensees of the NRC or Agreement States; sites owned or used by DOE, DOD, the former AEC, and the former Manhattan Engineering District; and sites where natural and accelerator-produced radioactive materials have been used would be affected.	NPRM 10/90. Final rule 10/92.
100-020	Definitions of Safety Related and Important to Safety 10 CFR 50	Planned NPRM 54 FR 45624 10/30/89	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.

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REGULATORY UPDATE TABLE - DECEMBER 1989

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
100-021	Exposure Limits for Transuranics	NPRM 42 FR 60956 11/30/77 Regulatory Agenda 54 FR 45303 10/30/89	EPA proposes interim guidance to federal agencies to limit radiation doses to the general population from transuranic elements present in the environment.	Federal agencies have provided comments to EPA. Still awaiting EPA action.
100-033	Explanation to Table S-3, Uranium Fuel Cycle Environmental Data 10 CFR 51	Revision of deferred proposed rule: NPRM 46 FR 15154 3/4/81 Regulatory Agenda 54 FR 45633 10/30/89	NRC proposes a narrative explanation of the numerical values of Table S-3, "Table of Uranium Fuel Cycle Environmental Data," which appears in the NRC environmental protection regulations. Values for radon-222 and technetium-99 will be added.	Final rule 8/90.
100-034	Emergency Preparedness for Fuel Cycle and Other Radioactive Materials Licensees 10 CFR 30 10 CFR 40 10 CFR 70	ANPRM 46 FR 29712 6/3/81 NPRM 52 FR 12921 4/20/87 Final rule 54 FR 14051 4/7/89	The NRC amends its regulations to require approximately 30 major NRC fuel cycle and other radioactive material licensees to maintain emergency plans for coping with serious accidents involving licensed radioactive materials for which responses by offsite response organizations might be needed. This action formally establishes in NRC regulations the requirement that these licensees maintain emergency plans.	Effective 4/7/90.
100-039	Residual Radioactive Contamination Limits for Decommissioning NRC Licensed Facilities 10 CFR 20	Planned NPRM 53 FR 14698 4/25/88	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.	Withdrawn 4/6/88. Issue addressed will be incorporated into a policy statement to be issued in 1/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
100-041	Revisions to the Standards for Protection Against Radiation 10 CFR 20	ANPRM 45 FR 18023 3/20/80 NPRM 51 FR 1092 1/9/86 Regulatory Agenda 54 FR 45634 10/30/89	NRC proposes revision of requirements for protection of individuals exposed within and outside the workplace to ionizing radiation from normal operations licensed by the NRC. The revision will reflect current data on health risks, dosimetry, and radiation protection practices.	Final rule 1/90.
100-053	Criteria for Extraordinary Nuclear Occurrence 10 CFR 140	NPRM 50 FR 13978 4/9/85 Regulatory Agenda 54 FR 45623 10/30/89	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.	On hold.
100-115	Industrial Radiographic Exposure Devices - Safety Requirements 10 CFR 34	NPRM 53 FR 8460 3/15/88 Regulatory Agenda 54 FR 45635 10/30/89	NRC proposes to establish performance standards for industrial radiography exposure devices, which use relatively high intensity, high energy gamma-ray emitting sources. The rule requires licensees to modify devices to meet performance standards through design changes and quality control procedures at a cost of approximately \$230/yr/licensee.	Final rule 1/90.
*100-129	Environmental Standards for the Management and Disposal of Spent Nuclear Fuel, MLW, and TRU Radioactive Wastes 40 CFR 191	Planned NPRM 54 FR 45302 10/30/89	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 6/90. <u>Final rule 1/92.</u>

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100-131	Integrated Schedules for Implementation of Plant Modifications 10 CFR 50	Proposed policy statement 52 FR 45344 11/27/87	NRC issues a proposed policy statement that describes the policy the Commission intends to use to promote voluntary licensee integrated schedules for implementing regulatory requirements and other improvements in nuclear power plants.	Final policy statement placed on hold until 5/90.
*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 54 FR 45636 10/30/89 Designation of end of comment period 54 FR 51033 12/12/89	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 undetermined. <u>Comments by 2/9/90.</u>
*100-172	Early Site Permits, Standard Design Certifications, and Combined Licenses for Nuclear Power Reactors 10 CFR 2 10 CFR 50 10 CFR 51 10 CFR 52 10 CFR 170	NPRM 53 FR 32060 8/23/88 Final rule 54 FR 15372 4/18/89 Notice; Corrections 54 FR 19617 54 FR 19632 5/8/89 Correction 54 FR 25658 6/16/89 Correction 54 FR 50735 12/11/89	NRC adds a new part to its regulations to provide for issuing early site permits, standard design certifications, and combined construction permits and conditional operating licenses for nuclear power reactors.	Effective 5/18/89.

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100-174	Nuclear Plant License Renewal 10 CFR 50	ANPRM 53 FR 32919 8/29/88 ANPRM 54 FR 41980 10/13/89 Planned NPRM 54 FR 45628 10/30/89	EPA will propose a rule for extending nuclear power plant licenses beyond 40 years. The proposed rule is scheduled for completion prior to the anticipated submittal of license renewal applications for Yankee Rowe and Monticello. The rule will provide the basis for development and review of these two "lead plant" applicants and the concurrent development of implementing regulatory guidance.	NPRM undetermined.
*100-186	Notification of Incidents 10 CFR 20	Planned NPRM 54 FR 45627 10/30/89	NRC proposes to clarify licensee reporting requirements for events involving byproduct, source, or special nuclear material that result in the loss of operation or damage to property. The proposed rule would also define the term "immediate" in the context of time. This action is necessary because the NRC is not being notified by the licensee of all such incidents that occur.	<u>NPRM 1/90.</u>
100-187	Licensees and Radiation Safety Requirements for Large Irradiators 10 CFR 36	Planned NPRM 54 FR 45627 10/30/89	NRC proposes to develop regulations to specify radiation safety requirements and license requirements for the use of licensed radioactive materials in large irradiators. The requirements would apply to large panoramic irradiators and certain large self-contained irradiators in which the source always remains under water.	NPRM 4/90. Final rule 4/91.
100-188	Criteria and Procedures for Reporting of Defects 10 CFR 21 10 CFR 50	NPRM 53 FR 44594 11/4/88 Regulatory Agenda 54 FR 45623 10/30/89	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.	Draft of final rule under evaluation by Commission. Issuance date undetermined.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*100-189	Criteria and Procedures for Determining Eligibility for Access to Classified Matter or Significant Quantities of Special Nuclear Material 10 CFR 710	NPRM 54 FR 5376 2/2/89 Regulatory Agenda 54 FR 44591 10/30/89	DOE proposes a rule dealing with criteria and procedures determining eligibility for access to classified matter or significant quantities of special nuclear material. This action would establish a Q(R) access authorization for individuals applying for or currently holding a position identified as a Personnel Security Assurance Program (PSAP) position.	<u>Final rule 1/90.</u>
*100-194	Maintenance Programs for Nuclear Power Plants 10 CFR 2	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	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 6/91.</u> <u>Modification effective 12/8/89. Applicable to violations occurring after 3/8/90. Comments by 2/6/90.</u> <u>Policy statement revision effective 12/8/89.</u>
100-214	Nuclear Power Plant Structures, Systems, and Components 10 CFR 50	ANPRM 54 FR 9229 3/6/89 Planned NPRM 54 FR 45629 10/30/89	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.	NPRM undetermined.

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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.	Final guidance undetermined.
100-222	Code and Standards for Nuclear Power Plants 10 CFR 050	Planned NPRM 54 FR 45627 10/30/89	NRC will incorporate by reference Subsection IWE, "Requirements for Class MC Components of Light-Water Cooled Power Plants," of Sect. XI of the ASME Code. Section IWE provides the rules and requirements for inservice inspection, repair, and replacement of Class MC pressure retaining components and their integral attachments and of metallic shell and penetration liners of Class CC pressure retaining components and their integral attachments in light-water cooled power plants.	NPRM 5/90.
*100-223	Pressurized Thermal Shock Rule 10 CFR 50	NPRM 54 FR 52946 12/26/89	NRC proposes to revise the pressurized thermal shock rule of 1985 to make the procedure used to calculate the amount of radiation embrittlement that a reactor vessel receives consistent with that given in Revision 2 of Regulatory Guide 1.99.	<u>Comments by 3/12/90.</u>
100-224	Primary Reactor Containment Leakage Testing for Water-Cooled Reactors 10 CFR 50	NPRM 51 FR 39538 10/29/86 Regulatory Agenda 54 FR 45634 10/30/89	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 undetermined.

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100-230	Preserving the Free Flow of Information to the Commission 10 CFR 30 10 CFR 40 10 CFR 50 10 CFR 60 10 CFR 70 10 CFR 72 10 CFR 150	NPRM 54 FR 30049 7/18/89 Notice 54 FR 30962 7/25/89 Regulatory Agenda 54 FR 45639 10/30/89	NRC proposes to require licensees and license applicants to ensure that neither they, nor their contractors or subcontractors, impose conditions in settlement agreements under Sect. 210 of the Energy Reorganization Act, or in other agreements affecting employment, that would prohibit, restrict, or otherwise discourage an employee from providing the Commission with information on potential safety violations.	Final rule undetermined.
100-234	Physical Protection Requirements 10 CFR 70 10 CFR 72 10 CFR 73 10 CFR 75	NPRM 54 FR 33570 8/15/89 Regulatory Agenda 54 FR 45638 10/30/89	NRC proposes to amend its regulations that cover the physical protection of special nuclear materials.	Final rule 4/90.
100-247	Clarification of Anticipated/Unanticipated Processes and Events 10 CFR 60	Planned NPRM 54 FR 45631 10/30/89	NRC will propose to modify and clarify the definitions of the terms "anticipated processes and events," "unanticipated processes and events," and "geologic setting" as they are used in the licensing requirements for disposal of radioactive wastes in geologic repositories.	NPRM 5/90. Final rule 6/91.
100-248	Emergency Response Data System 10 CFR 50	Planned NPRM 54 FR 45632 10/30/89	NRC will propose to require the implementation of the NRC-approved Emergency Response Data System (ERDS) at all licensed nuclear power plants. The ERDS is a licensee-activated computer data link between the electronic data systems at licensed nuclear power facilities and a central computer in the NRC Operations Center which allows transmittal of data to the Center on four types of parameters during an emergency: (1) reactor core and coolant system conditions, (2) conditions inside the containment building, (3) radioactivity release rates, and (4) data from the plant's meteorological tower to assess the distribution of potential or actual impact on the public.	NPRM 5/90. Final rule 3/91.

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100-249	Requirements for Possession of Industrial Devices 10 CFR 31	Planned NPRM 54 FR 45633 10/30/89	NRC will propose to amend the regulations for the possession of industrial devices containing byproduct material to require device users to report to the NRC on a periodic basis. The proposed report would indicate that the device is still in use or to whom the device has been transferred, and so would assure that devices are not improperly transferred or inadvertently discarded.	NPRM 4/90. Final rule 5/91.
100-250	Export of Heavy Water to Canada 10 CFR 110	Planned final rule 54 FR 45639 10/30/89	NRC plans to amend the regulations concerning the import and export of nuclear equipment and material to allow NRC staff to act upon license applications for export of heavy water to Canada without prior consultation with the Commission. Current regulations require that license applications for the export of 1000 kilograms or more of heavy water to any country require review by the Commission.	Final rule 7/90.
*100-251	Proposed Amended Agreement Between NRC and State of Utah	Notice of proposed amended agreement 54 FR 47617 11/15/89	NRC publishes the staff assessment of a proposed amended agreement for the state of Utah's assumption of regulatory authority over sources of radiation excluding uranium recovery activities.	<u>Final amended agreement</u> <u>undetermined.</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 54 FR 45303 10/30/89	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 1/90.

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930-034	Uranium Mill Tailing Sites - Remedial Action Program and Annotation of Land Records 10 CFR 764	Regulatory Agenda 54 FR 44592 10/30/89 NPRM 54 FR 29732 7/14/89	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.	Final rule 2/90.
*930-035	Custody and Long-Term Care of Uranium Mill Tailings Sites 10 CFR 40	ANPRM 53 FR 32396 8/25/88 Planned NPRM FR 45626 10/30/89	NRC is considering general licenses that would permit it to license the custody and long-term care of decommissioned uranium or thorium mill tailings sites after remedial actions under the Uranium Mill Tailings Radiation Control Act have been completed.	<u>NPRM 2/90, Final rule 2/91.</u>

TOXIC SUBSTANCES CONTROL ACT

Toxic Chemical Release Reporting Under SARA Title III -- RU# 190-005

Containerized Liquids in Landfills -- RU# 840-024

*920-001	Update to Inventory Database 21 CFR 442 21 CFR 452 40 CFR 710	Notice 54 FR 35241 8/24/89 Corrections 54 FR 50472 12/6/89 Planned technical amendment 54 FR 45293 10/30/89	EPA intends to remove 217 chemical substances from the Inventory and solicits public comment on the appropriateness of that removal. The Office of Toxic Substances (OTS) is planning to make some technical amendments to the TSCA Inventory Database rule in order to facilitate compliance and to make the rule consistent with other OTS and EPA reporting activities.	Technical amendment 5/90.
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REGULATORY UPDATE TABLE - DECEMBER 1989

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920-053	Test Rule - Exemption Policy Revision 40 CFR 790	Interim final rule 50 FR 20652 5/17/85 Interim final rule 54 FR 36311 9/1/89 Regulatory Agenda 54 FR 45292 10/30/89	EPA amends the test rule development and procedural rule (49 FR 39774) to allow for a single phase rulemaking covering both the effects for which testing is necessary and the testing methodology. EPA also amends it by modifying and clarifying the procedures for reviewing and approving or denying modifications to test standards and test schedules.	Interim final rules effective immediately. Final rule 6/92.
*920-067	Solid Waste Chemicals 40 CFR 795 40 CFR 796 40 CFR 799	NPRM 52 FR 20336 5/29/87 Final rule 53 FR 22300 6/15/88 Technical amendment 54 FR 49760 12/1/89	EPA issues a final test rule requiring and/or recommending that manufactures and processors of 33 chemicals perform testing for human health effects and/or chemical fate in support of the RCRA hazardous waste program. EPA corrects a test rule by correcting a CAS number reference to trichloromethanethiol testing requirements.	Effective 7/29/88. <u>Effective 12/1/89.</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).	<u>Final rule</u> <u>late 1990.</u>

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*920-073	PCBs - Notification and Manifesting 40 CFR 761	NPRM 53 FR 37436 9/26/88 Final rule 54 FR 52716 12/21/89	EPA promulgates notification requirements for PCB waste handlers, manifest requirements to help track PCB waste disposal, and requirements that commercial storers of PCB waste obtain approvals from the EPA Regional Administrator, develop closure plans for their facilities, and demonstrate financial responsibility for closure. Amendments to the PCB recordkeeping requirements are also finalized.	<u>Effective 2/5/90.</u>
*920-076	Termination of PCBs Disposal Approvals 40 CFR 761	Planned NPRM 54 FR 45291 10/30/89	EPA is considering establishing uniform procedures for the revocation of TSCA disposal permits.	<u>NPRM 2/90.</u>
*920-077	Tributyl Phosphate - Test Rule 40 CFR 795 40 CFR 799	NPRM 52 FR 43346 11/12/87 Final rule 54 FR 33400 8/14/89 Corrections 54 FR 49844 12/1/89	EPA requires manufacturers and processors of tributyl phosphate to perform testing for health effects, environmental effects, and chemical fate.	<u>Effective 9/27/89.</u>
*920-084	Hexavalent Chromium Chemicals in Comfort Cooling Towers 40 CFR 749	NOI to list 50 FR 24317 6/10/85 Notice 51 FR 32668 9/15/86 NPRM 53 FR 10206 3/29/88 Regulatory Agenda 54 FR 45333 10/30/89	EPA proposes to prohibit the use of hexavalent chromium (Cr+6)-based water treatment chemicals in comfort cooling towers (CCT's) and the distribution in commerce of these chemical for use in CCT's.	<u>Final rule 1/90.</u>

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*920-087	Toxic Chemical "Peak Release" Reporting Rule (Revision) 40 CFR 372	Planned NPRM 54 FR 45288 10/30/89	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.	<u>NPRM 1/90.</u> Final rule undetermined.
*920-092	Chemical Test Data	Notice 54 FR 51322 12/14/89 Notice 54 FR 52449 12/21/89	EPA announces the receipt of test data on octamethylcyclotetrasiloxane (OMCTS) and alkyl phthalates submitted pursuant to a consent order. EPA announces the receipt of test data on oleylamine, commercial hexane, cresols, and 2,3,5,6-tetrachloro-2,5-cyclohexadiene, 4-dione (chloranil) submitted pursuant to a final test rule.	
920-096	PCB's-Commerce Exemptions 40 CFR 761	NPRM 53 FR 32326 8/24/88 NPRM amendment 54 FR 37698 9/12/89 Regulatory Agenda 54 FR 45293 10/30/89	EPA proposes to deny four and grant eight petitions for exemption from the PCBs prohibition. The petitions deal with buying, selling, and servicing transformers; use in microscopy, optics, research, and development; and distribution of inadvertently generated PCBs. EPA proposes to grant for one year a petition to continue processing and distribution in commerce of non-porous components that may have PCB residues while a double-rinse method for the non-porous components from PCB-contaminated transformers is being developed.	Final rule 11/90.
*920-097	Methyl Ethyl Ketoxime-Test Rule; Pharmacokinetics Test Guidelines 40 CFR 798 40 CFR 799	NPRM 53 FR 35838 9/15/88 Final rule 54 FR 37799 9/13/89 Corrections 54 FR 49844 12/1/89	EPA requires TSCA health effects testing for methyl ethyl ketoxime (MEKO). A new general test guideline for pharmacokinetics testing will be issued as a separate final rule.	Effective 10/27/89.

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920-100	Regulatory Investigation of Chlorinated Solvents 40 CFR 754	Planned NPRM 54 FR 45287 10/30/89	EPA, in consultation with the Consumer Product Safety Commission, OSHA, and FDA, will develop an integrated strategy for regulatory investigation of six chlorinated solvents, including methylene chloride, which can easily be substituted for each other. The investigation will determine whether coordinated regulatory controls are needed to eliminate or reduce exposure to these solvents.	NPRM undetermined.
920-113	SARA Section 110 Chemicals Generic Test Rule 40 CFR 790	Planned NPRM 54 FR 45289 10/30/89	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 7/90. Final rule 9/91.
*920-114	Preliminary Assessment Information and Health and Safety Rules - Addition of Twelve Substances 40 CFR 712 40 CFR 716	Final rule 54 FR 51131 12/12/89	EPA adds twelve chemical substances to two model information-gathering rules: the TSCA Preliminary Assessment Information Rule (PAIR) and the TSCA Health and Safety Data Reporting Rule.	<u>Effective</u> <u>1/11/90.</u>
*920-115	Twenty-fifth Report of the Interagency Testing Committee	Notice 54 FR 51114 12/12/89	EPA gives notice that the Interagency Testing Committee (ITC) transmitted its twenty-fifth report to the EPA Administrator on November 1, 1989. This report, which revises and updates the Committee's priority list of chemicals, adds 13 chemicals to the list for priority consideration in promulgation of test rules.	

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HAZARDOUS MATERIALS TRANSPORTATION ACT				
Transportation Regulations - Compatibility with IAEA -- RU# 100-157				
*400-005	Reportable Quantity of Hazardous Substance 49 CFR 171 49 CFR 172 49 CFR 173	ANPRM 48 FR 35965 8/8/83 NPRM 51 FR 22902 6/23/86 Final rule 51 FR 42174 11/21/86 Revision to final rule 52 FR 24473 7/1/87 Final rule amended 52 FR 41300 10/27/87 Final rule amended 54 FR 34666 8/21/89 Final rule 54 FR 39500 9/26/89 Corrections 54 FR 49998 12/4/89	RSPA amends the Hazardous Materials Regulations (HMR) by revising the "List of Hazardous Substances and Reportable Quantities" to comply with a 1986 amendment to Sect. 306(a) of CERCLA.	Final rule of 11/21/86 effective 1/1/87. Amendment of 10/27/87 effective immediately. Amendment of 8/21/89 effective 10/13/89. Final rule of 9/26/89 effective 10/31/89. <u>Corrections effective 12/4/89.</u>
*400-014	Railroad Shipment of Hazardous Material - Use of Cargo Tanks 49 CFR 174	ANPRM 50 FR 18278 4/30/85	The Federal Railroad Administration and the RSPA are considering development of safety standards to permit the use of cargo tanks, portable tanks, IM portable tanks, and multi-unit tank car tanks in trailers on flatcar and containers-on-flatcar service.	<u>NPRM undetermined.</u>

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*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 Corrections 50 FR 49866 12/5/85 Final rule 54 FR 24982 6/12/89 Corrections 54 FR 28750 7/7/89 Effective date extended 54 FR 50382 12/6/89	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 include 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.	<u>Effective date</u> <u>extended to</u> <u>6/12/90.</u>
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 52 FR 31158 7/26/89 Regulatory Agenda 54 FR 45036 10/30/89 Comment period reopened 54 FR 48656 11/24/89	RSPA proposes performance-oriented packaging standards for small packagings based on the Recommendation of the U.N. Committee of Experts on the Transport of Dangerous Goods and the ICAO Technical Instructions. Conformance of standards will improve packaging, classification, and hazard communication. RSPA proposes to retain the current classification of anhydrous ammonia as a nonflammable gas rather than to reclassify the material as a poisonous gas.	Comments by 1/30/90. Final rule 12/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
400-035	Pipeline Safety 49 CFR 191 49 CFR 192 49 CFR 195	ANPRM 52 FR 4361 2/11/87 Planned withdrawal 54 FR 45037 10/30/89	Based on the numerous public comments and recommendations of the Department's two pipeline safety advisory committee, many of the proposals put forth in the ANPRM will be withdrawn. Those not withdrawn will become the subject of separate rulemakings.	Withdrawal date indefinite.
*400-039	Pipeline Operator Qualifications 49 CFR 192 49 CFR 195	ANPRM 52 FR 9189 3/23/87 Planned NPRM 54 FR 45037 10/30/89	RSPA is considering the need to develop additional regulations governing training and qualification of persons that operators hire to design, construct, operate, or maintain pipeline facilities used in transport of gas or hazardous materials. An alternative program of operator certification is also being considered.	<u>NPRM 4/90. Final rule 12/90.</u>
400-043	Emergency Response Communication Standards 49 CFR 171 49 CFR 172 49 CFR 173 49 CFR 176	ANPRM 49 FR 10048 3/16/84 NPRM 52 FR 31486 8/20/87 Notice 54 FR 19996 5/9/89 Final rule 54 FR 27138 6/27/89 Corrections 54 FR 28750 7/7/89	RSPA establishes requirements for additional response information on shipping papers and on vehicles when hazardous materials are transported.	Effective 4/2/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
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 54 FR 45037 10/30/89	DOT is considering extending the application of its hazardous material regulation to all intrastate transportation of hazardous materials in commerce.	NPRM on hold. Further action postponed pending reauthorization of HMTA.
400-057	Railroad Shipment of Hazardous Waste - Defects of Tank Car Tanks 49 CFR 173	ANPRM 52 FR 46510 12/8/87 Planned NPRM 54 FR 45040 10/30/89	RSPA proposes to require railroad tank car owners to inspect for cracks after certain tank repairs.	NPRM 2/90. Final rule 1/91.
400-061	Highway Routing Standards for Hazardous Materials 49 CFR 173.177 49 CFR 397	ANPRM 53 FR 11618 4/7/88 Planned NPRM 54 FR 45037 10/30/89	RSPA is considering establishing routing criteria, requirements, and methodologies for analyzing alternative routes for highway transport of non-radioactive hazardous materials.	NPRM 1/90.
400-062	Registration of Shippers and Carriers of Hazardous Materials 49 CFR 171 49 CFR 173 49 CFR 177	Planned NPRM 54 FR 45033 10/30/89	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.	Placed on hold, pending administrative decision.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*400-063	Hazardous Liquid Pipeline Damage-Prevention Program 49 CFR 192 49 CFR 195	NPRM 53 FR 24747 6/30/88 Regulatory Agenda 54 FR 45043 10/30/89	OPS, RSPA, and DOT propose to require operators of buried onshore hazardous liquid pipelines to conduct excavation damage prevention programs in accordance with criteria adopted previously for gas pipeline damage prevention programs. A large percentage of liquid pipeline accidents are caused by excavation damage, and experience has shown that rates of excavation accidents diminish when operators participate in such a program.	<u>Final rule 5/90.</u>
400-064	Maps and Records of Pipeline Location and Characteristics - State Notification 49 CFR 192 49 CFR 195	Planned NPRM 54 FR 45038 10/30/89	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 1/90.
*400-079	Packaging and Hazard Communication of Etiologic Agents 49 CFR 172 49 CFR 173	NPRM 53 FR 45525 11/10/88 Regulatory Agenda 54 FR 45045 10/30/89	RSPA proposes to amend hazardous materials transport regulations to revise the definition of "etiologic agent" and remove the 50 ml exemption in 49 CFR 173.386.	<u>Final rule 4/90.</u>
*400-080	Marine Transport of Bulk Solid Hazardous Materials 46 CFR 148	ANPRM 54 FR 18308 4/28/89 Planned NPRM 54 FR 44923 10/30/89	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.	<u>NPRM 1/90.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*400-081	Operating Requirements for Rail Carriage 49 CFR 171 49 CFR 174	Planned NPRM 54 FR 45040 10/30/89	DOT will propose to update and rewrite the regulations contained in 49 CFR 174 which govern the transportation of hazardous material by rail.	<u>NPRM 1/90.</u>
400-083	Update of Bulk Hazardous Materials Tables 46 CFR 30 46 CFR 150 46 CFR 151 46 CFR 153	NPRM 53 FR 49018 12/5/88 Interim final rule 54 FR 40005 9/29/89 Correction 54 FR 43584 10/26/89 Regulatory Agenda 54 FR 44932 10/30/89	Coast Guard updates the bulk hazardous materials tables by adding cargoes recently authorized for carriage by the Coast Guard or added to the International Maritime Organization's Chemical Codes, and makes minor technical and editorial changes and corrections.	Interim final rule effective 9/29/89. Final rule 5/90.
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	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).	Comments by 2/9/90. Final rule 5/90.

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REGULATORY UPDATE TABLE - DECEMBER 1989

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
400-094	Special Cargo Requirements for Benzene 46 CFR 151 46 CFR 153	Planned NPRM 54 FR 44917 10/30/89	DOT will propose to update the special cargo requirements for benzene. This would include the lowering of permissible exposure limits, addition of requirements for personal protective equipment, measurement of employee exposures, training, and medical surveillance.	NPRM 1/90. Final rule 7/90.
400-095	Elevated Temperature Materials 49 CFR 171 49 CFR 172 49 CFR 173	NPRM 54 FR 38930 9/21/89 Regulatory Agenda 54 FR 45041 10/30/89 Comment period extended 54 FR 47539 11/15/89	RSPA is proposing to regulate materials which pose a hazard due to their being transported at elevated temperatures. Materials would include those in a liquid phase having temperatures at or above 212 degrees F and materials in a solid phase having temperatures at or above 464 degrees F. RSPA is also proposing to regulate, as flammable liquids, materials in a liquid phase with flash points at or above 100 degrees F which are transported at or above their flash points.	Comments by 2/20/90. Final rule undetermined.
400-097	Transportation of Hydrogen Sulfide by Pipeline 49 CFR 192	ANPRM 54 FR 24361 6/7/89 Planned NPRM 54 FR 45041 10/30/89	At present, federal gas pipeline safety regulations do not specifically address all the safety risks associated with the presence of hydrogen sulfide in natural gas, such as those involving sulfide stress cracking and toxicity effects. RSPA requests information to determine the need for regulations to control the concentration of hydrogen sulfide in natural gas pipeline systems.	NPRM 3/90.
400-099	Gas Pipelines Corrosion 49 CFR 192	NPRM 54 FR 27041 6/27/89 Regulatory Agenda 54 FR 45044 10/30/89	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 3/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
400-102	Training for Hazardous Materials Transportation 49 CFR 171 49 CFR 177 49 CFR 172 49 CFR 174 49 CFR 175 49 CFR 176 40 CFR 177	NPRM 54 FR 31144 7/26/89 Regulatory Agenda 54 FR 45036 10/30/89	RSPA is proposing to amend the Hazardous Materials Regulations (HMR) to require that persons who perform functions involving the transportation of hazardous materials receive training concerning regulatory requirements applicable to those functions, and persons who work in proximity to hazardous materials receive training concerning hazardous materials awareness and safety procedures.	Final rule undetermined.
400-105	Portable Tanks for Transportation of Bulk Hazardous Materials by Vessel 46 CFR 14 46 CFR 98	NPRM 54 FR 37482 9/11/89 Regulatory Agenda 54 FR 44919 10/30/89	The Coast Guard proposes to discontinue approving marine portable tanks (MPTs) and to authorize liquid hazardous materials to be transferred to and from DOT specification portable tanks aboard vessels. Existing approved MPTs would be permitted to remain in service.	Final rule undetermined.
400-106	Noxious Liquid Substances List 33 CFR 151	NPRM 53 FR 49010 12/5/88 Interim final rule 54 FR 39999 9/29/89	The Coast Guard is amending its Noxious Liquid Substances (NLSs) regulations to include substances recently authorized for carriage by the Coast Guard or added to the International Maritime Organization's (IMO) Chemical Codes and is making minor editorial changes and corrections.	Interim final rule effective 9/29/89. Final rule undetermined.
*400-107	Hazardous Materials Regulations; Editorial Corrections and Clarifications 49 CFR 107 49 CFR 171 49 CFR 172 49 CFR 173 49 CFR 174 49 CFR 178	Final rule 54 FR 40066 9/29/89 Correction 54 FR 41447 10/10/89 Corrections 54 FR 51031 12/12/89	RSPA corrects editorial errors and makes minor regulatory changes to the Hazardous Materials Regulations (HMR) to promote accuracy of the HMR.	Final rule effective 9/29/89. <u>Corrections effective 9/29/89.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*400-108	Direct Route Transportation of Radioactive Materials 49 CFR 177	NPRM 54 FR 40272 9/29/89 Correction 54 FR 41902 10/12/89 Regulatory Agenda 54 FR 45035 10/30/89	RSPA proposes to require that motor carriers of highway route controlled quantity (HRCQ) radioactive materials transport those materials directly from pickup points to preferred routes and directly from preferred routes to delivery points using shortest distance criteria.	<u>Final rule undetermined.</u>
*400-110	Pressure Testing Existing Hazardous Liquid Pipelines 49 CFR 195	Planned NPRM 54 FR 45038 10/30/89	Studies have shown that large spill accidents attributable to latent material or construction defects can be prevented by restricting operation to not more than 80% of a prior test or operating pressure. This rule would set this safety standard for all hazardous liquid pipelines.	<u>NPRM 3/90.</u>
400-111	Operator's Plans or Procedures 49 CFR 190 49 CFR 193 49 CFR 195	NPRM 54 FR 46684 11/6/89	OPS proposes to change the procedures and policy for addressing deficiencies in operators' procedures and plans relating to gas, LNG, and hazardous liquid pipelines. The proposed changes include making operators subject to all enforcement sanctions under the Natural Gas Pipeline Safety Act of 1968, as amended, and the Hazardous Liquid Pipeline Safety Act of 1979, as amended, for failure to maintain all plans and procedures in accordance with applicable requirements.	Final rule 2/90.
400-112	Operation and Maintenance Procedures for Pipelines 49 CFR 192 49 CFR 195	NPRM 54 FR 46685 11/6/89	OPS proposes to clarify and delineate the items that must be addressed in procedures for operations and maintenance of gas pipelines facilities to assure that operators take timely and appropriate actions under normal conditions or in responding to abnormal conditions. In addition, operators would be required to establish procedures for personnel safety in trenches where there may be a hazardous accumulation of vapor or gas.	Comments by 2/5/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*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	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.	<u>Comments by</u> <u>3/12/90.</u>

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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 Extension of effective date 53 FR 47188 11/22/88 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 54 FR 35639 8/29/89 Correction of 8/29/89 extension 54 FR 37531 9/11/89 Planned NPRM 54 FR 48865 10/30/89	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 communication requirements were approved, after resubmittal by OSHA on 10/7/88. However, OSHA has granted an administrative stay of these provisions. During this administrative 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. Administrative stay of hazard communication provisions effective until 6/13/90. Amendments effective 7/13/89. <u>NPRM 7/90.</u>

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780-008	Carcinogen Policy 29 CFR 1990	ANPRM 47 FR 187 1/5/82 Planned NPRM 54 FR 44861 10/30/89	The Carcinogen Policy describes criteria and procedures for regulation of carcinogens, establishes a screening process, and sets priorities for potential rulemaking. OSHA is evaluating the Carcinogen Policy for validity of the scientific criteria set forth in the policy and cost-effectiveness.	NPRM on hold indefinitely.
780-009	Occupational Exposure to Methylene Chloride 29 CFR 1910 29 CFR 1910.1000	ANPRM 51 FR 42257 11/24/86 Planned NPRM 54 FR 44866 10/30/89	OSHA intends to develop a permanent standard for occupational exposure to methylene chloride.	NPRM 4/90.
*780-010	Occupational Exposure to Laboratory Toxics 29 CFR 1910 29 CFR 1910.1450	NPRM 51 FR 26660 7/24/86 Notice 52 FR 1212 1/12/87 Notice 54 FR 24771 6/9/89 Regulatory Agenda 54 FR 44869 10/30/89	OSHA proposes that laboratories in which toxic substances are used be subject to a proposed standard requiring a general Chemical Hygiene Plan designed to avoid overexposures to toxic substances in lieu of substance-specific and air contaminants standards of 29 CFR 1910, Subpart Z.	<u>Final rule undetermined.</u>
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 54 FR 44862 10/30/89	OSHA is reviewing current standards for respiratory protection and intends to propose revisions following analysis of the standards.	NPRM 3/90. Final rule 3/91.

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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 29 CFR 1910.1001 29 CFR 1926.58	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 and final rule amended 54 FR 30704 7/21/89 Planned NPRM 54 FR 44862 10/30/89	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.	Asbestos forms made effective 7/21/86. Administrative stay for other forms until 7/21/88. Partial stay extended to 11/30/90. <u>NPRM 7/90.</u>
780-020	Construction Standards - Safety Standards for Scaffolds 29 CFR 1926	NPRM 51 FR 42680 11/25/86 Regulatory Agenda 54 FR 44870 10/30/89	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 5/90.

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R# NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
780-021	Construction Industry - Safety Standards for Fall Protection 29 CFR 1926	NPRM 52 FR 42718 11/25/86 Regulatory Agenda 54 FR 44870 10/30/89	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 4/90.
780-022	Construction Industry - Safety Standards for Stairways and Ladders 29 CFR 1926	NPRM 51 FR 42750 11/25/86 Regulatory Agenda 54 FR 44871 10/30/89	OSHA proposes that current provisions of Subpart L of the Construction Industry Standards relating to ladders and Subpart M relating to stairways be revised and relocated to a new Subpart X. The revised standards will be written in performance-oriented language.	Final rule 3/90.
780-024	Hazardous Waste Operations and Emergency Response 29 CFR 1910	Interim final rule 51 FR 45654 12/19/86 Corrections 52 FR 16241 5/4/87 NPRM 52 FR 29620 8/10/87 Final rule 54 FR 9294 3/6/89	OSHA amends its standards for hazardous waste operations and emergency response. This rule regulates the safety and health of employees involved in cleanup operations at uncontrolled hazardous waste sites being cleaned up under government mandate, in certain hazardous waste treatment, storage, and disposal (TSD) operations. It provides for employee protection during initial site characterization and analysis, monitoring activities, materials handling activities, training, and emergency response. EPA promulgated identical standards (54 FR 26654) for employees in states without an approved state plan under Sect. 18 of OSHA.	Effective 3/6/90.
780-025	Occupational Exposure to 2-Methoxyethanol, 2-Ethoxyethanol and Their Acetates 29 CFR 1910 29 CFR 1910.1000	ANPRM 52 FR 10586 4/2/87 Planned NPRM 54 FR 44865 10/30/89	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.	NPRM 6/90.

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780-026	Occupational Exposure to Methylenedianiline 29 CFR 1910	Proposed standards 52 FR 26776 7/16/87 NPRM 54 FR 20672 5/12/89 Regulatory Agenda 54 FR 44871 10/30/89	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 1/90.
780-028	Hazardous Materials - Subpart H 29 CFR 1910	Planned NPRM 54 FR 44867 10/30/89	DOL intends to revise the standards to update the existing criteria which is specification-oriented and replace it with performance-oriented requirements that address hazardous materials generally. This action intends to simplify, clarify, and consolidate standards on hazardous materials, and will occur in three phases: (1) process hazards management, (2) flammable and compressed gases, and (3) hazardous liquids.	NPRM 1/90. Final rule 1/91.
*780-029	Occupational Exposure to Cadmium 29 CFR 1910	Planned NPRM 54 FR 44867 10/30/89	OSHA will develop a standard for occupational exposure to cadmium reducing the permissible exposure limit for cadmium to one microgram per cubic meter of air.	NPRM 2/90. Final rule 12/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*780-030	Air Contaminants 29 CFR 1910	NPRM 53 FR 20960 6/7/88 Corrections 53 FR 24956 7/1/88 Final rule 54 FR 2332 1/19/89 Correction 54 FR 14909 4/13/89 Corrections 54 FR 28054 54 FR 28154 7/5/89 Grant of petitions; partial stay of effective dates 54 FR 36765 9/5/89 Corrections 54 FR 47513 11/15/89 Extension of partial stay 54 FR 50372 12/6/89	OSHA amends its air contaminants standard including Tables Z-1, Z-2, and Z-3. Permissible exposure limits (PELs) are revised so that 212 PELs are more protective, 164 new PELs are set, short-term exposure limits are included, skin designations are established, and ceiling limits are added. OSHA grants a petition for reconsideration of the STEL for acetone for the cellulose acetate fiber industry, stays until 9/1/90 the TWA for acetone for one operation in the cellulose acetate fiber industry, grants a petition for reconsideration of the new limit for calcium hydroxide and calcium oxide, stays the ceiling limit for carbon monoxide for three steel industry operations, and stays the new limits for nitroglycerin and ethylene glycol dinitrate for the explosives industry and the new limit for perchloro-ethylene for the drycleaning industry until 10/1/89.	Final rule effective 3/1/89. Startup compliance for combination of control 9/1/89, for feasible engineering control 12/31/92. Petitions granted effective 9/1/89. <u>Stay extended until 2/1/90 for nitroglycerin and ethylene glycol dinitrate for the explosives industry.</u>
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 Regulatory Agenda 54 FR 44869 10/30/89	OSHA proposes a new standard on electrical safety-related work practices for general industry. OSHA is also proposing amendments to the general industry standards which would promote uniformity and reduce redundancy among the general industry standards.	Final rule 1/90.

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*780-034	Construction Industry - Safety Standards for Excavations 29 CFR 1926	NPRM 52 FR 12288 4/15/87 Final rule 54 FR 45894 10/31/89 Effective date delayed 54 FR 53055 12/27/89	OSHA revises a portion of the construction standards addressing excavations to consolidate, add, and clarify existing provisions and provide a consistent method of soil classification.	<u>Effective 3/5/90.</u>
780-040	Concrete and Masonry Construction Safety Standards; Lift Slab Construction 29 CFR 1926	NPRM 53 FR 35972 9/15/88 Regulatory Agenda 54 FR 44869 10/30/89	OSHA republishes its construction safety standard for lift-slab operations in order to directly codify standards which had been incorporated by reference from ANSI A10.9-1970 and to add related new requirements.	Final rule 5/90.
*780-041	Generic Standard for Exposure Monitoring 29 CFR 1910	ANPRM 53 FR 37591 9/27/88 Planned NPRM 54 FR 44861 10/30/89	OSHA is evaluating the feasibility and usefulness of adoption of a generic standard on exposure monitoring for employees exposed to toxic substances.	<u>NPRM undetermined.</u>
*780-042	Medical Surveillance Program for Employees 29 CFR 1910	ANPRM 53 FR 37595 9/27/88 Planned NPRM 54 FR 44861 10/30/89	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.	<u>NPRM undetermined.</u>

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REGULATORY UPDATE TABLE - DECEMBER 1989

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780-047	Electrical Protective Equipment; Generation, Transmission, Distribution 29 CFR 1910	NPRM 54 FR 4974 1/31/89 Regulatory Agenda 54 FR 44871 10/30/89	OSHA proposes a standard for work practices used in operation and maintenance of electric power generation, transmission, and distribution facilities. Revisions to protective equipment requirements are included.	Final rule 9/90.
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 Regulatory Agenda 54 FR 44873 10/30/89	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).	Final rule 9/90.
780-051	Confined Spaces - Permits and Safety Requirements 29 CFR 1910 29 CFR 1910.146	NPRM 54 FR 24080 6/5/89 Regulatory Agenda 54 FR 44863 10/30/89	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 9/90.
780-052	Methods of Compliance 29 CFR 1910	NPRM 54 FR 23991 6/2/89 Regulatory Agenda 54 FR 44862 10/30/89	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 2/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
780-053	Powered Platforms for Building Maintenance 29 CFR 1910	NPRM 50 FR 2890 1/22/85 Final rule 54 FR 31408 7/28/89	OSHA amends its standard for powered platforms for building maintenance to allow the use of alternative stabilization systems, updates existing requirements using performance-oriented language, expands the scope to include coverage of interior installations, and includes requirements for emergency planning, employee training, and personal fall protection for employees using powered platforms.	Effective 1/24/90.
780-054	Personal Protective Equipment 29 CFR 1910	NPRM 54 FR 33832 8/16/89 Regulatory Agenda 54 FR 44864 10/30/89	OSHA proposes to revise portions of the general industry safety standards addressing personal protective equipment. The criteria for personal protective equipment for eye, face, head, and foot would be revised to reflect improved developments in these types of equipment.	Final rule 7/90.
ENDANGERED SPECIES ACT				
200-032	Endangered and Threatened Wildlife and Plants - Northern Spotted Owl 50 CFR 17	NPRM 54 FR 26666 6/23/89 Regulatory Agenda 54 FR 44761 10/30/89	FWS proposes to determine 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.	Final rule 6/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*200-034	Mojave Population of the Desert Tortoise 50 CFR 17	Emergency rule 54 FR 32326 8/4/89 NPRM 54 FR 42270 10/13/89 Correction 54 FR 45773 10/31/89 Comment period extended 54 FR 51432 12/15/89	FWS proposes to determine the Mojave population of the desert tortoise as an endangered species and the Sonoran population outside of its natural range as threatened.	Emergency rule effective 8/4/89, expires 4/2/90. <u>Comments by 1/19/90.</u> Final rule undetermined.
200-037	Endangered and Threatened Wildlife - Fanshell 50 CFR 17	NPRM 54 FR 40450 10/2/89	FWS proposes to list a freshwater mussel, the fanshell, as an endangered species. The fanshell is believed to be reproducing in only three rivers - the Green and Licking Rivers in Kentucky, and the Clinch River in Tennessee and Virginia.	Final rule undetermined.
200-038	Endangered and Threatened Plants - Barneby Ridge-cress 50 CFR 17	NPRM 54 FR 48781 11/27/89	The FWS proposes to determine a Utah plant species, <u>Lepidium barnebyanum</u> (Barneby ridge-cress), to be an endangered species. The plant is known from one small limited population in Duchesne County, Utah. Future development of oil and gas resources in its habitat area threaten the plant.	Comments by 1/26/90.
MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT				
460-001	Ocean Dumping Regulations for Dredged Material 40 CFR 225 40 CFR 227 40 CFR 228	Planned NPRM 54 FR 45297 10/30/89	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 9/90. Final action 8/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*460-010	Ocean Dumping - Designation of Sites 40 CFR 228	NPRM 53 FR 19934 6/1/88	EPA proposes to designate eight dredged material disposal sites located offshore of New Jersey and Long Island, N.Y.	<u>Final rule 6/90.</u>
NATIONAL ENVIRONMENTAL POLICY ACT				
*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.	<u>Final revisions undetermined.</u>
ARCHAEOLOGICAL AND HISTORIC PRESERVATION ACT				
*060-002	Procedures for Notification, Reporting and Data Recovery of Scientific, Prehistoric, Historic and Archaeological Data 36 CFR 66	Proposed revision 42 FR 5374 1/28/77 ANPRM 50 FR 43587 10/28/85 Regulatory Agenda 54 FR 44764 10/30/89	The NPS is considering a rule to implement its responsibilities to preserve data endangered by federally permitted activities. The rule will clarify the Secretary's role and distinguish Interior's role from other agencies.	<u>On hold indefinitely.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
ARCHEOLOGICAL RESOURCES PROTECTION ACT				
090-002	Curation of Federally Owned Archaeological Collections 36 CFR 79	ANPRM 50 FR 41527 10/11/85 NPRM 52 FR 32740 8/28/87 Regulatory Agenda 54 FR 44769 10/30/89	The NPS proposes standards and guidelines to be followed by federal agencies to preserve significant archeological artifacts and associated records recovered in conjunction with federal projects.	Final rule 1/90.
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 54 FR 44768 10/30/89	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.	<u>Final rule 9/90.</u>
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 54 FR 45285 10/30/89	EPA is updating the guidelines on disposal and storage of pesticides to make them consistent with current regulations and technology. They also add guidance on compliance with RCRA as it affects pesticide storage.	NPRM 10/90.

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300-004	Worker Protection Standards 40 CFR 156 40 CFR 170	ANPRM 49 FR 32605 8/15/84 NPRM 53 FR 25970 7/8/88 Corrections 53 FR 32322 8/24/88 Regulatory Agenda 54 FR 45287 10/30/89	EPA proposes to revise its regulations governing worker protection from agricultural pesticides. These revisions would expand the scope of the standards to include workers in forests, nurseries, and greenhouses, and workers who mix, load, and apply pesticides.	Final rule 1/90.
*300-007	Restricted Use Classification for Groundwater Contaminating Pesticides 40 CFR 152.170	Planned NPRM 54 FR 45283 10/30/89	This regulation will provide a scheme for identifying pesticides which may impose an unacceptable hazard because of a tendency to leach into groundwater.	<u>NPRM 4/90.</u> Final rule 12/90.
300-014	Microbial Pesticides 40 CFR 172	Planned NPRM 54 FR 45284 10/30/89	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 1/90. Final rule 1/91.
*300-017	Good Laboratory Practice Standards 40 CFR 160	NPRM 52 FR 48920 12/28/87 Final rule 54 FR 34752 8/17/89 Correction 54 FR 49844 12/1/89	EPA amends the Good Laboratory Practice (GLP) Standards to incorporate the FDA's changes and to include standards for field testing.	Effective 10/16/89.

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*E00-018	Pesticide Active Ingredients Under Review During Fiscal 1990	Notice 54 FR 53568 12/28/89	EPA lists pesticide active ingredients that will be under review during fiscal year 1990 under FIFRA. This notice also announces the availability of docket indices for pesticide reregistration documents under development and pesticide special reviews.	Comments by <u>2/26/90.</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 54 FR 44856 10/30/89	The Mine Safety and Health Administration proposes to revise existing standards for ionizing radiation at underground metal and nonmetal mines. The rule will improve worker protection based on current developments in radiation protection principles.	Final rule undergoing further revisions.
330-004	Safety Standards for Explosives at Metal and Nonmetal Mines 30 CFR 56 30 CFR 57	NPRM 53 FR 45487 11/10/88 Regulatory Agenda 54 FR 44856 10/30/89	DCL proposes a rule to update and clarify the Mine Safety and Health Administration's safety standards for explosives at metal and nonmetal mines.	Final rule 1/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
330-005	Air Quality, Chemical Substances, and Respiratory Protection Standards 30 CFR 56 30 CFR 57 30 CFR 58 30 CFR 70 30 CFR 71 30 CFR 72 30 CFR 75 30 CFR 90	NPRM 54 FR 35760 8/29/89 Comment period extended 54 FR 43026 10/19/89 Regulatory Agenda 54 FR 44852 10/30/89	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 for substances that may pose health hazards at these mines and revised requirements for exposure monitoring, carcinogens, and respiratory protection programs are proposed.	Comment- by 3/2/90. Final rule 8/90.
BIOTECHNOLOGY				
110-005	Microbial Products 40 CFR 704 40 CFR 720 40 CFR 721	Planned NPRM 54 FR 45290 10/30/89	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 2/90.
PORTS AND WATERWAYS SAFETY				
815-002	Hazardous Materials Pollution Prevention 33 CFR 126 33 CFR 154 33 CFR 155 33 CFR 156	NPRM 53 FR 22118 6/13/88 Supplemental NPRM 54 FR 24718 6/9/89 Regulatory Agenda 54 FR 44927 10/30/89	The Coast Guard proposes to change the oil pollution prevention standards to also apply to vessels and facilities transferring bulk liquid hazardous materials, including materials intended for incineration at sea. To simplify administration and enforcement of the bulk liquid transfer operations regulations, they also propose to duplicate and clarify in a new Sect. 154 the safety requirements of 33 CFR 126.	Final rule 5/90.

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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 Regulatory Agenda 54 FR 44527 10/30/89	NOAA proposes revisions to regulations for designation of national estuarine research reserves under the Coastal Zone Management Act Amendments of 1986.	Final rule 2/90.
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 rule 2/90.
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 rule 2/90.
805-028	Risk Assessment Guidelines for Exposure-Related Measurements	Proposed guidelines 53 FR 48830 12/2/88 Corrections 54 FR 4942 1/31/89	EPA proposes risk assessment guidelines for exposure-related measurements to assist those who must recommend, conduct, or evaluate an exposure assessment.	Final guidelines 3/90.

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REGULATORY UPDATE TABLE - DECEMBER 1989

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805-032	Onshore Federal and Indian Oil and Gas Operations - Hydrogen Sulfide Release Hazards 43 CFR 3160 43 CFR 3162.3 43 CFR 3162.5 43 CFR 3164.1(b)	NPRM 54 FR 21075 5/16/89 Regulatory Agenda 54 FR 44801 10/30/89	DOI reissues in proposed form Onshore Oil and Gas Order No. 6 which was previously proposed in 1984 as Onshore Oil and Gas Order No. 2. The Order addresses the requirements to conduct drilling, completing, testing, reworking, producing, injecting, gathering, storing or treating operations of oil or gas that is known or could reasonably be expected to contain hydrogen sulfide or sulfur dioxide that, if accidentally released, could constitute a hazard to human life or property. The Order would be applicable to all federal and Indian oil and gas leases.	Final rule 2/90.
805-033	Predesignation of Nonindustrial Facilities for National Security Emergency Use 44 CFR 336	NPRM 54 FR 26213 6/22/89 Regulatory Agenda 54 FR 45363 10/30/89	FEMA proposes to add a new Part 336 which establishes guidance for federal departments and agencies to determine which nonindustrial facilities would meet essential federal government requirements during a national security emergency.	Final rule 2/90.
*805-037	Protection of Essential Resources and Facilities 44 CFR 335	NPRM 54 FR 32359 8/7/89 Regulatory Agenda 54 FR 45360 10/30/89	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 1/90.</u>

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