ORNL--6608/R8

DE91 000537

ENVIRONMENTAL SCIENCES DIVISION

ENVIRONMENTAL REGULATORY UPDATE TABLE

SEPTEMBER 1990

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Publication No. 3447

Date Published - October 1990

Prepared for the
U.S. Department of Energy
Office of Environmental Guidance
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(B/A No. HA 01 01 00 0; EHHA002)

Prepared by the
OAK RIDGE NATIONAL LABORATORY
Oak Ridge, Tennessee 37831-6285
operated by
MARTIN MARIETTA ENERGY SYSTEMS
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under contract DE-AC05-84OR21400

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Monthly Environmental Regulatory Update

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

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

ABSTRACT

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

U.S. DEPARTMENT OF ENERGY

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

ENVIRONMENTAL REGULATORY UPDATE

SEPTEMBER 1990

REGULATORY UPDATE TABLE - SEPTEMBER 1990 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 - September, 1990

1. Curation of Federally-Owned and Administered Archeological Collections - Final Rule

On September 12, 1990, the National Park Service (NPS) issued a final rule (proposed 8-28-87, 52 FR 32740) under section 101(a)(7)(A) of the National Historic Preservation Act and Section 5 of the Archeological Resources Protection Act. The rule establishes a new Part 79 at 36 CFR containing definitions, standards, procedures, and guidelines to be followed to preserve prehistoric and historic material remains and associated records recovered in conjunction with federal projects and programs under certain federal statutes. The rule delineates: (1) procedures and guidelines to manage and preserve collections; (2) methods to secure and fund curatorial services; (3) terms and conditions for federal agencies to include in contracts, memoranda, agreements, or other written instruments with repositories for curatorial services; (4) standards to determine when a repository has the capability to provide long-term curatorial services; (5) guidelines to provide access to collections for scientific, educational, and religious uses; and (6) the conduct of inspections and inventories to be performed on the repository, the collection, and any other U.S. government-owned personal property. Examples are given in Appendices A, B, and C of the rule of a deed of gift, a Memorandum of Understanding for curatorial services for a federally-owned collection, and a short-term loan agreement for a federally-owned collection, respectively. This rule should ensure that federally-owned and administered archeological artifacts and associated records are deposited in repositories with adequate long-term curatorial services. The effective date for this final rule was October 12, 1990.

(9-12-90, 55 FR 37616, RU# 090-002)

2. Curation of Federally-Owned and Administered Archeological Collections - Proposed Rule

The National Park Service (NPS) issues a NPRM which would amend the final rule of September 12, 1990 (55 FR 37616) regarding the curation of federally-owned and administered archeological collections. By adding paragraph (9d) to 36 CFR Section 79.5, this proposed rule would: (1) require information on the disposition of collections and copies of collections and certain associated records to be provided to key state officials and other relevant parties; (2) identify state officials and other parties who should receive the information and records; (3) require the federal agency official to send copies of final reports of federally-authorized surveys, excavations, and other studies to a national depository of reports; and (4) call for certain information on final reports of such studies to be submitted for inclusion in the National Archeological Database which is administered by the NPS. This NPRM also proposes to add a new 79.12 to part 79 that would designate procedures to be used under certain circumstances for

discarding material remains. Comments on this proposed rule must be received by December 11, 1990.

(9-12-90, 55 FR 37670, RU# 090-002)

3. Standards of Performance for New Stationary Sources; Small Industrial-Commercial-Institutional Steam Generating Units - Final Rule

Complying with Section 111 of the CAA, EPA issues (proposed 6/9/89, 54 FR 24792) at Subpart Dc of 40 CFR Part 60 new source performance standards (NSPS) for all new, modified, or reconstructed small steam generating units having construction started after June 9, 1989 with a heat input capacity between 2.9 and 29 MW (10 to 100 million Btu/hr). The new standards limit emissions of sulfur dioxide and particulate matter (PM) for these small industrial-commercial-institutional steam generating units. For small coal-fired steam generating units with greater than 75 million Btu/hr heat input capacity and greater than 55% annual capacity factor, sulfur dioxide would be reduced 90%. The standards would limit sulfur dioxide emissions to 520 nanograms per joule heat input for all small coal-fired units with heat input capacities from 10 to 100 million Btu/hr. For small oil-fired units of this size, sulfur dioxide emissions would be limited to 215 nanograms per joule heat input. For coal- and wood-fired steam generating units with heat input capacities of 30 million Btu/hr or greater, the standards limit PM emissions to 22 nanograms per joule heat input and 43 nanograms per joule heat input, respectively. However, PM emissions would be limited to 130 nanograms per joule heat input for wood-fired generating units with annual capacity factors of 30% or less. Units subject to sulfur dioxide reductions would be required to have continuous emission monitoring systems (CEMS) installed. Emissions are to be controlled at the level reached by BDAT considering costs, non-air quality health and environmental impacts, and energy requirements. Five years after finalization of this rule, sulfur dioxide emissions would be reduced 70-80% or 37,000 tons per year and particulate emissions 80-90% or 3,400 tons per year. EPA decided not to regulate emissions of nitrogen oxides (NOx) as proposed on June 9, 1989 (54 FR 24792). Annualized costs to implement this rule for small steam generating units are expected to increase by about \$38 million. This rule was effective on September 12, 1990.

(9-12-90, 55 FR 37674, RU# 120-056)

4. Toxicity Characteristics - Final Rule Clarification

EPA clarifies in 40 CFR Parts 261, 264, 265, 268, 271, and 302 the Toxicity Characteristics (TC) final rule (3-29-90, 55 FR 11798) which identifies those hazardous wastes subject to Subtitle C of RCRA regulation. The following issues were clarified in this notice: (1) regulatory status of surface impoundments managing newly regulated TC waste, (2) groundwater monitoring requirements for newly regulated land disposal facilities, (3) section 3010 notification requirements, and (4) permit modification requirements. Surface impoundments receiving, generating, or actively managing newly regulated TC wastes (both wastewaters and wastes generated from the treatment of

wastewaters) on or after September 25, 1990 are subject to all applicable regulations for management of RCRA hazardous wastes. Several factors will be taken into consideration in determining the regulatory status of these surface impoundments for permitting purposes and other compliance options (e.g., impoundments ceasing operation prior to effective date, conversion to non-hazardous waste impoundment and active hazardous waste management impoundments.) Regarding groundwater monitoring requirements, the rule allows an additional year after the effective date (until September 25, 1991) of the TC regulations for full implementation of groundwater monitoring requirements for newly regulated facilities as well as interim status land disposal facilities managing hazardous wastes. EPA also clarified the notification requirements for generators and treatment, storage, and disposal facilities (TSDFs), and provided additional time for notification. Large quantity generators and TSDFs newly regulated by the TC have until October 29, 1990, to notify EPA of their hazardous waste management activity, while small generators have until November 2, 1990. Specific information requirements needed from permitted facilities for Class 1 permit modifications were explained in more detail. The effective date for the final TC rule including these clarifications was September 25, 1990.
(9-27-90, 55 FR 39409, RU# 840-082)

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
RESOURCE CONSERVATION AND RECOVERY ACT				
	Oil Pollution Prevention -- RU# 140-092			
	Pesticide Storage -- R# 300-003			
840-006	Ignitable Hazardous Waste 40 CFR 261.21	Under development 50 FR 17818 4/19/85	EPA is developing tests and hazard thresholds for identifying ignitable solid wastes.	NPRM 8/91.
840-008	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 266 40 CFR 270 40 CFR 271 40 CFR 302	NPRM 50 FR 49258 11/29/85 NOA 51 FR 8206 3/10/86 Tentative schedule 51 FR 41900 11/19/86 Decision not to regulate 53 FR 42528 10/24/88 Regulatory Agenda 55 FR 16855 4/23/90	EPA's decision not to list recycled oil as hazardous waste was remanded by the U.S. Court of Appeals on 10/7/88. Therefore, EPA is considering approaches for management of used oil that are consistent with the court's decision and is collecting additional information on the potential toxicity of used oil to be made available for public comment. The Agency also plans to issue a new proposal for management standards.	Notice of data availability and listing decision 10/90; reproposal of management standards 4/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-024	Containerized Liquids in Landfills 40 CFR 260 40 CFR 264 40 CFR 265 40 CFR 271	NPRM 51 FR 46824 12/24/86 NOA 52 FR 23695 6/24/87 Regulatory Agenda 55 FR 16865 4/23/90	EPA proposes to prohibit disposal of free liquids and containers with liquid hazardous wastes and exclude the use of absorbents that biodegrade and release liquids when compressed. Certain small-quantity containers will be exempted. A test protocol will be proposed to determine whether hazardous or free liquids solidified by accepted absorbents would release free liquids under landfill pressures, and "biodegradable absorbents" will be defined. These rules will not apply to owners or operators of landfills in which only PCB chemical waste regulated under 40 CFR 761 are disposed. PCBs mixed with a RCRA hazardous waste must comply with all requirements under both RCRA and TSCA.	Final rule 6/94.
840-051	Solid Waste Disposal Facility Criteria 40 CFR 257 40 CFR 258	NPRM 53 FR 33314 8/30/88 Regulatory Agenda 55 FR 16864 4/23/90	EPA proposes to amend 40 CFR 257 by including information requirements for certain solid waste disposal facilities, excluding municipal solid waste landfills (MSWLFs) from Part 257, and adding a new Part 258 to spell out specific requirements for MSWLFs.	Final rule 11/90.
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 Technical corrections 55 FR 17862 4/27/90	EPA proposes to establish standards 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. EPA makes technical corrections on three regulatory alternatives to issues presented in the 10/26/89 supplement to the NPRM.	Final rule 2/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-071	Definition of Solid Waste - Technical Corrections 40 CFR 261 40 CFR 266	Final rule 50 FR 6141 1/4/85 Amendments 50 FR 14216 4/11/85 Technical corrections 50 FR 33541 8/20/85 Corrections 52 FR 21306 6/5/87 NPRM 53 FR 519 1/8/88 Correction 53 FR 6059 2/29/88 Regulatory Agenda 55 FR 16864 4/23/90	EPA proposes to exclude certain materials from its regulations (40 CFR Part 261) on recycled hazardous secondary materials. This regulation will provide: (1) EPA's interpretation of a court opinion concerning the Agency's authority to regulate certain recycled hazardous secondary materials and (2) amendments to the rules required by the court's opinion.	No projected timetable. Awaiting RCRA reauthorization.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*840-082	Identification of Hazardous Wastes by Toxicity Characteristics 40 CFR 261 40 CFR 271	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 Final rule 55 FR 11798 3/29/90 Corrections 55 FR 26986 6/29/90 Corrections 55 FR 31387 8/2/90 Corrections 55 FR 32733 8/10/90	EPA revises the existing toxicity characteristics which are used to identify those wastes defined as hazardous and subject to regulation under RCRA. This rule: (1) replaces the Extraction Procedure (EP) leach test with the Toxicity Characteristic Leaching Procedure TCLP; (2) adds 25 organic chemicals to the list of toxic constituents of concern; and (3) establishes regulatory levels for these organic chemicals based on health-based concentration thresholds and a dilution/attenuation factor that was developed using a subsurface fate and transport model. The rule incorporates a number of modifications in the leaching procedure, the list of toxicants, the chronic toxicity reference levels and the fate and transport model.	Final rule effective 9/25/90. Compliance with rule effective 9/25/90 for large quantity generators, 3/29/91 for small quantity generators.
		Final rule clarification 55 FR 39409 9/27/90	EPA clarifies the following issues: (1) regulatory status of surface impoundments managing newly-regulated TC wastes, (2) groundwater monitoring requirements for newly-regulated land disposal facilities, (3) Sect. 3010 notification requirements, and (4) permit modification requirements.	Clarification effective 9/25/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-107	Location Standards for TSD Facilities 40 CFR 261 40 CFR 264 40 CFR 265 40 CFR 270	Planned NPRM 55 FR 16859 4/23/90 Notice 55 FR 19981 5/14/90	EPA plans to propose additional standards for location of hazardous waste treatment, storage, and disposal facilities, in particular, in a variety of sensitive environments. Floodplain and seismic restrictions already existing at 40 CFR 264.18 and 265.18 will be amended based on new data and information.	NPRM 12/90. Final rule 12/92.
840-109	Land Disposal Liners and Leak Detection 40 CFR 260 40 CFR 264 40 CFR 265 40 CFR 270 40 CFR 271	NPRM 52 FR 20218 5/29/87 Regulatory Agenda 55 FR 16866 4/23/90	EPA proposes to require leak detection systems for new RCRA landfills and impoundments, extend the double liner requirement to waste piles and to landfills and impoundments not already covered, and develop a quality assurance program for certain impoundments and final covers.	Final rule 9/92.
*840-116	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.	NPRM 10/90.
840-131	Hazardous Waste TSD Facilities - Financial Assurance for Corrective Action 40 CFR 264 40 CFR 270 40 CFR 271	NPRM 51 FR 37854 10/24/86 Notice 54 FR 40728 10/3/89 Notice 55 FR 19981 5/14/90	EPA proposes to amend the financial responsibility and permitting standards for TSD owners and operators to require them to demonstrate financial assurance for completion of any required corrective action for a release to any medium from any solid waste management unit. Acceptable mechanisms include a trust fund, surety bond guaranteeing performance, letter of credit, financial test, or corporate guarantee.	Action date uncertain. May be repropose, but will not be Subpart S.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-133	Solid Waste Management Units - Corrective Action 40 CFR 264 40 CFR 265 40 CFR 270 40 CFR 271	NPRM 55 FR 30798 7/27/90 Comment period extended 55 FR 34721 8/24/90	EPA proposes procedures and technical requirements for implementing corrective action for solid waste management units (SWMUs) at facilities seeking a permit under Sect. 3004(u) of RCRA. The proposal would create a new Subpart S to define requirements for conducting remedial investigations, evaluating potential remedies, and selecting and implementing remedies at RCRA facilities. It also proposes to amend RCRA part 270 permit requirements, make conforming changes to facility closure information requirements, and establish standards for states to become authorized to administer correction action requirements.	Comments by 11/26/90. Public hearings rescheduled for 12/90.
840-135	Landfill, Surface Impoundment, and Waste Pile Closures 40 CFR 264 40 CFR 265 40 CFR 270	NPRM 52 FR 8712 3/19/87 Regulatory Agenda 55 FR 16859 4/23/90	EPA proposes amendments to the RCRA landfill, surface impoundment, and waste pile closure rule to allow the use of site-specific closure requirements. The regulations address waste and site characteristics, potential pathways of hazardous constituent migration, and health effects.	Reproposed NPRM and guidelines on hold until FY 1991.
840-138	Double Liner and Leachate Collection System 40 CFR 124 40 CFR 144 40 CFR 260 40 CFR 264 40 CFR 265 40 CFR 270	NPRM 51 FR 10706 3/28/86 NOA 52 FR 12566 4/17/87 Regulatory Agenda 55 FR 16866 4/23/90	This rule proposes minimum technology requirements for double liner systems for land disposal units. Information comparing the performance of compacted soil and composite bottom liners and two draft technical guidance documents are available.	Final rule awaiting OMB action. On hold indefinitely.

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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 54 FR 30228 7/19/89 Final rule 55 FR 25454 6/21/90	EPA sets 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.	Effective 12/21/90.
		Planned NPRM - Phase II 55 FR 16882 4/23/90	EPA will propose accelerated RCRA air emission standards for volatile organics emissions from tanks and impoundments at hazardous waste TSD facilities handling or recycling hazardous wastes containing 10% or more volatile organics. EPA also plans a Phase III rulemaking dealing with particular hazardous organic constituents.	NPRM 12/90. Final rule 12/92.
840-145	Treatment and Disposal of Hazardous Soil and Debris 40 CFR 268	Planned NPRM 55 FR 16860 4/23/90	EPA is investigating the need to set separate treatment standards for soil and debris containing hazardous waste.	NPRM 6/91. Final rule 6/92.
840-148	Metals Emissions Controls for Hazardous Waste Incinerators 40 CFR 260 40 CFR 261 40 CFR 264 40 CFR 270	NPRM; supplemental NPRM; technical corrections 55 FR 17862 4/27/90 Correction 55 FR 20678 5/18/90	EPA proposes to: (1) amend the hazardous waste incinerator regulations to improve control of toxic metal, hydrogen chloride, and residual organic emissions; (2) define plasma arc and infrared incinerators; (3) regulate carbon regeneration units as thermal treatment devices; and (4) make minor revisions to the permitting procedures. EPA also makes technical corrections to three regulatory alternatives to issues presented in the 10/26/89 supplement to the proposed rule for burning hazardous waste in boilers and industrial furnaces (see RU# 840-056).	Final rule undetermined.

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*840-149	Experimental Facilities Conducting Hazardous Waste Research 40 CFR 264 40 CFR 270	Planned NPRM 55 FR 16860 4/23/90	Special permitting procedures will be established for facilities conducting research on the storage, treatment, or disposal of hazardous wastes to allow greater flexibility without requiring frequent permit modifications.	<u>NPRM on hold.</u>
840-151	State Programs - Compliance Monitoring and Enforcement 40 CFR 271.15 40 CFR 271.16	Planned NPRM 55 FR 16861 4/23/90	The regulations for state authorization requirements for compliance monitoring and enforcement will be revised to reflect HSWA. EPA will consider other changes, such as the requirement for states to have administrative penalty authority.	<u>NPRM 10/90. Final rule 3/91.</u>
*840-156	Batch-Type Adsorption Procedures for Estimating Soil Attenuation of Chemicals	NOA draft 52 FR 22380 6/11/87	EPA issues a NOA of a draft Technical Resource Document entitled "Batch-Type Adsorption Procedures for Estimating Soil Attenuation of Chemicals."	<u>Final document 10/90.</u>
*840-162	Correction Action Orders for USTs 40 CFR 24	NPRM 55 FR 33430 8/15/90	EPA proposes to extend the scope of authority of the rules on UST corrective action orders to SARA Sect. 9003(h) UST corrective action orders.	<u>Final rule undetermined.</u>
*840-171	Amendments to Groundwater Monitoring Regulations 40 CFR 260 40 CFR 264 40 CFR 270	NPRM 53 FR 28160 7/26/88 Regulatory Agenda 55 FR 16866 4/23/90	EPA proposes to amend Subpart F groundwater monitoring regulations to foster the early detection of leaks and to better tailor the current groundwater monitoring regulations to site-specific conditions.	<u>Final rule 12/90.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-173	Testing and Monitoring Activities (SW-846 Task Force) 40 CFR 260 40 CFR 261 40 CFR 262 40 CFR 264 40 CFR 265 40 CFR 268 40 CFR 270	NPRM 54 FR 3212 1/23/89 NOA 55 FR 4440 2/8/90	EPA proposes to update the Third Edition of SW-846, incorporate it into the RCRA regulations, and mandate minimum QC procedures for all RCRA testing. EPA proposes a number of technical modifications and/or clarifications to the Third Edition of SW-846 and the inclusion of specific QC procedures in SW-846 which are described in the "Report on Minimum Criteria to Assure Data Quality." The Agency is also considering deleting appendices III and X to 40 CFR 261.	Final rule 10/90.
840-175	Releases to Groundwater from Regulated Units - Corrective Action 40 CFR 264 40 CFR 270	Planned NPRM 55 FR 16860 4/23/90	These regulations will amend the technical and procedural requirements for conducting corrective action to clean up significant releases to groundwater from regulated hazardous waste units at operating, closed, or closing RCRA facilities and the requirements for implementing remedial action, remedy selection, and corrective measures.	NPRM placed on hold, pending action on RU# 840-133.
840-176	Groundwater Monitoring - Hazardous Constituents 40 CFR 264 40 CFR 270	Planned NPRM 55 FR 16861 4/23/90	EPA will propose revisions to a list of hazardous constituents, Appendix IX of 40 CFR 264, for use in groundwater monitoring. This amendment would also create a new list for the first part (Detection Monitoring) of the groundwater monitoring program.	NPRM Fall 1990.
840-185	UST - Financial Responsibility 40 CFR 280	ANPRM 53 FR 3818 2/9/88 Planned NPRM 55 FR 16862 4/23/90	EPA will propose to establish financial responsibility requirements for owners and operators of underground storage tanks (UST) containing hazardous substances. An exemption is to be proposed for federally owned tanks.	NPRM 9/91. Final rule 9/92.

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840-189	Wastes from the Combustion of Coal 40 CFR undetermined	NOA 53 FR 9976 3/28/88 Regulatory Agenda 55 FR 16856 4/23/90	EPA has issued "Report to Congress: Wastes from the Combustion of Coal by Electric Utility Power Plants," compiled in response to Sect. 8002(n) of RCRA. EPA will determine whether to regulate these wastes.	Regulatory determination postponed indefinitely.
*840-191	Municipal Waste Combustor Ash Management 40 CFR undetermined	Planned NPRM 55 FR 16857 4/23/90	EPA has determined a need to develop a management scheme for handling and disposing of municipal waste combustor ash. The Agency is considering various options for addressing concerns over fugitive dust emissions and groundwater contamination.	On hold, awaiting Congressional action.
840-193	No-Migration Variance for Restricted Hazardous Waste Land Disposal 40 CFR 268	Planned NPRM 55 FR 16857 4/23/90	A regulation will be proposed that interprets the statutory requirements for making a "no-migration" demonstration that would allow the land disposal of untreated hazardous waste that has been restricted from land disposal. The regulation will define such terms as "no-migration," "responsible degree of certainty," "hazardous constituent," and "unit."	NPRM 10/90. Final rule 7/91.
840-195	Identification and Listing of Hazardous Wastes - Deminimis Exemption Levels 40 CFR 260 40 CFR 261 40 CFR 262 40 CFR 264 40 CFR 265 40 CFR 270 40 CFR 271 40 CFR 302	Planned NPRM 55 FR 16858 4/23/90	EPA will propose exemptions from regulation for any currently listed wastes that are not hazardous because the hazardous constituents are present at levels lower than the concentration levels established by this rule. This includes chlorinated aliphatics production wastes and wastes from explosives and inorganic chemicals.	NPRM 1/91. Final rule 1/92.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*840-201	Land Disposal Restrictions - TCLP (Method 1311) Particle Size Reduction Requirement 40 CFR 268	NPRM 53 FR 18792 5/24/88	EPA proposes to revise the Toxicity Characteristic Leaching Procedure (TCLP), "Method 1311." The changes involve the use of a stainless steel cage in the bottle extractor to eliminate the particle size reduction requirement.	Final rule on hold. Most likely will be withdrawn.
*840-206	State Hazardous Waste Management Program - Georgia 40 CFR 271	Immediate final rule 55 FR 38997 9/24/90	EPA grants final authorization to Georgia for its state hazardous waste management program revisions, subject to public review and comment.	Comments by 10/24/90. Final authorization effective 11/24/90.
840-221	Hazardous Waste Management System - Subpart C - Groundwater Data 40 CFR 260.22	NPRM 54 FR 41930 10/12/89 Regulatory Agenda 55 FR 16865 4/23/90	EPA proposes to require those who submit delisting petitions for hazardous wastes to provide groundwater monitoring data as part of their petition.	Final rule 2/91.
840-223	Definition of Wastewater Treatment Unit 40 CFR 260 40 CFR 270	NPRM 55 FR 29230 7/18/90	EPA proposes to amend the definition of "wastewater treatment unit" in 40 CFR 260.10 and 270.2 to clarify that thermal treatment units, except for sludge dryers, are not wastewater treatment units and are not thus exempt from RCRA. The Agency also proposes a definition for "sludge dryers" that will clearly distinguish them from incinerators and other types of thermal treatment units.	Final rule 7/91.
840-225	State Solid Waste Management Program - New Jersey 40 CFR 256	NPRM 53 FR 40243 10/14/88	EPA proposes to approve the State of New Jersey Solid Waste Management Plan, subject to public review and comment.	Final rule undetermined.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-230	Underground Storage Tanks Containing Petroleum - Financial Responsibility Requirements 40 CFR 280 40 CFR 281	Interim final rule 55 FR 18566 5/2/90 NPRM 55 FR 24692 6/18/90	EPA modifies the compliance dates under 40 CFR 280.91(c) to provide additional time for the development of financial assurance mechanisms, especially state assurance funds, for all petroleum marketing firms owning 13-99 USTs at more than one facility. EPA proposes to add to the 10/26/88 final rule four alternative mechanisms for use by local governments to demonstrate financial responsibility for taking corrective action and compensating third parties for bodily injury and property damage caused by sudden and nonsudden accidental underground storage tank releases.	Interim final rule effective 5/2/90. Certification of compliance date extended to 4/26/91. Final rule undetermined.
		NPRM 55 FR 27837 7/6/90	EPA proposes to amend the 10/26/88 final rule by modifying the compliance dates under 40 CFR 280.91(d) for all petroleum marketing firms owning 1-12 USTs, local government entities, and non-marketers whose net worth is less than 20 million dollars. The proposed rule would extend the deadline for compliance with Subpart H - Financial Responsibility from 10/26/90 to 10/26/91 to allow additional time for the development of state financial assurance funds.	Proposed compliance date 10/26/91. Final rule undetermined.
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.	Final policy statement 12/90.

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840-244	Standards for the Tracking and Management of Medical Waste 40 CFR 259	Interim final rule 54 FR 12326 3/24/89 Notice; final rule amendments 54 FR 24310 6/6/89 NOA 55 FR 1770 1/18/90 Corrections 55 FR 27228 7/2/90 NOA 55 FR 28096 7/9/90	EPA publishes an interim final rule implementing the Medical Waste Tracking Act (MWRTA) 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. Corrections effective 10/1/90. Final rule undetermined.
840-248	Revision of Subtitle C Financial Test Criteria 40 CFR 264 40 CFR 265	Planned NPRM 55 FR 16860 4/23/90	EPA proposes to revise financial test criteria that must be satisfied by owners and operators employing the test to demonstrate RCRA financial responsibility requirements. The anticipated revisions will adjust test criteria so as to increase availability of this assurance mechanism to viable firms and increase sensitivity to bankruptcy prediction.	NPRM 11/90. Final rule 6/91.
840-251	Hazardous Waste Sump Requirements 40 CFR 260 40 CFR 264 40 CFR 265	Planned NPRM 55 FR 16861 4/23/90	EPA will propose to amend several hazardous waste tank system requirements as applied to existing sumps that are situated inside buildings and constructed as an integral part of the building's floor or foundation. Boeing Company is petitioning EPA to regulate these sumps independently of other hazardous waste storage/treatment tank systems because of differences in design, construction, and use.	NPRM 12/90. Final rule 12/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED 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.	Final guidance document publication date undetermined.
*840-266	Determination on Solid Waste From Selected Metallic Ore Processing Operations 40 CFR 260 40 CFR 261 40 CFR 262	Final rule 54 FR 36592 9/1/89 NPRM 54 FR 39298 9/25/89 Final rule 55 FR 2322 1/23/90 NOA 55 FR 32135 8/7/90 Comment period extended; hearing rescheduled 55 FR 37540 9/12/90	EPA has completed development of a list of "high-volume", "low hazard" ore processing wastes for study under RCRA and, in response to a court opinion, has conducted a study of those processing wastes excluded from Subtitle C regulation by the "Reville Amendment." After the study is reported to Congress, EPA has six months to determine whether to regulate any of these wastes under subtitle C. EPA announces the availability of its "Report to Congress on Special Wastes from Mineral Processing" containing detailed studies of 20 special wastes from mineral processing operations that the Agency previously determined are within the scope of the mining waste exclusion exemption.	Final rule effective 7/23/90. Notice of regulatory determination 1/91. Comments by 10/19/90. Public hearing 10/17/90.
840-267	Identification and Listing of Hazardous Wastes from Chlorotoluene Production 40 CFR 261 40 CFR 271 40 CFR 302	Planned NPRM 55 FR 16858 4/23/90	The hazardous waste listing regulations will be amended to add new waste codes from the production of chlorotoluene and to designate these wastes hazardous substances under CERCLA.	NPRM 6/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-268	Identification and Listing of Hazardous Wastes from Coke By-Product Industries 40 CFR 261 40 CFR 271 40 CFR 302	Planned NPRM 55 FR 16858 4/23/90	The hazardous waste listing regulations will be amended by adding eight new waste codes from the coke by-products industry. These wastes will be designated hazardous substances under CERCLA.	NPRM 10/90. Final rule 11/91.
840-269	Technical Amendment to Final UST Rules For Overfill Prevention 40 CFR 280	NPRM 55 FR 17767 4/27/90	In response to a petition for rulemaking, EPA proposes to add a standard to the UST regulations to allow the use of overfill prevention equipment that can achieve certain levels of performance.	Final rule undetermined.
840-279	WIPP Conditional Variance from Land Disposal Restrictions	Notice of proposed decision 55 FR 13068 4/6/90 NOA 55 FR 19784 5/11/90	EPA proposes to grant a conditional variance from the land disposal restrictions to DOE for the WIPP in New Mexico based on EPA's tentative conclusion of no migration during the testing period. EPA announces the availability of "WIPP Test Phase Plan: Performance Assessment," DOE/WIPP 89-011 Revision 0, and "Waste Retrieval Plan," DOE/WIPP 90-022.	Final action undetermined.
*840-280	State Hazardous Waste Management Program - Oklahoma 40 CFR 271	Immediate final rule 55 FR 39274 9/26/90	EPA grants final authorization to the state of Oklahoma for revisions to its RCRA hazardous waste management program, subject to public review and comment.	Comments by 10/26/90. Final authorization effective 11/27/90.
840-286	Permit Modifications to Hazardous Waste Management Facilities 40 CFR 270.41	Planned NPRM 55 FR 16857 4/23/90	This amendment will allow EPA to modify a permit to correct an inadvertent omission of an applicable RCRA requirement which is in effect prior to the date of permit issuance. The permit correction would follow the modification procedures in 40 CFR 124. Citizens would be able to request such a correction using existing procedures in 40 CFR 124.5.	NPRM 12/90. Final rule 12/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
840-287	Adequacy Determinations for State Solid Waste Programs	Planned NPRM 55 FR 16862 4/23/90	This regulation will describe procedures EPA will use to make determinations of adequacy for state solid waste permitting programs, as required by Sect. 4005 of RCRA.	NPRM 12/90.
*840-291	State Hazardous Waste Management Program - Connecticut 40 CFR 271	Notice of tentative authorization 55 FR 39656 9/28/90	EPA has reviewed Connecticut's initial and revised applications for authorization for its RCRA hazardous waste management program and has decided that it does not presently qualify. However, if the state remedies the deficiencies identified by EPA by 11/15/90, EPA intends to grant final authorization, subject to public review and comment.	Comments by 10/31/90.
COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT				
180-010	National Priorities List - Second Update 40 CFR 300	NPRM 49 FR 40320 10/15/84 Final rule 51 FR 21054 6/10/86 Final rule amended 52 FR 27620 7/22/87 Final rule 55 FR 6154 2/21/90 Final rule 55 FR 35502 8/30/90	EPA adds ten sites to the NPL from those proposed in the second update. Eleven sites from the second update remain proposed.	Final rule of 7/22/87 effective 8/21/87. Final rule of 2/21/90 effective 3/23/90. Final rule of 8/30/90 effective 10/1/90.
180-025	Natural Resource Damage Assessments - Type B 43 CFR 11	ANPRM 54 FR 39016 9/22/89 Planned NPRM 55 FR 16273 4/23/90	DOI intends to make modifications to its ongoing efforts to develop a type B natural resource damage assessment procedure which is a procedure for detailed assessments in individual cases.	NPRM 10/90.

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*180-031	Response Claims Procedures 40 CFR 307	NPRM 54 FR 37892 9/13/89 Corrections 54 FR 46423 11/3/89 Regulatory Agenda 55 FR 16887 4/23/90	EPA proposes to establish procedures for (1) filing, evaluating, and resolving claims for costs incurred for responding to releases of hazardous substances, pollutants, or contaminants and (2) notifying concerned parties regarding limitations on the payment of response claims.	Final rule 12/90.
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 Correction 54 FR 34991 8/23/89 Final rule 54 FR 41015 10/4/89 Final rule 55 FR 6154 2/21/90 Final rule 55 FR 35502 8/30/90	EPA adds two sites to the NPL from those proposed in the fifth update. Two sites in the fifth update remain proposed.	Final rule of 7/22/87, effective 8/21/87. Final rule of 3/31/89 effective 5/1/89. Final rule of 10/4/89 effective 11/3/89. Final rule of 2/21/90 effective 3/23/90. Final rule of 8/30/90 effective 10/1/90.

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180-038	National Priorities List - Sixth Update 40 CFR 300	NPRM 52 FR 2492 1/22/87 Final rule 52 FR 27620 7/22/87 Final rule 54 FR 41015 10/4/89 Final rule 55 FR 6154 2/21/90 Final rule 55 FR 35502 8/30/90	EPA adds six sites to the NPL from those proposed in the sixth update. One site in the sixth update remains proposed.	Final rule of 7/22/87 effective 8/21/87. Final rule of 10/4/89 effective 11/3/89. Final rule of 2/21/90 effective 3/23/90. Final rule of 8/30/90 effective 10/1/90.
180-039	National Priorities List - Seventh Update 40 CFR 300	NPRM 53 FR 23988 6/24/88 Final rules 54 FR 41000 54 FR 41015 10/4/89 Final rule 55 FR 6154 2/21/90 Final rule 55 FR 35502 8/30/90	EPA adds fifty-four sites to the NPL from those proposed in the seventh update. Four sites from the seventh update remain proposed.	Final rules of 10/4/89 effective 11/3/89. Final rule of 2/21/90 effective 3/23/90. Final rule of 8/30/90 effective 10/1/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
180-042	Federally Permitted Releases 40 CFR 117 40 CFR 302 40 CFR 355	NPRM 53 FR 27268 7/19/88 Supplemental Notice 54 FR 29306 7/11/89 Regulatory Agenda 55 FR 14885 4/23/90	EPA proposes to clarify the federally permitted release exemptions from CERCLA release reporting and liability provisions.	Final rule Spring 1991.
*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 55 FR 16886 4/23/90	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 11/90.
180-056	Designation of Extremely Hazardous Substances as CERCLA Hazardous Substances 40 CFR 302	NPRM 54 FR 3388 1/23/89 Notice 54 FR 15802 4/19/89 Regulatory Agenda 55 FR 16885 4/23/90	EPA proposes to designate 232 extremely hazardous substances (EHSS), as defined in Sect. 302 of SARA, as hazardous substances pursuant to Sect. 102 of CERCLA. EPA intends to reduce potential confusion concerning the different SARA Title III and CERCLA requirements by ensuring consistent procedures for reporting releases of all EHSS.	Final rule 11/90.

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180-065	Reimbursement to Local Governments for Emergency Response to Hazardous Substance Releases 40 CFR 310	Interim final rule 52 FR 39386 10/21/87 Regulatory Agenda 55 FR 16887 4/23/90	EPA authorizes reimbursement of local governments for costs incurred in providing temporary emergency measures in response to releases of hazardous substances. Reimbursement is limited to \$25,000 per incident and is not intended to supplant local funds normally provided for response.	Final rule 10/90.
180-072	RQ Adjustments for Substances on the Extremely Hazardous Substances List 40 CFR 302 40 CFR 355	NPRM 54 FR 35988 8/30/89 Regulatory Agenda 55 FR 16885 4/23/90	EPA proposes to adjust the reportable quantities (RQs) for 232 substances on the extremely hazardous substance list, which EPA has proposed for designation as CERCLA hazardous substances.	Final rule 11/90.
*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 55 FR 16885 4/23/90	EPA proposes to amend the National Contingency Plan by adding a new Sect. 300.440 dealing with the off-site management of CERCLA wastes, including those resulting from CERCLA decision documents signed before the enactment of SARA. The rule prescribes procedures whereby affected facilities may ask EPA for review of the off-site acceptability determinations.	Final rule 12/90.

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180-077	Natural Resource Damage Assessments - Type A 43 CFR 11	ANPRM 54 FR 5093 2/1/89 ANPRM 54 FR 39013 9/22/89 Planned NPRM 55 FR 16274 4/23/90	DOI intends to revise the type A natural resource damage assessment procedure for coastal and marine environments to conform with recent court rulings, specifically, the incorporation of restoration or replacement values and the inclusion of all reliably calculated lost use values, with no required hierarchy of methodologies for conducting those valuations.	NPRM 12/90.
		ANPRM 53 FR 21043 6/2/88 ANPRM 54 FR 39015 9/22/89 Correction 54 FR 41365 10/6/89 Planned NPRM 55 FR 16273 4/23/90	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 12/90.
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 55 FR 16888 4/23/90	EPA proposes regulations prescribing the manner in which notice of citizen suits is to be provided.	Final rule 10/90.
180-092	National Contingency Plan - Subpart K, Federal Facilities Requirements 40 CFR 300	Planned NPRM 55 FR 16894 4/23/90	EPA plans to propose Subpart K which will serve as a roadmap to the NCP for requirements pertaining to federal agencies conducting response actions at federal facilities where the release is on or where the sole source is from their facility.	NPRM 2/91, final rule 2/92.

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180-096	CERCLA Cost Recovery Program 40 CFR 308	Planned NPRM 55 FR 16884 4/23/90	EPA is granted the authority, under CERCLA, to hold potentially responsible parties (PRPs) liable for the cost of cleanup. It is Agency policy to pursue those PRPs for cost expected if a cleanup settlement is not reached. This rulemaking will be used to identify the specific recoverable costs, the documentation sufficient to prove EPA's case, and the documents that will be available to PRPs.	NPRM 11/90. Final rule 11/91.
180-097	National Priorities List - Tenth Update 40 CFR 300	NPRM 54 FR 43778 10/26/89 Final rule 55 FR 9688 3/14/90 Final rule 55 FR 35502 8/30/90	EPA adds twenty-three sites to the NPL from those proposed in the tenth update. One site in the tenth update remains proposed.	Final rule of 3/14/90 effective immediately. Final rule of 8/30/90 effective 10/1/90.
SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT				
SARA Section 110 Chemicals Generic Test Rule -- RU# 920-113				
190-005	Section 313 Sunset Review Amendments 40 CFR 372	Final rule 53 FR 4500 2/16/88 Planned NPRM 55 FR 16834 4/23/90	The final rule of 2/16/88 implementing Section 313 allowed releases of toxic chemicals less than 1000 pounds to be reported in ranges. Also, the reporting form included an optional reporting section on waste minimization activities. Both of these sections will "sunset" after the 1989 reporting year unless the Agency takes action to retain them. These proposed amendments will address these reporting requirements.	NPRM 10/90.
190-012	Hazardous Substance Activity Reporting in Transfer of Federal Property 40 CFR 373	NPRM 53 FR 850 1/13/88 Final rule 55 FR 14208 4/16/90	EPA requires 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 defines when these requirements apply and prescribes the form and manner of the notice.	Effective 10/17/90.

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190-014	Technical Assistance Grants - NPL Sites 40 CFR 300 40 CFR 35 40 CFR Ch. 1	ANPRM 52 FR 22244 6/10/87 Interim final rule 53 FR 9736 3/24/88 Interim final rule amendment 54 FR 49848 12/1/89 Regulatory Agenda 55 FR 16887 4/23/90	EPA issues an interim final rule specifying requirements citizens' groups must meet to obtain technical assistance grants. EPA amends its interim final rule regarding the technical assistance grant program in order to foster greater participation of citizens' groups in the grant program. The grants are limited to \$50,000 per site and requires matching funds. This limit may be waived.	Interim final rule effective 3/24/88. Amendment effective 12/1/89. Final rule 9/91.
*190-038	Regulations Governing Citizen Suits - SARA 40 CFR 310 40 CFR 326 40 CFR 373 40 CFR 374	NPRM 54 FR 3918 1/26/89 Regulatory Agenda 55 FR 16888 4/23/90	EPA proposes regulations prescribing the manner in which notice of citizen suits is to be provided.	Final rule 12/90.
*190-041	National Institute of Environmental Health Sciences Hazardous Waste Worker Training 42 CFR 64 42 CFR 65	NPRM 54 FR 25479 6/15/89 Regulatory Agenda 55 FR 16182 4/23/90	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.	Final rule 10/90.
*190-042	Administrative Hearing Procedures for Superfund Claims 40 CFR 305	Planned NPRM 55 FR 16884 4/23/90	EPA will establish procedures for conducting administrative hearings for persons who have made claims against Superfund but are dissatisfied with the award.	NPRM 10/90.

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190-043	Administrative Hearing Procedures for SARA Class I Civil Penalties 40 CFR 22	Interim final rule 54 FR 21174 5/16/89 Regulatory Agenda 54 FR 45342 10/30/89	EPA establishes procedures for the administrative assessment of Class I civil penalties for violations of provisions specified in Sect. 109 of CERCLA and Sect. 325 of EPCRA.	Interim final rule effective 5/16/89. Final action uncertain. May be merged with Class II penalties rule (RU# 190-044) or covered under a civil penalties Consolidated Rule EPA is considering developing.
190-044	Administrative Hearing Procedures for SARA Class II Civil Penalties 40 CFR 22	Interim final rule 54 FR 21174 5/16/89 Regulatory Agenda 55 FR 16888 4/23/90	EPA establishes procedures for the administrative assessment of Class II civil penalties for violations of provisions of Sect. 109 of CERCLA and Sect. 325 of EPCRA.	Interim final rule effective 5/16/89. Final rule Summer 1991.
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 10/90.
190-048	Superfund Response Action Contractor indemnification	Proposed policy 54 FR 46012 10/31/89	EPA issues a proposed guidance document to implement Sect. 119 of CERCLA as amended by SARA. Sect. 119 provides the President with discretionary authority to indemnify response action contractors (RACs) for negligent releases arising out of response action activities at sites on the NPL and removal action sites. As delegated by the President, EPA may also extend indemnification to states (or a political subdivision) and potentially responsible parties (PRPs).	Final guidance document undetermined.

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
190-049	Toxic Chemical Release Reporting - Deletion of Barium Sulfate 40 CFR 372	NPRM 55 FR 4879 2/12/90	EPA proposes to exempt barium sulfate from the reporting requirements of the "barium compounds" category of the list of toxic chemicals under EPCRA.	Final rule undetermined.
190-051	Toxic Chemical "Peak Release" Reporting Rule (Revision) 40 CFR 372	Planned NPRM 55 FR 16834 4/23/90	EPA will propose to add a "peak release" report element to the Toxic Chemical Release Inventory Reporting Form. The proposal addresses the issue of obtaining more specific indication of the frequency and/or duration of releases in order to better assess risks to health and the environment.	NPRM 12/90.
190-053	Toxic Chemical Release Reporting - Ammonium Sulfate 40 CFR 372	NPRM 55 FR 12144 3/30/90 NOA 55 FR 12148 3/30/90	In response to a petition, EPA proposes to delete ammonium sulfate (solution) from the list of toxic chemicals under Sect. 313 of SARA because releases of ammonium sulfate (solution) can be more effectively covered by the ammonia listing. EPA is clarifying the ammonia listing so that it encompasses other sources of aqueous ammonia.	Final rule undetermined.
190-054	Risk Communication as a Regulatory Alternative for Protecting Health, Safety and Environment 1 CFR 305	Notice 55 FR 13538 4/11/90 Notice 55 FR 34209 8/22/90	The Administrative Conference of the U.S. adopted Recommendation 90-3, Use of Risk Communication by Regulatory Agencies in Protecting Health, Safety and the Environment. It recommends steps the agencies should take to make risk communication documents more useful.	Adopted recommendations effective 8/22/90.
190-056	Extremely Hazardous Substance List - Explosivity Criteria 40 CFR 355	ANPRM; NOA 55 FR 35012 8/27/90	EPA is considering proposing that chemicals displaying certain flammability and explosivity criteria be added to the list of extremely hazardous substances under Title III of SARA. The Agency announces the availability of technical background documents on the potential criteria for listing explosives and flammables.	Comments by 10/26/90.

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
SAFE DRINKING WATER ACT				
Drinking Water Chemicals Proposed Test Rule -- RU# 920-123				
880-007	Primary Drinking Water Regulations - Radionuclides (Phase IV) 40 CFR 141	ANPRM for MCLGs 48 FR 45502 10/5/83 ANPRM for MCLs 51 FR 34836 9/30/86 Planned NPRM 55 FR 16851 4/23/90	EPA is considering MCLGs and MCLs for radionuclides of radium, uranium, radon, gross alpha, gross beta, and photon emitters in drinking water.	NPRM 2/91. Final rule 12/92.
880-010	NPDWRs - Synthetic Organic Chemicals and Inorganic Chemicals - (Phase II) 40 CFR 141 40 CFR 142 40 CFR 143	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 55 FR 16854 4/23/90	EPA repropose SDWA MCLGs and proposes NPDWRs for 30 synthetic organic chemicals and eight 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 nine contaminants and monitoring requirements for 100 chemicals are proposed.	Final rule 1/91.
880-011	NPDWRs - Disinfectants and Disinfection By-Products 40 CFR 141 40 CFR 142	Planned NPRM 55 FR 16851 4/23/90	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.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
880-013	NPDRS - Inorganic and Organic Compounds (Phase V/25) 40 CFR 141 40 CFR 142 40 CFR 143	ANPRM 48 FR 45502 10/5/83 NPRM 55 FR 30370 7/25/90	EPA proposes MCLGs and NPDRS for 18 synthetic organic chemicals and six inorganic chemicals. The NPDRS consist of MCLs and monitoring, reporting, and public notification requirements. EPA also proposes the best available technology (BAT) the MCLs are based on and BAT for the purpose of issuing variances. The Agency also proposes a SMCL for one contaminant.	Comments by 10/23/90. Final rule 3/92.
*880-015	PWS Supervision Program - Administrative Enforcement 40 CFR 142 40 CFR 22	NPRM 54 FR 29516 7/12/89 Regulatory Agenda 55 FR 16854 4/23/90	EPA plans to promulgate regulations establishing procedures for administrative compliance orders under Sect. 1414(g) of the SDWA. Sect. 1414(g) orders may not take effect without notice and opportunity for public hearing and opportunity for primary states to confer with EPA. The Agency will also amend 40 CFR Part 22 to include PWS penalty assessments.	Final rule 10/90.
880-027	Amendments to the UIC Program 40 CFR 144 40 CFR 146	NPRM 55 FR 26462 6/28/90	EPA proposes amendments to the UIC noncompliance and program reporting requirements and to the mechanical integrity requirements. EPA also clarifies how existing injection wells become authorized by rule and when injection is prohibited for failure to comply with authorization-by-rule requirements. Finally, EPA codifies SDWA Sect. 1445(a)(1) as it applies to the UIC program.	Final rule undetermined.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
880-029	NPDWR - Total Coliforms (Phase III) 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 Corrections; technical amendments 55 FR 25064 6/19/90	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. Technical amendment and corrections effective 12/31/90.
880-030	Wellhead Protection and Sole Source Aquifer Demonstration Programs - Indian Tribes 40 CFR 35	NPRM 55 FR 22752 6/1/90	EPA proposes to amend the NPDWR for total coliforms by providing three methods for the detection of <u>Escherichia coli</u> for determining compliance with the MCL.	Final rule 12/90.
		NPRM 52 FR 46712 12/9/87 Regulatory Agenda 55 FR 16853 4/23/90	EPA proposes procedures for determining eligibility of Indian Tribes to apply for treatment as states in receiving grants for wellhead protection and/or sole source aquifer demonstration programs.	Final rule 12/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*880-034	NPDWRs Lead & Copper 40 CFR 141 40 CFR 142	NPRM 53 FR 31516 8/18/88 Corrections 53 FR 35952 9/15/88 Correction 53 FR 36696 9/21/88 NOA 53 FR 40270 10/14/88 Regulatory Agenda 55 FR 16854 4/23/90	EPA proposes MCLGs and NPDWRs for controlling lead and copper in drinking water. EPA is proposing a MCLG of zero for lead and 1.3 mg/l for copper and MCLs of 0.005 mg/l for lead and 1.3 mg/l for copper. EPA announces the availability of the final policy guidance for EPA Regional Administrators to use to oversee state implementation and enforcement of the lead prohibition and lead public notice provisions of the Act.	Final rule 12/90.
880-035	MCLGs - Microbiological Contaminants (Phase III) 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.
880-045	State-Administered UIC Programs - Incorporation by Reference Update 40 CFR 147	Planned final rule 55 FR 16855 4/23/90	EPA will propose to amend the 40 CFR 147 incorporation by reference material to incorporate the most recent state statutes and regulations. EPA will not issue an NPRM first because there is no impact on the economy, costs, or prices; no public health or intermedia issues; and no adverse consequences on the public.	Final rule 10/90.

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880-046	NPDMRS - Arsenic 40 CFR 141	Planned NPRM 55 FR 16851 4/23/90	The current standard for arsenic in drinking water is an interim standard. This rule will set a final MCL and MCLG as required by the SDWA Amendments of 1986. EPA has been sued on the schedule for proposal and promulgation of the arsenic NPDMRS. The final schedule is dependent on settlement of the suit.	NPRM undetermined; schedule depends on settlement of suit.
880-047	Drinking Water Laboratory Certification Regulations 40 CFR 141 40 CFR 142	Planned NPRM 55 FR 16852 4/23/90	EPA will propose and promulgate national regulations for certification of laboratories which analyze compliance samples under the SDWA. These regulations will establish the "National Quality Assurance Program for Lab Certification," described in 40 CFR 142(b)(2)-(3).	NPRM undetermined.
880-049	Management of Class V Injection Wells Under Part C 40 CFR 144 40 CFR 145 40 CFR 146	Planned NPRM 55 FR 16853 4/23/90	EPA will establish a regulatory framework for the management of Class V wells, such as certain septic systems and a variety of drainage wells, that will protect against contamination of groundwater while recognizing the difficulties of this diverse well class.	NPRM 9/91.
880-050	NPDMRS - Contaminants From First Drinking Water Priority List 40 CFR 141	Planned NPRM 55 FR 16852 4/23/90	EPA will set MCLGs and NPDMRS for about 25 contaminants from the first drinking water priority list, as required by the SDWA Amendments of 1986. The Act requires regulation of at least 25 contaminants every three years starting in 1991.	NPRM 6/92. Final rule 12/93.

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

RJ NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
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 Final rule 55 FR 31692 8/3/90 Correction 55 FR 36932 9/7/90	EPA revises BPT and BAT effluent limitations, NSPS, and pretreatment standards in response to settlements with six petitioners. The amendments affect six subcategories: primary beryllium, primary molybdenum and rhenium, primary tungsten, secondary molybdenum and vanadium, secondary precious metals, and secondary tungsten and cobalt.	Final rule and corrections effective 9/17/90.
*140-035	Disposal of Sewage Sludge 40 CFR 257 40 CFR 503	NPRM 54 FR 5746 2/6/89 NOA 54 FR 43124 10/20/89 Regulatory Agenda 55 FR 16848 4/23/90	EPA proposes technical requirements for the final use and disposal of sewage sludge when landfarmed, sold, monofilled, surface disposed, or incinerated. Related computer programs and background documents are listed. The standards will be expanded and revised as information becomes available.	NOA of data from National Sewage Sludge Survey, 10/90. Final rule 1/92.
140-039	NPDES Permit - Compliance Extension for Innovative Technologies 40 CFR 122 40 CFR 124 40 CFR 125	NPRM 50 FR 49904 12/5/85	EPA proposes a revised rule for dischargers of toxic and nonconventional pollutants who apply for NPDES extensions to install innovative technologies under Sect. 301(k) of the Clean Water Act.	Reproposed NPRM 12/90.

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
140-041	Disposal Sites - Denial or Restriction 40 CFR 231	Planned NPRM 55 FR 16845 4/23/90	EPA will revise 404(c) regulations by establishing procedures to be invoked when they are considering the use of 404(c) to prevent the discharge of dredged or fill material into a defined area of U.S. waters. The revisions are based on a review of previous experience.	NPRM 1/91. Final rule 1/92.
140-066	Water Quality Standards for Toxic Pollutants 40 CFR 131	Planned NPRM 55 FR 16842 4/23/90	EPA will establish, on a national basis, numeric water quality criteria for toxic pollutants that will become part of the water quality standards of states that have failed to comply with Sect. 303(c)(2)(B) of the CWA, thus bringing those standards into compliance with the CWA as amended.	NPRM 6/91.
*140-067	Revisions to the NPDES Regulations 40 CFR 122 40 CFR 123 40 CFR 124 40 CFR 125 40 CFR 403 40 CFR 434	Planned NPRM 55 FR 16845 4/23/90	EPA will propose revisions to the NPDES regulations to clarify existing requirements and policies.	<u>NPRM 12/90.</u> Final rule Summer 1991.
*140-076	Water Quality Standards - Indian Tribes 40 CFR 131	Interim final rule 54 FR 14354 4/11/89 NPRM 54 FR 39098 9/22/89 Notice 55 FR 3643 2/2/90 Regulatory Agenda 55 FR 16847 4/23/90	EPA proposes criteria and procedures by which an Indian Tribe can qualify for treatment as a state for purposes of standards and certification programs and mechanisms to resolve unreasonable consequences that may arise from an Indian Tribe and a state adopting differing water quality standards on common bodies of water.	Interim final rule effective 4/11/89. <u>Final rule 11/90.</u>

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
140-077	NPDES - Surface Water Toxics Control Program 40 CFR 122 40 CFR 123 40 CFR 130	NPRM 54 FR 1300 1/12/89 Final rule 54 FR 23868 6/2/89	EPA amends the NPDES surface water toxics control program by incorporating Sect. 308(a) of the WCA into it and re promulgates and supplements the interpretive final rule of 1/4/89 (54 FR 246) dealing with NPDES permit regulations. Section 308(a) of the WCA added Sect. 304(l) to the CWA. Section 304(l) requires the states to identify those waters that are adversely affected by toxic, conventional, and nonconventional pollutants, and requires the state to prepare individual control strategies that will control point source discharges of toxic pollutants. EPA will issue state listing requirements at a later date for Sect. 303(d) waters. EPA issues a draft technical support document for water quality-based toxics control intended as revised guidance to implement the previously issued policy of 3/84 and regulation of 6/2/89 on the subject.	Final rule effective 9/26/89. Supplemental final rule on hold, no schedule as yet.
		NOA 55 FR 19662 5/10/90		Final guidance document 12/90.
*140-084	NPDES Permit Application - Form 2C, Standard Form A, Short Form A 40 CFR 122.21(j)	Planned NPRM 55 FR 16845 4/23/90	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 10/90. Final rule 8/91.
*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 55 FR 16847 4/23/90	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 to be published in Federal Register 11/90.

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140-089	Biological Test Procedures for the Analysis of Pollutants 40 CFR 136	NPRM 54 FR 50216 12/4/89	EPA proposes to amend 40 CFR 136 by adding new biological measurements and test procedures for the analysis of pollutants under the CWA 304(h) and by updating other procedures. Methods would be added to measure toxicity in effluents and receiving waters, to measure mutagenicity, to monitor viruses in wastewaters and sludges, and to update citations to microbiological methods.	Final rule 12/90.
140-092	Oil Pollution Prevention 40 CFR 112	Planned NPRM 55 FR 16857 4/23/90	EPA is pursuing a two-phase regulatory approach to propose changes to the oil spill prevention regulation. In Phase I, widely-accepted industry practices that are currently recommended practices in the regulation will be changed to required practices. To facilitate an inventory of facilities, a provision may be added requiring facilities to notify EPA of their existence. The Phase II regulatory effort will address other recommended modifications.	Phase I NPRM 12/90. Final rule 9/91.
140-095	NSPS, Effluent Limitations, and Pretreatment Standards - Organic Chemicals, Plastics, and Synthetic Fibers Point Source Category 40 CFR 414	Planned NPRM 55 FR 16841 4/23/90	EPA will propose to amend 40 CFR 414 to allow regulatory authorities to: (1) establish cyanide limitations and standards based on best professional judgement for elevated levels of non-amenable cyanide resulting from the complexing of cyanide at the process source of cyanide-bearing waste streams, and (2) establish metals limitations and standards to accommodate low background levels of metals in non-metal-bearing waste streams." EPA 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.	NPRM 11/91. Final rule 4/93.
140-098	Requirements for Citizen Suits Under the CWA 40 CFR 135	NPRM 54 FR 36020 8/30/89 Regulatory Agenda 55 FR 16848 4/23/90	EPA proposes regulations governing the manner in which parties in citizen suits must provide copies of filed complaints and proposed consent decrees under the new provisions of the CWA.	Final rule 12/90.

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140-102	Copper and Beryllium Forming Point Source Effluent Guidelines and Standards 40 CFR 468	Planned NPRM 55 FR 16843 4/23/90	EPA will propose to establish guidelines and standards for the newly created subcategory of beryllium and copper alloys.	NPRM 11/90.
140-103	NPDES and Sludge Management State Programs - Indian Tribes 40 CFR 122 40 CFR 123 40 CFR 124 40 CFR 501	Planned NPRM 55 FR 16844 4/23/90	EPA will propose to establish requirements and procedures by which an Indian tribe may be treated as a state and be approved to administer the NPDES and/or sludge management program.	NPRM 11/90. Final rule 9/91.
140-104	Treatment of Indian Tribes as States for Purposes of Section 404 40 CFR 230 40 CFR 233	NPRM 54 FR 49180 11/29/89 Regulatory Agenda 55 FR 16848 4/23/90	EPA proposes a rule that would: (1) establish requirements for determining eligibility of Indian Tribes to be treated as states for purposes of Sect. 404 of the CWA, and (2) if found eligible, allow for assumption of the dredge and fill permit program.	Final rule 10/90.

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RJ NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
CLEAN AIR ACT				
Confidentiality of Business Information -- RU# 190-045				
RCRA Air Emission Standards for Volatile Organics at TSD Facilities -- RU# 840-142				
120-005	NAAQS - Sulfur Oxides 40 CFR 50 40 CFR 51 40 CFR 58	ANPRM 44 FR 56730 10/2/79 NPRM 53 FR 14926 4/26/88 Notice 53 FR 29346 8/4/88 Clarification notice 53 FR 36587 9/21/88 Regulatory Agenda 55 FR 16877 4/23/90	EPA proposes to retain the existing NAAQS for sulfur oxides. Adding an alternative 1-hour primary standard of 0.4 ppm to replace the 3-hour standard (0.5 ppm) is being considered. EPA also proposes to revise the significant harm levels, the Pollutant Standards Index for SO 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 12/90.
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 55 FR 16870 4/23/90	EPA announces the availability of the second external review draft of Volumes I and V of the Criteria Document. The Clean Air Scientific Advisory Committee reviewed the revised document and an EPA staff paper in January 1986. The Criteria Document may be used as a basis for review and revision of the NAAQS. EPA is assessing health and welfare information which has become available since the last revision of the standard. In order to retain a unified regulatory review package in light of the emerging data base on health and welfare effects associated with longer-term averaging times, EPA is continuing the standard review until such information is published and reviewed in an addendum to the criteria document. Two draft documents are available.	Complete review of criteria document on hold.

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120-008	Stack Height Regulation 40 CFR 51.100	Planned NPRM 55 FR 16875 4/23/90	EPA plans to revise the stack height regulation in accordance with a 1/22/88 U.S. Court of Appeals decision which remanded two grandfathering provisions which allow dispersion credit, including credit for certain stack height increases.	NPRM 10/90.
120-010	Guideline On Air Quality Models 40 CFR 51.24(l) 40 CFR 52.21(m)	Planned NPRM 55 FR 16874 4/23/90	In response to Sect. 320 of the Clean Air Act, EPA held the Fourth Conference on Air Quality Modeling in October 1988. Based on input provided to the Agency at or closely following this Conference, additional revisions to this rule have been defined and an NPRM is being developed.	NPRM 11/90. Final rule 6/92.
120-055	NESHAPS - Chromium Industrial Cooling Towers 40 CFR 61	NOI to list 50 FR 24317 6/10/85 Planned NPRM 55 FR 16872 4/23/90	Preliminary assessment by EPA of the public health risks of chromium compounds has identified industrial process cooling towers as a source category for which the proposal of national emission standards may be warranted. If further investigation proves standards are warranted, chromium or hexavalent chromium will be listed under Sect. 112 of the Clean Air Act and EPA will propose standards.	NPRM 4/91. Final rule 7/92.
*120-056	NSPS - Small Boilers 40 CFR 60	NPRM 54 FR 24792 6/9/89 Notice 54 FR 47126 11/9/89 Final rule 55 FR 37674 9/12/90.	EPA issues new source performance standards for SO2 and PM from new, modified, and reconstructed small industrial-commercial-institutional steam generating units with heat input capacities of 29 megawatts or less, but greater than or equal to 2.9 megawatts. NOx emissions will not be regulated.	Effective 9/12/90.

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120-065	Stratospheric Ozone Protection 40 CFR 62 40 CFR 82	ANPRM 54 FR 15228 4/17/89	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.	NPRM 11/90.
		Planned NPRM 55 FR 16870 4/23/90	The international community has begun negotiations on whether to strengthen the Montreal Protocol, and President Bush has called for a complete phase-out of CFCs provided safe substitutes become available. EPA has entered into a consent agreement to determine whether additional regulations are necessary to protect the stratospheric ozone layer.	NPRM 11/90. Final rule 8/91.
		ANPRM 55 FR 18256 5/1/90	EPA invites comments on issues they would need to address in the development of a national recycling program that would encourage or require recycling of ozone depleting compounds. This potential rulemaking is in response to an industry petition from the Alliance for a Responsible CFC Policy to develop such a program.	NPRM undetermined.
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.
120-083	NAAQs - Nitrogen Dioxide 40 CFR 50.11	Planned review of criteria document 55 FR 16868 4/23/90	EPA will not expedite the review schedule for the primary and secondary NO2 NAAQS, but will proceed on the normal review cycle to produce a revised criteria document. Completed research does not justify a separate short-term primary standard.	Complete review of criteria document and staff paper 6/92.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*120-084	NAAQS - Carbon Monoxide	Call for Information 52 FR 27580 7/22/87 NOA 55 FR 14858 4/19/90	EPA will review ongoing studies on health effects of carbon monoxide and make a decision for or against a change in the NAAQS.	Final criteria document 10/90.
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 55 FR 16880 4/23/90	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) notification requirements, and (4) adding recordkeeping and reporting provisions for waste disposal.	Final rule 10/90.
120-088	NESHAPS - Cadmium 40 CFR 61	Regulatory Agenda 55 FR 16869 4/23/90	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 pending Clean Air Act amendment.
120-093	NESHAPS - Hazardous Organics 40 CFR 61	Planned NPRM 55 FR 16873 4/23/90	This regulation will control emissions in production categories and some use categories for butadiene, ethylene oxide, ethylene dichloride, chloroform, carbon tetrachloride, perchloroethylene, trichloroethylene, and methylene chloride. Installation of combustion devices and an inspection and monitoring program will be required.	NPRM 4/91. Final rule 3/92.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
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 11/90.
120-095	NAAQS - Fine Particulate Matter 40 CFR 50 40 CFR 50.7	ANPRM 52 FR 24670 7/1/87 Planned NPRM 55 FR 16871 4/23/90	EPA will propose a new secondary NAAQS for fine particles (those less than 2.5 micrometers in aerodynamic diameter) in order to enhance visibility.	NPRM undetermined. Awaiting Clean Air Act amendments.
120-098	Health Assessment Documents - Trichloroethylene and Dichloromethane	NOA draft 52 FR 27257 7/20/87	EPA announces the availability of external review drafts of addenda to the health assessment documents for trichloroethylene and dichloromethane (methyl chloride), and a technical analysis of new methods and data on dichloromethane hazard assessments.	Documents still in draft form. Finalization indefinite.
*120-101	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 10/90.
120-103	NESHAPS - Organic Solvent Cleaning 40 CFR 61	Planned NPRM 55 FR 16873 4/23/90	This regulation will apply to organic solvent cleaners (degreasers) and will control emissions of perchloroethylene, methylene chloride, and trichloroethylene from new and existing sources.	NPRM 5/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*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 Final rule 55 FR 14246 4/17/90 Correction 55 FR 24687 6/18/90 Correction 55 FR 37606 9/12/90	EPA adds two PM10 methods, Methods 201 and 201A, for the measurement of in-stack PM10 emissions from stationary sources to Appendix M. Appendix M is a newly designated repository for recommended test methods for SIPs. EPA also is revising Subpart K to direct states to Appendix M and to reiterate the fact that each SIP must include enforceable test methods with each emission limit in the SIP, including PM10.	Effective 4/17/90.
120-115	NPS - Municipal Waste Combustors 40 CFR 51 40 CFR 52 40 CFR 60	NPRM 54 FR 52251 12/20/89 Regulatory Agenda 55 FR 16879 4/23/90	EPA proposes to add Subpart Ea to 40 CFR 60. Subpart Ea would limit emissions from new, modified, and reconstructed municipal waste combustors (MWCs).	Final rule 12/90.
120-116	NPS - Municipal Landfills 40 CFR 60	Planned NPRM 55 FR 16871 4/23/90	This rule will regulate emissions from new and modified municipal landfills under Sect. 111(b). Pollutants to be regulated will include one or more designated pollutants (pollutants not regulated under Sects. 108-110 or 112 of the Act.)	NPRM 11/90. Final rule 1/92.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*120-117	NESHAPS - Benzene 40 CFR 61	NPRM 54 FR 38083 9/14/89 Corrections 54 FR 40779 10/3/89 Correction 54 FR 41113 10/5/89 Final rule 55 FR 8292 3/7/90 Correction 55 FR 37230 9/10/90	EPA promulgates standards for benzene emissions from benzene waste and transfer operations. The standards for industrial solvent use and gasoline marketing systems are withdrawn. A final determination was made not to regulate the chemical manufacturing process vent source category.	Effective 3/7/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*120-11B	NESHAPS - Radionuclides 40 CFR 61	NPRM 54 FR 9612 3/7/89 Final rule; notice of reconsideration 54 FR 51654 12/15/89 Corrections 55 FR 78 1/2/90 Notice of stay 55 FR 10455 3/21/90 Notice of reconsideration; compliance waiver 55 FR 13480 4/10/90 NPRM 55 FR 13482 4/10/90 Stay extended 55 FR 38057 9/17/90	EPA sets NESHAPS for radionuclide emissions from several source categories including DOE facilities, MRC 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 MRC with respect to the issues of duplicative regulation and possible effects on medical treatment.	Final rule of 12/15/89 effective immediately. Subpart I stayed until 3/10/91.
			EPA announces a limited reconsideration of Subpart R concerning radon emissions from phosphogypsum stacks that requires disposal of phosphogypsum in stacks or mines. EPA proposes to maintain or modify the rule to, alternatively or in combination, (1) make no change to Subpart R, (2) establish a threshold concentration level of radium, (3) allow the use of discrete quantities of phosphogypsum for researching and developing processes to remove radium from phosphogypsum, or (4) allow other alternative use of phosphogypsum. EPA also grants a limited compliance waiver that permits the continued agricultural use of phosphogypsum through the current growing season.	Compliance waiver effective 3/15/90. Final rule undetermined.
*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.	Final rule 10/90.
*120-148	NAAQs - Lead 40 CFR 50.12	Planned NPRM 55 FR 16870 4/23/90	EPA is assessing new health effects information that has become available regarding lead and will make a decision for or against a change in the NAAQS.	NPRM 12/90.

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120-149	NESHAPS - Asbestos (Risk Reduction) 40 CFR 61	Planned NPRM 55 FR 16872 4/23/90	EPA is considering revising the asbestos NESHAP to reduce further the risks to health.	Awaiting decision by EPA administrator.
120-155	VOC Equipment Leak Fugitive Emissions	Notice 54 FR 37725 9/12/89 Notice 55 FR 14349 4/17/90 Notice 55 FR 27680 7/5/90	EPA gives notice of the establishment of an advisory committee to negotiate a rule to control fugitive emissions of toxic volatile organic compounds (VOCs) from chemical equipment leaks.	Rulemaking schedule undetermined as yet.
120-158	NSPS - Medical Waste Incineration 40 CFR 60	Planned NPRM 55 FR 16872 4/23/90	The incineration of medical waste is being investigated for control under Sect. 111. Add-on controls and operator training requirements are being investigated.	NPRM 3/92. Final rule 9/93.
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.	Final rule undetermined.
*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).	Final guidelines 1/91.
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.	Final rule undetermined.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*120-164	Ambient Air Monitoring Methods - Equivalent Method Designation 40 CFR 53	Notice 55 FR 38149 9/17/90	EPA designates another equivalent method for the measurement of ambient concentrations of sulfur dioxide. The new method, called "Advanced Pollution Instrumentation, Inc. Model 100 Fluorescent SO2 Analyzer," is an automated method which utilizes the measurement principle based on fluorescence detection of SO2.	
		Notice 55 FR 38386 9/18/90	EPA designates a new equivalent method for the measurement of ambient concentrations of ozone, "Enviro-nics Series 300 Computerized Ozone Analyzer," an automated method which is based on the absorption of ultraviolet radiation by ozone at a wavelength of 254 nm.	
		Notice 55 FR 38387 9/18/90	EPA designates an equivalent method for the determination of ambient concentrations of particulate matter measured as PM10, "Anderson Instruments Model FH621-N PM10 Beta Attenuation Monitor," which utilizes a measurement principle based on beta-ray attenuation.	
NUCLEAR WASTE POLICY ACT				
700-022	HLW Disposal in Geologic Repositories - EPA and NRC Conforming Amendments 10 CFR 60	NPRM 51 FR 22288 6/19/86 Regulatory Agenda 55 FR 17176 4/23/90	NRC proposes to conform its regulations for disposal of high-level radioactive wastes in geologic repositories to EPA standards of September 19, 1985, as mandated by the NMPA.	On hold indefinitely. Awaiting EPA comments and action.
700-066	Rules of Practice for HLW License Proceedings 10 CFR 2	NPRM 54 FR 39387 9/26/89 Corrections 54 FR 40780 10/3/89 Regulatory Agenda 55 FR 17170 4/23/90	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.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*700-067	Temporary Storage of Spent Fuel After Cessation of Reactor Operation 10 CFR 51	NPRM 54 FR 39765 9/28/89 Final rule 55 FR 38472 9/18/90	MRC revises its generic determinations on the timing of availability of a geologic repository for commercial high-level wastes and spent fuel and the environmental impacts of storing spent fuel at reactor sites after expiration of reactor operating licenses.	<u>Effective 10/18/90.</u>
700-068	NWPA Payment-Equal-To-Taxes (PETT) Provisions	Proposed notice of interpretation and procedures 55 FR 8180 3/7/90	The DOE Office of Civilian Radioactive Waste Management proposes its interpretation and procedures for certain payments-equal-to-taxes (PETT) provisions of the Nuclear Waste Policy Act. DOE will make these payments to eligible states, units of local government, and Indian tribes for activities related to siting, development, and operation of a high-level radioactive waste and spent-fuel repository and any MRS facility.	Final action undetermined.
*700-069	Radiation Dose Criteria for Accidents at HLW Geologic Repositories 10 CFR 60	Planned NPRM 55 FR 17174 4/23/90 Notice of receipt 55 FR 28771 7/13/90 Correction 55 FR 32639 8/10/90	MRC will propose to amend the regulations concerning radiation dose criteria. A central issue is the development of radiation dose criteria for a postulated accident that DOE would use to establish a limited access area for the high-level waste (HLW) geologic repository. In addition, a number of new definitions would be added.	<u>NPRM 1/91. Final rule 12/92.</u>
*700-073	Waste Confidence Decision	Final decision 49 FR 34658 8/31/84 Review and final revision 55 FR 38474 9/18/90	MRC presents findings from its first review of the 1984 Waste Confidence Decision dealing with storage and disposal of radioactive waste and extends the cycle of its review from every five years to every ten years until a repository becomes available.	

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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 55 FR 15850 4/23/90	EPA intends to develop environmental radiation protection standards and/or guides for low-level radioactive (possibly including natural and accelerator produced) waste disposal to protect the public health and general environment from potential adverse effects from this activity. Criteria triggering regulations are being considered.	NPRM 9/91. Final rule 12/92.
740-004	LLW Below Regulatory Concern 10 CFR 2 10 CFR 20	ANPRM 51 FR 43367 12/2/86 Policy Statement 55 FR 27522 7/3/90	NRC may amend its regulations to address radioactive waste disposal when low radionuclide quantities do not merit regulation as radioactive material. A generic rulemaking is favored over current petitions for exemption of specific wastestreams. NRC issues its policy statement on exemptions from regulatory control for small quantities of radioactive material. The statement defines the dose criteria and other considerations that will be used by NRC in making exemption decisions. Individual dose criteria of 1 and 10 mrem per year and a collective dose criterion are established.	Policy statement effective 7/3/90. NPRM on hold indefinitely.
740-013	Incineration of Low-level Radioactively Contaminated Waste Oil from Nuclear Power Plants 10 CFR 20	NPRM 53 FR 32914 8/29/88 Request for clarification 53 FR 48721 12/2/88 Regulatory Agenda 55 FR 17177 4/23/90	NRC proposes to amend its regulations to permit the onsite incineration of slightly contaminated waste oils generated at licensed nuclear power plants. EPA requests of NRC clarification of two issues: (1) the responsibility of NRC's licensees complying with the approval requirements of the Clean Air Act, and (2) the potential need for licensees obtaining state or federal hazardous waste permits.	Final rule 12/90.

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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 55 FR 17177 4/23/90	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.	On hold.
*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>NPRM 1/91.</u>
740-021	Low-Level Waste Manifest Information and Reporting 10 CFR 20 10 CFR 61	Planned NPRM 55 FR 17171 4/23/90	NRC will propose to: (1) augment and improve information contained in manifests accompanying shipments of waste to LLW disposal facilities; (2) require that operators of these disposal facilities store portions of this manifest information in onsite computer recordkeeping systems; and (3) require that operators periodically submit, in an electronic format, reports of shipment manifest information.	NPRM 1/91. Interim final rule 1/92.
ATOMIC ENERGY ACT				
Transportation Regulations - Compatibility with IAEA -- RU# 400-093				
100-016	Protection Requirements for Spent Fuel Shipments	NPRM 49 FR 23867 6/8/84	The rule modifies the present interim requirements for protection of shipments of irradiated reactor fuel cooled for 150 days or more. Present interim requirements will remain for fuel cooled less than 150 days.	Final rule postponed indefinitely.

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*100-018	Residual Radioactive Materials Cleanup - Radiation Protection Criteria 40 CFR 194	ANPRM 51 FR 22264 6/18/86 Planned NPRM 55 FR 16850 4/23/90	EPA is developing public health and environmental radiation protection criteria for cleanup of residual radioactivity at decommissioned sites. Licensees of the NRC or Agreement States; sites owned or used by DOE, DOD, the former AEC, and the former Manhattan Engineering District; and sites where natural and accelerator-produced radioactive materials have been used would be affected.	<u>NPRM Summer 1991.</u>
100-020	Definition of Safety Related and Important to Safety 10 CFR 50	Planned NPRM 55 FR 17165 4/23/90	NRC proposes to clarify its regulations on the use of the terms "important to safety" and "safety related" by adding definitions of these two terms and of "facility licensing documents" to 10 CFR 50 and by discussing how these definitions will be applied in licensing reviews.	On hold indefinitely.
100-021	Exposure Limits for Transuranics	NPRM 42 FR 60956 11/30/77 Regulatory Agenda 55 FR 16850 4/23/90	EPA proposes interim guidance to federal agencies to limit radiation doses to the general population from transuranic elements present in the environment.	Federal agencies have provided comments to EPA. Still awaiting EPA action.
100-033	Explanation to Table S-3, Uranium Fuel Cycle Environmental Data 10 CFR 51	NPRM 46 FR 15154 3/4/81 Regulatory Agenda 55 FR 17164 4/23/90	NRC proposes a narrative explanation of the numerical values of Table S-3, "Table of Uranium Fuel Cycle Environmental Data," which appears in the NRC environmental protection regulations. Values for radon-222 and technetium-99 will be added.	Final rule 1/91.

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100-039	Residual Radioactive Contamination Limits for Decommissioning NRC Licensed Facilities 10 CFR 20	Planned NPRM 53 FR 14698 4/25/88 NOA 55 FR 6137 2/21/90	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. NRC issues a draft report, NUREG/CR-5512, entitled "Residual Radioactive Contamination From Decommissioning: Technical Basis for Translating Contamination Levels to Annual Dose."	Rulemaking reinstated. NPRM undetermined. Interim criteria to be issued 12/90.
*100-041	Revisions to the Standards for Protection Against Radiation 10 CFR 20	ANPRM 45 FR 18023 3/20/80 NPRM 51 FR 1092 1/9/86 Notice 55 FR 18689 5/3/90	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 12/90.
100-053	Criteria for Extraordinary Nuclear Occurrence 10 CFR 140	NPRM 50 FR 13978 4/9/85 Regulatory Agenda 55 FR 17164 4/23/90	NRC is considering revising the criteria for an "extraordinary nuclear occurrence." The changes are designed to avoid the problems encountered by the NRC in applying existing criteria to Three Mile Island.	Final rule 2/91.
100-111	Agreement State Radiation Control Programs	Policy statement 52 FR 21132 6/4/87 Proposed policy revision 55 FR 10851 3/23/90	NRC proposes to revise its general statement of policy, "Guidelines for NRC Review of Agreement State Radiation Control Programs," to incorporate changes to the regulation of LLW disposal in permanent facilities.	Final revision undetermined.

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100-115	Industrial Radiographic Exposure Devices - Safety Requirements 10 CFR 2 10 CFR 34	NPRM 53 FR 8460 3/15/88 Final rule 55 FR 843 1/10/90 Corrections 55 FR 2281 1/23/90	NRC issues a final rule that requires licensees doing industrial radiography to use certain types of exposure devices and to wear alarm ratemeters. The rule does not apply to devices containing naturally occurring and accelerator-produced radioactive materials. NRC also modifies its enforcement policy and procedures.	Effective 1/10/91.
100-129	Environmental Standards for the Management and Disposal of Spent Nuclear Fuel, HLW, and TRU Radioactive Wastes 40 CFR 191	Planned NPRM 55 FR 16849 4/23/90	EPA will promulgate generally applicable environmental standards for the management and disposal of spent nuclear fuel, high-level and transuranic radioactive wastes to establish limits for the release of radioactive materials to the environment.	NPRM 12/90. Final rule 6/92.
100-131	Integrated Schedules for Implementation of Plant Modifications 10 CFR 50	Proposed policy statement 52 FR 45344 11/27/87	NRC issues a proposed policy statement that describes the policy the Commission intends to use to promote voluntary licensee integrated schedules for implementing regulatory requirements and other improvements in nuclear power plants.	Final policy statement placed on hold indefinitely.
100-157	Transportation Regulations - Compatibility with IAEA 10 CFR 71	NPRM 53 FR 21550 6/8/88 Corrections 53 FR 23484 6/22/88 Regulatory Agenda 55 FR 17177 4/23/90	NRC proposes to revise its regulations for transportation of radioactive material to make them compatible with those of the IAEA. The basic standards for packaging will remain unchanged, and the transport of low-specific-activity radioactive material is considered. NRC also proposes to include the criteria for approval of packages for air transport of plutonium in 10 CFR 71 (see comparable DOT regulation RU# 400-093).	Final rule 10/90.

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100-174	Nuclear Plant License Renewal 10 CFR 2 10 CFR 50 10 CFR 54	ANPRM 53 FR 32919 8/29/88 ANPRM 54 FR 41980 10/13/89 NOA 55 FR 29122 7/17/90 NPRM 55 FR 29043 7/17/90	NRC proposes to establish the requirements that an applicant for renewal of a nuclear power plant operating license must meet, the information that must be submitted to the NRC for review so NRC can determine whether those requirements have in fact been met, and the application procedures.	Final rule 4/92.
100-186	Notification of Incidents 10 CFR 20 10 CFR 30 10 CFR 40 10 CFR 70	NPRM 55 FR 19890 5/14/90	NRC proposes to revise licensee reporting requirements for notifications of incidents related to radiation safety to ensure that significant occurrences at material licensee facilities are promptly reported to NRC.	Final rule 11/90.
*100-187	Licensees and Radiation Safety Requirements for Large Irradiators 10 CFR 36	Planned NPRM 55 FR 17168 4/23/90	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.	<u>NPRM 11/90. Final rule 11/91.</u>
100-188	Criteria and Procedures for Reporting of Defects 10 CFR 21 10 CFR 50	NPRM 53 FR 44594 11/4/88 Regulatory Agenda 55 FR 17164 4/23/90	NRC proposes to amend its regulations on the reporting of safety defects. The amendments would apply to licensees and non-licensees who construct facilities for or supply components to licensed activities. The amendments would eliminate duplicative reporting of defects, clarify the criteria for reporting defects, and establish uniform time periods for reporting and uniform requirements for the content of the reports.	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 55 FR 16108 4/23/90	DOE proposes a rule dealing with criteria and procedures determining eligibility for access to classified matter or significant quantities of special nuclear material. This action would establish a Q(R) access authorization for individuals applying for or currently holding a position identified as a Personnel Security Assurance Program (PSAP) position.	Final rule 10/90. Additional NPRM 3/91.
100-194	Maintenance Programs for Nuclear Power Plants 10 CFR 2 10 CFR 50	NPRM 53 FR 47822 11/28/88 NOA 54 FR 33988 8/17/89 Policy statement: modification 54 FR 50610 12/8/89 Revised policy statement 54 FR 50611 12/8/89 Regulatory Agenda 55 FR 17178 4/23/90	NRC proposes to require that maintenance programs of commercial nuclear power plant licensees include specific activities, including the monitoring of the effectiveness of plant maintenance programs. NRC adds an additional civil penalty adjustment factor for violations involving maintenance. NRC issues a revised policy statement on maintenance of nuclear power plants indicating that NRC will hold in abeyance the NPRM of 11/28/88 for 18 months.	Final rule 6/91.
100-214	Nuclear Power Plant Structures, Systems, and Components 10 CFR 50	ANPRM 54 FR 9229 3/6/89 Planned NPRM 55 FR 17170 4/23/90	NRC is proposing to develop regulations requiring enhanced acceptance procedures including, but not limited to, receipt inspection and testing of products purchased for use in nuclear power plant structures, systems, and components.	NPRM undetermined.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*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	MCR proposes four branch technical positions on management controls/quality assurance, requirements for operation, chemical safety, and fire protection for fuel cycle facilities.	Separate guidance documents will be issued for each of the four categories. Fire protection document to be issued first, in 1/91.
100-222	Code and Standards for Nuclear Power Plants 10 CFR 50	Planned NPRM 55 FR 17168 4/23/90	MRC will incorporate by reference Subsection IWE, "Requirements for Class MC Components of Light-Water Cooled Power Plants," of Sect. XI of the ASME Code. Section IWE provides the rules and requirements for inservice inspection, repair, and replacement of Class MC pressure retaining components and their integral attachments and of metallic shell and penetration liners of Class CC pressure retaining components and their integral attachment in light-water cooled power plants.	NPRM 12/91.
100-223	Pressurized Thermal Shock Rule 10 CFR 50	NPRM 54 FR 52946 12/26/89 Notice 55 FR 71 1/2/90 Regulatory Agenda 55 FR 17179 4/23/90	MRC proposes to revise the pressurized thermal shock rule of 1985 to make the procedure used to calculate the amount of radiation embrittlement that a reactor vessel receives consistent with that given in Revision 2 of Regulatory Guide 1.99.	Final rule 10/90.
100-224	Primary Reactor Containment Leakage Testing for Water-Cooled Reactors 10 CFR 50	NPRM 51 FR 39538 10/29/86 Regulatory Agenda 55 FR 17175 4/23/90	MRC 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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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
100-234	Physical Protection Requirements 10 CFR 70 10 CFR 72 10 CFR 73 10 CFR 75	NPRM 54 FR 33570 8/15/89 Notice 55 FR 7960 3/6/90 Regulatory Agenda 55 FR 17179 4/23/90	NRC proposes to amend its regulations that cover the physical protection of special nuclear materials.	Final rule on hold.
100-247	Conforming Part 60 to EPA Standards 10 CFR 60	Planned NPRM 55 FR 17163 4/23/90	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 undetermined.
*100-248	Emergency Response Data System 10 CFR 50	Planned NPRM 55 FR 17171 4/23/90	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.	<u>NPRM 10/90.</u> <u>Final rule 7/91.</u>
*100-249	Requirements for Possession of Industrial Devices 10 CFR 31	Planned NPRM 55 FR 17172 4/23/90	NRC will propose to amend the regulations for the possession of industrial devices containing byproduct material to require device users to report to the NRC on a periodic basis. The proposed report would indicate that the device is still in use or to whom the device has been transferred, and so would assure that devices are not improperly transferred or inadvertently discarded.	<u>NPRM 12/90. Final rule 12/91.</u>

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
100-250	Export of Heavy Water to Canada 10 CFR 110	Planned NPRM 55 FR 17180 4/23/90	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.	NPRM 12/90.
100-252	Import and Export of Radioactive Waste 10 CFR 110	ANPRM 55 FR 4181 2/7/90 Planned NPRM 55 FR 17163 4/23/90	NRC will propose to regulate the import and export of radioactive wastes, in particular low-level wastes, in order to more properly control the international transfer of these wastes.	NPRM undetermined.
*100-253	DOE High Priority Defense Nuclear Facilities - Design, Construction, Operation, and Decommissioning Standards	Notice 55 FR 9487 3/14/90 Notice 55 FR 23783 6/12/90 Notice 55 FR 39500 9/27/90	The Defense Nuclear Facilities Safety Board has recommended to the Secretary of Energy that DOE identify the specific standards applicable to the design, construction, operation and decommissioning of certain DOE defense facilities at Savannah River, SC, Rocky Flats, CO, Hanford, WA, and the Waste Isolation Pilot Plant in New Mexico. The Board also asks that DOE review the adequacy of the standards and determine the extent to which they have been implemented. DOE publishes notice of the Secretary of Energy's response to Recommendation 90-2 of the Defense Nuclear Facilities Safety Board on high priority defense nuclear facilities.	Comments by 10/29/90.

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RJ NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
100-256	U-AVLIS Uranium Enrichment - Permits for Access to Restricted Data 10 CFR 725	NPRM 55 FR 15237 4/23/90	DOE proposes to amend the regulations concerning permits for access to uranium isotope separation restricted data by updating category C-24 to include the U-AVLIS technology for the separation of uranium isotopes and requiring private sector permit applicants to pay 100,000 for an access permit. The purpose of the amendments is to encourage private sector participation in the government's uranium enrichment program.	Final rule 12/90.
100-258	Emergency Preparedness Regulations 10 CFR 50	Planned NPRM 55 FR 17173 4/23/90	MRC will propose to clarify the linkage between the need for "reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency" indicated in Sect. 50.47(a) and 16 planning standards outlined in Sect. 50.47(b). In addition, this rule will clarify the term "range of protective" actions and the issues of monitoring of evacuees, actions for recovery and reentry, notification of the public, evacuation time estimates, and exercise frequency.	NPRM 12/90. Final rule 12/91.
		Planned NPRM 55 FR 17174 4/23/90	MRC will propose a rule to amend the regulations concerning those portions of emergency plans which cannot be exercised prior to issuance of a Part 52 combined license. This rulemaking will be accomplished on a "high priority basis."	NPRM on hold.
100-262	Zero-Release Low-Level Radioactive Waste Disposal Facility - Sierra Club Petition 10 CFR 61	Petition for rulemaking 55 FR 13797 4/12/90 Receipt of amendment 55 FR 23206 6/7/90	MRC has received a petition for rulemaking from the Sierra Club to amend 10 CFR 61 to permit the design and construction of a zero-release LLW facility in a saturated zone so that North Carolina may waive its requirement that the bottom of a LLW facility be at least seven feet above the seasonal high water table. The Sierra Club amends its petition by requesting MRC to consider new information on polymer concrete technology as an alternative means for realizing the objective of the original petition.	Final decision on whether to proceed with rulemaking 6/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
100-265	Nuclear Plant License Renewal - Environmental Effects 10 CFR 51	ANPRM 55 FR 29964 7/23/90	NRC is considering an amendment to its regulations that would add provisions concerning the scope of environmental effects which would be addressed by the Commission in conjunction with applications for license renewal for nuclear power plants.	Comments by 10/22/90.
		NOI 55 FR 29967 7/23/90	NRC gives notice of its intent to prepare a generic environmental impact statement on the effects of renewing the operating licenses of individual nuclear power plants. The findings in the impact statement would then be codified in NRC environmental protection regulations, thereby limiting the scope of issues which need to be addressed in individual license renewal applications.	Comments by 10/22/90.
100-270	Guidance on Offsite Emergency Radiation Measurement Systems, Phase I	NOA 55 FR 34346 8/22/90	FEMA issues "Guidance on Offsite Emergency Radiation Measurement Systems, Phase I - Airborne Release," FEMA REP-2, Revision 2, June 1990 for review, comment, and interim use.	Comments by 12/31/90.
*100-272	Radiological Emergency Preparedness Exercise Evaluation Methodology	NOA 55 FR 38152 9/17/90	FEMA announces the availability of the final draft Radiological Emergency Preparedness (REP) Exercise Evaluation Methodology (EEM) document to be used in evaluating offsite emergency response to simulated accident exercises at commercial nuclear power plants.	Comments by 11/30/90.
URANIUM MILL TAILINGS RADIATION CONTROL ACT				
*930-029	Groundwater Protection Standards for Inactive Uranium Tailings Sites 40 CFR 192	NPRM 52 FR 36000 9/24/87 Regulatory Agenda 55 FR 16850 4/23/90	EPA proposes standards for preventing groundwater contamination at inactive uranium processing sites. The rule will replace the groundwater provisions of the final rule of 1/5/83 for remedial action.	Final rule undetermined.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*930-034	Uranium Mill Tailing Sites - Remedial Action Program and Annotation of Land Records 10 CFR 764	NPRM 54 FR 29732 7/14/89 Regulatory Agenda 55 FR 16109 4/23/90	DOE proposes to clarify the obligation of certain states to annotate local land records so as to ensure that future purchasers of remediated properties will be notified of the extent of the remedial work.	Final rule 10/90.
930-035	Custody and Long-Term Care of Uranium Mill Tailings Sites 10 CFR 40	ANPRM 53 FR 32396 8/25/88 NPRM 55 FR 3970 2/6/90 Regulatory Agenda 55 FR 17167 4/23/90	NRC is proposing to issue 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.	Final rule 1/91.
*930-037	Uranium Mill Facilities - Design of Erosion Protection Covers	NOA 55 FR 38175 9/17/90	NRC announces the availability of a final Staff Technical Position entitled "Design of Erosion Protection Covers for Stabilization of Uranium Mill Tailings Sites" which provides guidance on acceptable methods for meeting the long-term stability requirements established in 10 CFR 40 Appendix A and 40 CFR 192.	

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
TOXIC SUBSTANCES CONTROL ACT				
Containerized Liquids in Landfills -- RU# 840-024				
*920-001	Update to Inventory Database 21 CFR 442 21 CFR 452 40 CFR 710	NPRM 50 FR 9944 3/12/85 Final rule 51 FR 21438 6/12/86 Corrections 51 FR 22521 6/20/86 Notice 54 FR 35241 8/24/89 Corrections 54 FR 50472 12/6/89 Notice 54 FR 31312 8/1/90 NOA 55 FR 33959 8/20/90 Notice of correction 55 FR 39208 9/25/90	EPA requires manufacturers and importers of chemical substances on the TSCA Chemical Substances Inventory to report current data on production volume, plant site, and site-limited status of the substances every 4 years.	Effective 8/25/86.
			EPA deletes 207 chemical substances from the TSCA Chemical Substance Inventory.	Chemicals deleted from inventory as of 8/1/90.
			EPA announces the availability of a 1990 Supplement to the TSCA Chemical Substance Inventory.	
			EPA announces a 60-day waiver of the 1990 reporting period, discusses the reporting exemption for small quantities for research and development, and amends the rule to update the reporting address and other information in the 6/12/86 notice, remove the reporting form from the rule, and increase the types of magnetic media through which reporting may be accomplished.	Amendment effective 9/27/90. The 1990 reporting period is from 8/25/90 to 2/21/91.

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
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 55 FR 16837 4/23/90	EPA amends the test rule development and procedural rule (49 FR 39774) to allow for a single phase rulemaking covering both the effects for which testing is necessary and the testing methodology. EPA also amends it by modifying and clarifying the procedures for reviewing and approving or denying modifications to test standards and test schedules.	Interim final rules effective immediately. Another interim rule due 12/90. Final rule 6/92.
920-064	Comprehensive Assessment Information Rule 40 CFR 704	Planned NPRM 55 FR 16837 4/23/90	EPA is considering revision of the Comprehensive Assessment Information Rule (CAIR) to establish exemptions for small and "de minimis" volumes, refine trade name reporting requirements, reduce certain advance substantiation requirements for Confidential Business Information (CBI) claims, and define processing activities using processor subclasses.	NPRM 10/90.
920-070	Test Guidelines 40 CFR 796 40 CFR 797	NPRM 52 FR 36334 9/28/87	EPA proposes to add new test guidelines of general procedures for laboratory testing for an effect or characteristic deemed important for evaluating the fate and environmental hazard of a chemical substance or mixture (test substance).	Final rule late 1990.
920-076	Termination of PCBs Disposal Approvals 40 CFR 761	Planned NPRM 55 FR 16836 4/23/90	EPA is considering establishing uniform procedures for the revocation of TSCA disposal permits.	NPRM undetermined.
*920-092	Chemical Test Data	Notice 55 FR 37346 9/11/90	EPA announces the receipt of test data on 4-nonylphenol submitted pursuant to a consent order under TSCA.	

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*920-096	PCBs - Commerce Exemptions 40 CFR 761	NPRM 53 FR 32326 8/24/88 NPRM amendment 54 FR 37698 9/12/89 Final rule 55 FR 21023 5/22/90	EPA denies four and grants six petitions for exemption from the PCBs prohibition. In addition, two petitions submitted are not required, one has been withdrawn, and one petition amendment is granted. The petitions deal with buying, selling, and servicing transformers; use in microscopy, optics, research, and development; and distribution of inadvertently generated PCBs.	Effective 7/5/90.
		Stay of interpretation 55 FR 37714 9/13/90	EPA announces a stay of interpretation for the section of the final rule of 5/22/90 requiring entities to obtain an exemption to buy or sell PCB transformers or PCB-contaminated transformers.	Stay effective as of 7/3/90.
		Technical amendment 55 FR 38998 9/24/90	EPA issues a technical amendment to add paragraphs for class exemptions and automatic renewals which were inadvertently omitted in the final rule.	Technical amendment effective 9/24/90.
920-113	SARA Section 110 Chemicals Generic Test Rule 40 CFR 790	Planned NPRM 55 FR 16834 4/23/90	This regulation will set forth the policies and procedures for using the TSCA Sect. 4 testing authority to obtain toxicity and chemical fate testing to fill certain data needs identified in toxicity profiles of chemicals prepared pursuant to SARA.	NPRM 3/91. Final rule 9/91.
*920-117	SNUR and Health and Safety Data Reporting - CFC Substitutes 40 CFR 716 40 CFR 721	NPRM 55 FR 6012 2/21/90 Correction 55 FR 13164 4/9/90 Final rule 55 FR 35628 8/31/90 Corrections 55 FR 39774 9/28/90	EPA finalizes a significant new use rule (SNUR) for two chlorofluorocarbon (CFC) substitutes, 2-chloro-1,1,1-trifluoroethane and 1,2-dichloro-1,1-difluoroethane. EPA also adds these two substances and five additional potential CFC substitutes to the health and safety data reporting rule.	Effective 10/15/90. Corrections effective immediately.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*920-119	PCBs - Wet Weight, Dry Weight 40 CFR 761	NPRM 55 FR 12866 4/6/90	EPA proposes to amend the PCB regulations final rule of 7/10/84 (49 FR 28171) by adding the phrase "on a dry weight basis" to Sect. 761.1(b).	Technical amendment 10/90. Final rule undetermined.
*920-121	Twenty-Sixth Report of the Interagency Testing Committee - Section 4(e) Chemicals 40 CFR 712 40 CFR 716	Notice 55 FR 23050 6/5/90	The TSCA Interagency Testing Committee publishes its twenty-sixth report revising and updating the Committee's priority list of chemicals. The report adds one chemical and three chemical groups to the list - sodium cyanide, isocyanates, brominated flame retardants, and alkyl phosphates. The report also removes one chemical and one chemical group from the list - crotonaldehyde and disperse blue dyes.	
		Final rule 55 FR 39780 9/28/90	EPA adds to the Preliminary Assessment Information Rule and the Health and Safety Data Reporting Rule those chemicals which the Interagency Testing Committee added to its priority list of chemicals on 6/5/90.	Effective 10/29/90.
920-123	Drinking Water Chemicals Proposed Test Rule 40 CFR 795 40 CFR 799	NPRM 55 FR 21393 5/24/90	EPA proposes a test rule under Sect. 4 of TSCA that would require manufacturers and processors to test the following substances for certain health effects: chloroethane, 1,1-dichloroethane, 1,1,2,2-tetrachloroethane, n-propylbenzene, and 1,3,5-trimethylbenzene. EPA also proposes a new testing guideline for a 14-day repeated dose oral toxicity study. This proposed rule supports EPA's effort to develop Health Advisories for unregulated drinking water contaminants monitored under the SDWA.	Final rule undetermined.
HAZARDOUS MATERIALS TRANSPORTATION ACT				
Transportation Regulations - Compatibility with IAEA -- RU# 100-157				
*400-014	Railroad Shipment of Hazardous Material - Use of Cargo Tanks	ANPRM 50 FR 18278 4/30/85	The Federal Railroad Administration and the RSPA are considering development of safety standards to permit the use of cargo tanks, portable tanks, IM portable tanks, and multi-unit tank car tanks in trailers on flatcar and containers-on-flatcar service.	NPRM undetermined.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*400-019	Highway Transport - Requirements for Cargo Tanks	NPRM 50 FR 37766 9/17/85	RSPA revises and clarifies the regulations pertaining to the manufacture of cargo tanks and the operation, maintenance, repair, and requalification of all specification cargo tanks, including vacuum loaded tanks. It establishes registration requirements for persons who are engaged in the manufacture, repair, or certification of cargo tanks and includes improved standards for inspection and testing of cargo tanks, improved valves and closures to prevent leakage and the risk of fire in overturns and other accidents, and new qualification criteria for cargo tank manufacturers, repairers, and inspectors.	Effective date extended to <u>12/31/90.</u>
	49 CFR 107	Corrections		
	49 CFR 171	50 FR 49866		
	49 CFR 172	12/5/85		
	49 CFR 173	Final rule		
	49 CFR 176	54 FR 24982		
	49 CFR 177	6/12/89		
	49 CFR 178	Corrections		
	49 CFR 180	54 FR 28750		
		7/7/89		
		Partial grant of petitions; effective date extended		
		55 FR 21035		
		5/22/90		
		Effective date extended; final rule amended	RSPA amends its 6/12/89 final rule by qualifying and clarifying certain requirements in it.	Amendment effective <u>12/31/90.</u> Compliance authorized from <u>10/1/90.</u>
		55 FR 37028		
		9/7/90		

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
400-033	Performance-Oriented Packaging Standards 49 CFR 171 49 CFR 172 49 CFR 173 49 CFR 174 49 CFR 175 49 CFR 176 49 CFR 177 49 CFR 178 49 CFR 179	ANPRM 47 FR 16268 4/15/82 NPRM 52 FR 16482 5/5/87 Supplemental NPRM 52 FR 42772 11/6/87 Supplemental NPRM 54 FR 31158 7/26/89 Notice of competent authority ruling 55 FR 10750 3/22/90 Supplemental NPRM 55 FR 21342 5/23/90 Supplemental NPRM 55 FR 26574 6/28/90	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. RSPA announces a decision clarifying which variations from previously tested combination package designs may be used without further testing. RSPA amends the NPRM of 11/6/87 by modifying the proposals dealing with rail transportation of hazardous materials. RSPA proposes to amend 40 CFR Parts 171-180 on hazard classification, packaging, and communication requirements applicable to flammable solids, oxidizers, and organic peroxides to enhance safety and facilitate international commerce.	Final rule 12/90.
400-039	Pipeline Operator Qualifications 49 CFR 192 49 CFR 195	ANPRM 52 FR 9789 3/23/87 Planned NPRM 55 FR 16452 4/23/90	RSPA is considering the need to develop additional regulations governing training and qualification of persons that operators hire to design, construct, operate, or maintain pipeline facilities used in transport of gas or hazardous materials. An alternative program of operator certification is also being considered.	NPRM 10/90. Final rule 4/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
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 Final rule revision; extension of effective date 55 FR 870 1/10/90 Corrections; effective date extended 55 FR 33707 8/17/90	RSPA establishes requirements for additional response information on shipping papers and on vehicles when hazardous materials are transported.	Final rule effective 9/17/90. Compliance with rule authorized immediately. Final rule effective date extended to 12/31/90.
400-044	Hazardous Materials - Intrastate Commerce 49 CFR 171 49 CFR 172 49 CFR 173 49 CFR 174 49 CFR 175 49 CFR 176 49 CFR 177 49 CFR 178 49 CFR 179	ANPRM 52 FR 24195 6/29/87 Planned NPRM 55 FR 16452 4/23/90	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.

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*400-056	Railroad Shipment of Hazardous Waste - Use of Tank Car Tanks 49 CFR 171 49 CFR 173	NPRM 52 FR 46511 12/8/87 Final rule 54 FR 8336 2/28/89 Final rule amendment 55 FR 422 1/5/90 Corrections 55 FR 39000 9/24/90	RSPA amends its regulations to (1) permit the use of railroad tank car tanks with tank shell thickness in localized areas less than the minimum specified in the HMR and (2) require the measurement of tank car tank thicknesses under certain conditions. RSPA amends the final rule to specify that tank car thickness measurements are required only at the time of construction and at the time of a repair involving removal of metal, since there are at present no reliable testing techniques of sufficient accuracy for making thickness measurements of completed tanks. The issue of shell thickness measurements of completed tanks will continue to be explored, and any further rulemaking on this issue will be tracked under RU# 400-057.	Final rule effective 1/1/90. Compliance with final rule authorized as of 3/30/89. Amendments effective 1/1/90. Corrections effective immediately.
*400-057	Railroad Shipment of Hazardous Waste - Defects of Tank Car Tanks 49 CFR 173	ANPRM 52 FR 46510 12/8/87 Planned NPRM 55 FR 16565 4/23/90	RSPA proposes to require railroad tank car owners to inspect for cracks after certain tank repairs.	<u>NPRM 12/90. Final rule 12/91.</u>
*400-061	Highway Routing Standards for Hazardous Materials 49 CFR 173.177 49 CFR 397	ANPRM 53 FR 11618 4/7/88 Planned NPRM 55 FR 16453 4/23/90	RSPA is considering establishing routing criteria, requirements, and methodologies for analyzing alternative routes for highway transport of non-radioactive hazardous materials.	<u>NPRM undetermined.</u>
400-062	Registration of Shippers and Carriers of Hazardous Materials 49 CFR 171 49 CFR 173 49 CFR 177	Planned NPRM 55 FR 16560 4/23/90	DOT lacks comprehensive data on the number, volume, and other statistics characterizing the transportation of hazardous materials in commerce. Comments will be requested on the burdens and benefits associated with various alternatives that could be used to obtain such information. The registration of carriers and shippers is one such alternative.	Placed on hold pending administrative decision.

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

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 55 FR 16570 4/23/90	OPS, RSPA, and DOT propose to require operators of buried onshore hazardous liquid pipelines to conduct excavation damage prevention programs in accordance with criteria adopted previously for gas pipeline damage prevention programs. A large percentage of liquid pipeline accidents are caused by excavation damage, and experience has shown that rates of excavation accidents diminish when operators participate in such a program.	<u>Final rule 2/91.</u>
400-064	Maps and Records of Pipeline Location and Characteristics - State Notification 49 CFR 192 49 CFR 195	Planned NPRM 55 FR 16453 4/23/90	As part of a continuing policy to adopt similar safety requirements for gas and hazardous liquid pipelines, this action will propose to equalize the requirements that gas and liquid operators keep maps and records to show the location and other characteristics of pipelines and will require them to provide this information to state agencies upon request.	NPRM 10/90. Final rule 7/91.
400-079	Packaging and Hazard Communication of Etiologic Agents 49 CFR 172 49 CFR 173	NPRM 53 FR 45525 11/10/88 Regulatory Agenda 55 FR 16571 4/23/90	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.	Final rule 10/90.
400-080	Marine Transport of Bulk Solid Hazardous Materials 46 CFR 148	ANPRM 54 FR 18308 4/28/89 Notice 55 FR 11481 3/28/90	DOT will propose to incorporate into 46 CFR 148 the Coast Guard's and the International Maritime Organization's requirements for shipping certain frequently carried hazardous bulk solids, to eliminate paperwork for both the Coast Guard and the shipping industry and to harmonize domestic regulations with international standards.	NPRM 10/90.

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*400-081	Operating Requirements for Rail Carriage 49 CFR 171 49 CFR 174	Planned NPRM 55 FR 16566 4/23/90	DOT will propose to update and rewrite the regulations contained in 49 CFR 174 which govern the transportation of hazardous material by rail.	NPRM 11/90.
*400-083	Bulk Hazardous Materials 46 CFR 153	NPRM 55 FR 36670 9/6/90	The Coast Guard proposes to amend its table summarizing the minimum requirements for the carriage of liquid, liquefied gas, or compressed gas hazardous materials in bulk by tankship by assigning additional carriage requirements, a higher Pollution Category, or both to certain commodities already listed in the table.	Comments by 10/9/90.
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 Regulatory Agenda 55 FR 16572 4/23/90	RSPA proposes to revise its regulations to make them compatible with those of the IAEA for the safe transport of radioactive materials (see comparable NRC regulation RU# 100-157).	Final rule 11/90.
400-094	Special Cargo Requirements for Benzene 46 CFR 151 46 CFR 153 46 CFR 197 46 CFR 30	NPRM 55 FR 2978 1/29/90 Regulatory Agenda 55 FR 16450 4/23/90	The Coast Guard proposes to revise the special carriage requirements for benzene and benzene mixtures and to add new regulations concerning occupational exposure to benzene on Coast Guarded inspected vessels. The regulations are being amended to incorporate the lower benzene exposure levels adopted by OSHA to provide workers in the marine mode with the same protection as their land-based counterparts.	Final rule 12/90.

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
400-095	Elevated Temperature Materials 49 CFR 171 49 CFR 172 49 CFR 173	NPRM 54 FR 38930 9/21/89 Regulatory Agenda 55 FR 16571 4/23/90	RSPA is proposing to regulate materials which pose a hazard due to their being transported at elevated temperatures. Materials would include those in a liquid phase having temperatures at or above 212 degrees F and materials in a solid phase having temperatures at or above 464 degrees F. RSPA is also proposing to regulate, as flammable liquids, materials in a liquid phase with flash points at or above 100 degrees F which are transported at or above their flash points.	Final rule 1/91.
*400-097	Transportation of Hydrogen Sulfide by Pipeline 49 CFR 192	ANPRM 54 FR 24361 6/7/89 Planned NPRM 55 FR 16566 4/23/90	Federal gas pipeline safety regulations do not specifically address all the safety risks associated with the presence of hydrogen sulfide in natural gas, such as those involving sulfide stress cracking and toxicity effects. RSPA will determine the need for regulations to control the concentration of hydrogen sulfide in natural gas pipeline systems.	NPRM 12/90.
*400-099	Gas Pipelines Corrosion 49 CFR 192	NPRM 54 FR 27041 6/27/89 Regulatory Agenda 55 FR 16571 4/23/90	RSPA proposes to require gas pipeline operators who must now inspect for corrosion on buried metallic pipe that is exposed to investigate further to determine the full extent of any corrosion that is found.	Final rule 10/90.
400-102	Training for Hazardous Materials Transportation 49 CFR 172 49 CFR 174 49 CFR 175 49 CFR 176 49 CFR 177	NPRM 54 FR 31144 7/26/89 Regulatory Agenda 55 FR 16569 4/23/90	RSPA is proposing to amend the Hazardous Materials Regulations (HMR) to require that persons who perform functions involving the transportation of hazardous materials receive training concerning regulatory requirements applicable to those functions, and persons who work in proximity to hazardous materials receive training concerning hazardous materials awareness and safety procedures.	Final rule 10/90.

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
*400-105	Portable Tanks for Transportation of Bulk Hazardous Materials by Vessel 46 CFR 195 46 CFR 64 46 CFR 98	NPRM 54 FR 37482 9/11/89 Final rule 55 FR 37406 9/11/90	The Coast Guard discontinues its approval of marine portable tanks (MPTs) and authorizes the transfer of liquid hazardous materials to and from DOT specification portable tanks aboard vessels. Existing approved MPTs may remain in service. Also, in response to a petition, the Coast Guard amends its regulations to let DOT-specification 57 portable tanks be used for the bulk carriage of high-flashpoint Grade E combustible liquids.	<u>Effective 10/1/90.</u>
*400-110	Pressure Testing Existing Hazardous Liquid Pipelines	Planned NPRM 55 FR 16561 4/23/90	Studies have shown that large spill accidents attributable to latent material or construction defects can be prevented by restricting operation to not more than 80% of a prior test or operating pressure. This rule would set this safety standard for all hazardous liquid pipelines.	<u>NPRM 11/90. Final rule 11/91.</u>
*400-111	Operator's Plans or Procedures 49 CFR 190 49 CFR 193 49 CFR 195	NPRM 54 FR 46684 11/6/89 Regulatory Agenda 55 FR 16572 4/23/90	OPS proposes to change the procedures and policy for addressing deficiencies in operators' procedures and plans relating to gas, LNG, and hazardous liquid pipelines. The proposed changes include making operators subject to all enforcement sanctions under the Natural Gas Pipeline Safety Act of 1968, as amended, and the Hazardous Liquid Pipeline Safety Act of 1979, as amended, for failure to maintain all plans and procedures in accordance with applicable requirements.	<u>Final rule 1/91.</u>
*400-112	Operation and Maintenance Procedures for Pipelines 49 CFR 192 49 CFR 195	NPRM 54 FR 46685 11/6/89 Regulatory Agenda 55 FR 16569 4/23/90	OPS proposes to clarify and delineate the items that must be addressed in procedures for operations and maintenance of gas pipelines facilities to assure that operators take timely and appropriate actions under normal conditions or in responding to abnormal conditions. In addition, operators would be required to establish procedures for personnel safety in trenches where there may be a hazardous accumulation of vapor or gas.	<u>Final rule 4/91.</u>

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

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 Planned NPRM 55 FR 16565 4/23/90	A grandfather clause allows certain steel gas pipelines to operate at hoop stress levels above 72 percent of the specified minimum yield strength (SYMS) of the pipe - the highest operating hoop stress permitted on steel pipe in all other regulated gas pipelines. The Office of Pipeline Safety is concerned about this possible disparity in protection and invites public comments to determine an appropriate course of action.	NPRM undetermined.
400-116	Requirements for Explosives 49 CFR 171 49 CFR 172 49 CFR 173	NPRM 55 FR 18438 5/2/90 Correction 55 FR 24350 6/15/90	RSPA proposes to amend the hazardous materials transportation regulations relating to hazard classification, packaging, and hazard communication for explosives to make them consistent with the United Nations Recommendations on the Transport of Dangerous Goods.	Final rule undetermined.
400-117	Revisions to Modal Regulations (Carrier Provisions) 49 CFR 174 49 CFR 175 49 CFR 177	NPRM 55 FR 18546 5/2/90	RSPA proposes revisions to the carrier provisions of the hazardous materials transportation regulations to align the requirements with previous proposals and with the ICAO's Technical Instructions for the Safe Transport of Dangerous Goods by Air.	Final rule undetermined.

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
400-118	Specifications for Tank Car Tanks 49 CFR 173	ANPRM 55 FR 20242 5/15/90	RSPA considers amendments to: (1) require thermal or head protection or both on new and existing tank car tanks constructed of aluminum or nickel; (2) disallow use of the half-head shield as an option to meet head protection requirements; (3) prohibit the use of tanks that have a manway opening located below the liquid level of the material transported; (4) disallow the use of "non-pressure" tanks to transport materials poisonous by inhalation; (5) increase the start-to-discharge pressure setting on certain tanks; (6) establish specifications for securement and accident survivability of closure fittings; and (7) phase out certain "grandfather" provisions. RSPA also solicits comments on operational changes and design modifications to consider instead of retrofitting tanks. In a supplement to its 5/15/90 ANPRM, RSPA considers four further amendments to its tank car tank specifications.	NPRM undetermined.
		Supplemental ANPRM 55 FR 35327 8/29/90		Comments by 1/4/91.

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
OCCUPATIONAL SAFETY AND HEALTH ACT				
Risk Communication as a Regulatory Alternative for Protecting Health, Safety and Environment -- RU# 190-054				
780-006	Occupational Exposure to Formaldehyde 29 CFR 1910 29 CFR 1926	NPRM 50 FR 50412 12/10/85 Final rule 52 FR 46168 12/4/87 Notice of partial approval 53 FR 6628 3/2/88 Corrections 53 FR 27923 7/25/88 Administrative stay 53 FR 50198 12/13/88 Corrections; technical amendments 54 FR 29545 7/13/89 Correction 54 FR 31765 8/1/89 Administrative stay extended 55 FR 32616 8/10/90	OSHA reduces its permissible exposure limits (PELs) for formaldehyde from an 8-hr time-weighted average (TWA) of 3 ppm to 1 ppm, revokes the 10 ppm TWA for up to 30 minutes, reduces from 5 ppm to 2 ppm the 15-minute short term exposure limit (STEL), and sets an "action level" of 0.5 ppm measured as an 8-hr TWA. The information requirements have been approved by OMB. The hazard communications requirements were approved after resubmittal by OSHA on 10/7/88. However, OSHA has granted an administrative stay of these provisions for nine months. During this period, OSHA will propose to revoke these hazard communication provisions and to invite comments on the substitution of the full Hazard Communication Standard. Pending completion of this rulemaking, affected employers must continue to comply with the provisions of OSHA's Hazard Communication Standard.	Effective date for hazard communication provisions 12/20/88. Administrative stay of hazard communication requirements effective until 12/11/90. Amendments effective 7/13/89. NPRM 9/91.
780-008	Carcinogen Policy 29 CFR 1990	ANPRM 47 FR 187 1/5/82 Planned NPRM 55 FR 16397 4/23/90	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.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
780-009	Occupational Exposure to Methylene Chloride 29 CFR 1910	ANPRM 51 FR 42257 11/24/86 Planned NPRM 55 FR 16401 4/23/90	OSHA intends to develop a permanent standard for occupational exposure to methylene chloride.	NPRM 12/90.
780-011	Respiratory Protection 29 CFR 1910.134 29 CFR 1915.152 29 CFR 1918.102 29 CFR 1926.103	ANPRM 47 FR 20803 5/14/82 Planned NPRM 55 FR 16397 4/23/90	OSHA is reviewing current standards for respiratory protection and intends to propose revisions following analysis of the standards.	NPRM 11/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
780-015	Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite 29 CFR 1910 29 CFR 1926	Administrative stay and revisions 51 FR 37002 10/17/86 Administrative stay extended 52 FR 15722 4/30/87 Corrections 52 FR 17752 5/12/87 Partial stay extended and final rule amended 53 FR 27345 7/20/88 Partial stay extended and final rule amended 54 FR 30704 7/21/89 Supplemental NPRM 55 FR 4938 2/12/90 Regulatory Agenda 55 FR 16397 4/23/90	On 6/20/86 OSHA revised the standards governing occupational exposure to asbestos, tremolite, anthophyllite, and actinolite in general industry and in the construction industry. OSHA has since received many comments regarding the appropriateness of regulating nonasbestiform tremolite, anthophyllite, and actinolite as presenting the same health risk as asbestos. OSHA has granted administrative stays of the standards as they apply to nonasbestiform varieties to allow time for OSHA to reopen the rulemaking record on the issue of whether, and how, to regulate occupational exposure to the nonasbestiform varieties. OSHA makes minor conforming amendments and extends the partial administrative stay of the revised final standards for occupational exposure as they apply to nonasbestiform tremolite, anthophyllite, and actinolite.	Asbestos forms made effective 7/21/86. Administrative stay for other forms extended to 11/30/90.
			OSHA proposes to lift the administrative stay, remove 29 CFR 1910.1101, and amend the revised asbestos standards to remove non-asbestiform tremolite, anthophyllite, and actinolite from their scope.	Final rule 2/91.
780-020	Construction Standards - Safety Standards for Scaffolds 29 CFR 1926	NPRM 51 FR 42680 11/25/86 Regulatory Agenda 55 FR 16407 4/23/90	OSHA proposes to revise the construction industry safety standards for scaffolds to regulate the design, construction, and use of all scaffolds in construction.	Final rule 1/91.

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REGULATORY UPDATE TABLE - SEPTEMBER 1990

RU 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 55 FR 16406 4/23/90	OSHA proposes to revise the construction industry safety standards to regulate the design and use of fall protection systems and procedures. The proposed revisions would address exposure hazards by using performance criteria rather than specification standards.	Final rule 12/90.
780-022	Construction Industry - Safety Standards for Stairways and Ladders 29 CFR 1926	NPRM 51 FR 42750 11/25/86 Regulatory Agenda 55 FR 16408 4/23/90	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 10/90.
780-025	Occupational Exposure to 2-Methoxyethanol, 2-Ethoxyethanol and Their Acetates 29 CFR 1910.1000	ANPRM 52 FR 10586 4/2/87 Planned NPRM 55 FR 16400 4/23/90	OSHA plans to develop standards for occupational exposure to 2-methoxyethanol, 2-ethoxyethanol, and their acetates, all of which are compounds used as industrial solvents.	NPRM 2/91.
780-026	Occupational Exposure to Methylenedianiline (MDA) 29 CFR 1910 29 CFR 1926	Proposed standards 52 FR 26776 7/16/87 NPRM 54 FR 20672 5/12/89 Regulatory Agenda 55 FR 16408 4/23/90	OSHA proposes an eight-hour time-weighted average (TWA) of 10 ppb and a short-term exposure limit (STEL) of 100 ppb for methylenedianiline. The regulation also includes requirements such as medical surveillance, exposure monitoring, hygiene facilities, engineering controls and work practices, proper respirator use, and recordkeeping.	Final rule 11/90.

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780-028	Highly Hazardous Materials - Management Standards 29 CFR 1910	NPRM 55 FR 29150 7/17/90	OSHA proposes procedures for process safety management of hazards associated with processes using highly hazardous materials. These performance-oriented requirements would replace the specification-oriented requirements now in place. This is the first phase of a three-phase action.	Final rule 2/91.
780-029	Occupational Exposure to Cadmium 29 CFR 1910	NPRM 55 FR 4052 2/6/90 Regulatory Agenda 55 FR 16402 4/23/90	OSHA proposes two 8-hour time-weighted average permissible exposure limits (TWA PEL) of 5 and 1 micrograms of cadmium per cubic meter of air and a 15-minute excursion limit (EL) of five times the TWA PEL for all cadmium compounds, as well as a number of ancillary employee protection provisions dealing with monitoring, recordkeeping, hazard communication, and personal protective equipment. These regulations would apply to general industry, agriculture, the maritime industry, and the construction industry.	Final rule 7/91.

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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 55 FR 19258 5/9/90 Correction 55 FR 23433 6/8/90	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 perchloroethylene 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. Stay extended until 11/1/90 for nitroglycerin and ethylene glycol dinitrate for the explosives industry.

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780-032	Electrical Safety-Related Work Practices 29 CFR 1910 29 CFR 1926	NPRM 52 FR 45530 11/30/87 Corrections 53 FR 2047 1/26/88 Final rule 55 FR 31984 8/6/90	OSHA issues a new standard on electrical safety-related work practices for general industry. These new performance-oriented regulations complement the existing electrical installation standards. OSHA also issues amendments to the general industry standards which promote uniformity and reduce redundancy among the general industry standards.	Final rule, except for part 1910.332, effective 12/4/90. Part 1910.332 effective 8/6/91.
*780-036	The Control of Hazardous Energy Sources (Lockout/Tagout) 29 CFR 1910	NPRM 53 FR 15496 4/29/88 Final rule 54 FR 36644 9/1/89 Correction 54 FR 41364 10/6/89 Notice 54 FR 42498 10/17/89 Effective date suspended 54 FR 46610 11/6/89 Corrections; technical amendments 55 FR 38677 9/20/90	OSHA issues a new part of Subpart J of 29 CFR 1910 which addresses practices and procedures that are necessary to disable machinery or equipment and to prevent the release of potentially hazardous energy while maintenance and servicing activities are being performed. The standard applies to general industry, but not maritime, agriculture, construction, oil and gas well drilling, electricity generation and transmission, or electrical work on electric conductors and equipment. Separate rulemakings will cover those areas. OSHA announces that the information collection requirements of this final rule have been approved by OMB.	Information collection requirements effective 10/31/89, approved through 9/30/92. Effective date suspended until 1/2/90. <u>Corrections and technical amendments effective immediately.</u>
*780-040	Concrete and Masonry Construction Safety Standards; Lift Slab Construction 29 CFR 1926	NPRM 53 FR 35972 9/15/88 Regulatory Agenda 55 FR 16405 4/23/90	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.	<u>Final rule 11/90.</u>

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780-041	Generic Standard for Exposure Monitoring 29 CFR 1910	ANPRM 53 FR 37591 9/27/88 Planned NPRM 55 FR 16401 4/23/90	OSHA is evaluating the feasibility and usefulness of adoption of a generic standard on exposure monitoring for employees exposed to toxic substances.	NPRM 12/90.
780-042	Medical Surveillance Program for Employees 29 CFR 1910	ANPRM 53 FR 37595 9/27/88 Planned NPRM 55 FR 16401 4/23/90	OSHA is evaluating the feasibility and usefulness of adoption of a generic standard on medical surveillance programs for employees exposed to toxic substances or hazardous physical agents.	NPRM 12/90.
*780-044	Asbestos Short-Term Exposure Limit 29 CFR 1910 29 CFR 1926	NPRM 55 FR 29712 7/20/90 Comment period extended 55 FR 38703 9/20/90	In response to litigation, OSHA proposes to lower the PEL to 0.1 f/cc, set additional communication and notification requirements, require oversight of all construction operations, and more explicitly define the exemptions from the negative-pressure enclosure requirement.	Comments by 12/3/90. Public hearing 1/23/91.
*780-045	Hazardous Waste Training Course Certification 29 CFR 1910	NPRM 55 FR 2776 1/26/90 Comment period extended; hearings rescheduled 55 FR 37902 9/14/90	DOL proposes accreditation procedures for training programs set up under the Hazardous Waste Operations and Emergency Response final rule of 3/9/89 for employees involved in clean-up operations at uncontrolled hazardous waste sites being cleaned up under government mandate and for employees involved in certain hazardous waste treatment, storage, and disposal operations. This rule does not propose to accredit training programs for employees engaged in emergency response activities.	Comments by 1/21/91. Public hearings rescheduled for 2/5/91 through 2/14/91.

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780-047	Electrical Protective Equipment; Generation, Transmission, Distribution 29 CFR 1910	NPRM 54 FR 4974 1/31/89 Regulatory Agenda 55 FR 16408 4/23/90	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 4/91.
780-049	Occupational Exposure to Bloodborne Pathogens 29 CFR 1910	NPRM 54 FR 23042 5/30/89 Notice 54 FR 30330 7/19/89 Notice 54 FR 42378 10/16/89 NOA; comment period extended 55 FR 10250 3/20/90 Regulatory Agenda 55 FR 16410 4/23/90	OSHA proposes to reduce occupational exposure to Hepatitis B Virus (HBV), Human Immunodeficiency Virus (HIV) and other bloodborne pathogens by proposing a combination of engineering and work practice controls, personal protective clothing and equipment, training, medical follow-up of exposure incidents, and vaccination (where applicable). OSHA makes available a survey relating to the technological and economic feasibility of implementing the NPRM in non-hospital facilities, and notifies the public that the results of a similar survey on hospital facilities will be completed soon.	Final rule 1/91.
780-051	Confined Spaces - Permits and Safety Requirements 29 CFR 1910.146	NPRM 54 FR 24080 6/5/89 Regulatory Agenda 55 FR 16407 4/23/90	OSHA proposes to establish safety requirements, including a permit system, for entry into those confined spaces which OSHA has identified as posing special dangers for entrants due to their configuration or other features.	Final rule 2/91.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
780-052	Methods of Compliance 29 CFR 1910	NPRM 54 FR 23991 6/5/89 Regulatory Agenda 55 FR 16406 4/23/90	OSHA proposes to modify the existing provisions for controlling employee exposures to toxic substances found in 29 CFR 1910.1000(e) and 1910.134(a)(1). The agency proposes to incorporate additional flexibility in its requirements by setting forth the circumstances under which respiratory protection may be used in lieu of engineering controls.	Final rule 5/91.
780-054	Personal Protective Equipment 29 CFR 1910	NPRM 54 FR 33832 8/16/89 Regulatory Agenda 55 FR 16409 4/23/90	OSHA proposes to revise portions of the general industry safety standards addressing personal protective equipment. The criteria for personal protective equipment for eye, face, head, and foot would be revised to reflect improved developments in these types of equipment.	Final rule 3/91.
780-057	General Industry - Personal Fall Protective Equipment 29 CFR 1910	NPRM 55 FR 13423 4/10/90	OSHA proposes to amend the standards for personal protective equipment for general industry by adding criteria pertaining to personal fall protection systems, including fall arrest, work positioning, and travel restriction, and fall protection systems for climbing.	Final rule undetermined.
780-058	General Industry Standards - Walking and Working Surfaces 29 CFR 1910	NPRM 55 FR 13360 4/10/90	OSHA proposes to revise its general industry standards for workplace walking and working surfaces in order to focus on the hazards that can result in trips, slips, and falls causing serious and fatal injuries. This proposed standard will also eliminate ambiguities and redundancies in the existing Subpart D standards and address areas not covered in the existing standards.	Final rule undetermined.
780-059	Recording and Reporting Occupational Injuries and Illnesses 29 CFR 1904	Planned NPRM 55 FR 16403 4/23/90	OSHA requires covered employers to record all work-related fatalities, illnesses, and certain injuries and to report summary data if selected to participate in the BLS annual survey. BLS and OSHA have tested several data collection vehicles and procedures and are revising the recordkeeping guidelines to improve the usefulness of the survey outputs.	NPRM 12/90.

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RU NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
ENDANGERED SPECIES ACT				
*200-038	Endangered and Threatened Plants - Barneby Ridge-cress 50 CFR 17	NPRM 54 FR 48781 11/27/89 Final rule 55 FR 39860 9/28/90	The FWS determines 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.	Effective 10/29/90.
200-039	Endangered and Threatened Wildlife - Bald Eagle 50 CFR 17	ANPRM 55 FR 4209 2/7/90	The FWS will propose a regulation dealing with the possible delisting, downlisting, or reclassification of the bald eagle (<u>Haliaeetus leucocephalus</u>) from endangered to threatened.	NPRM undetermined.
200-042	Endangered and Threatened Plants - Leafy Prairie-clover 50 CFR 17	NPRM 55 FR 11230 3/27/90	FWS proposes to list <u>Dalea foliosa</u> (leafy prairie-clover) as an endangered species. This rare plant is found in one site in Morgan County, AL, seven sites in central Tennessee, and four sites in northeast Illinois. It is typically found growing in close association with cedar glades.	Final rule undetermined.
*200-046	Endangered and Threatened Species - Snake and Lower Columbia River Salmon	Notice 55 FR 37342 9/11/90	NMFS receives petitions to add certain types of salmon in the Snake and lower Columbia Rivers to the List of Endangered and Threatened Wildlife.	Comments and information by 11/13/90.
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 55 FR 16845 4/23/90	EPA will propose revisions to regulations applicable to the ocean dumping of dredged material in response to a recent court decision and to incorporate program experience. The revisions will make necessary technical changes and will improve the clarity of the regulations.	NPRM Spring 1991. Final rule Spring 1992.

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RJ NO.	REQUIREMENT	STATUS (a)	ANTICIPATED CHANGES	SCHEDULED ACTION
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.	Final revisions 10/90.
480-013	DOE NEPA Guidelines - Categorical Exclusions	Proposed amendments 55 FR 13064 4/6/90	DOE proposes to amend Sect. D of its NEPA guidelines by adding the following to its list of categorical exclusions: (1) CERCLA and RCRA removal actions, (2) improvements to environmental control systems to comply with permit conditions, and (3) CERCLA and RCRA site characterization and environmental monitoring activities.	DOE will use exclusions on an interim basis, pending final action on amendments. Final action date undetermined.
480-014	NEPA Review Procedures for ORD, Public and Other Federal Agency Involvement 40 CFR 6	NPRM 55 FR 18838 5/4/90	EPA proposes the following changes to its NEPA review procedures for projects conducted by the Office of Research and Development (ORD): (1) development of procedures to categorically exclude from a full NEPA review those ORD projects normally having no significant impact on the environment; (2) revision of criteria which address when an EIS is required on ORD projects; (3) provision to coordinate ORD's NEPA reviews with other EPA program reviews; and (4) general clarification of the NEPA review process for ORD actions. EPA also proposes to amend Subpart D, concerned with public and other federal agency involvement, to eliminate the requirement for public notice of categorical exclusion determinations.	Final rule undetermined.
480-015	DOE Compliance with NEPA 10 CFR 1021	Planned NPRM 55 FR 16109 4/23/90	DOE will propose procedures for agency compliance with NEPA which will supplement the Council on Environmental Quality (CEQ) regulations which apply to all federal facilities. The proposed regulations will be applicable to all organizational units of DOE except the Federal Energy Regulatory Commission.	NPRM 12/90.

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*480-016	Compliance with NEPA - Amendments to DOE guidelines	Notice of amendments 55 FR 37174 9/7/90	DOE amends Sect. D of its NEPA Guidelines by adding three new categorical exclusions for RCRA/CERCLA removals, improvement to emission control systems, and RCRA/CERCLA site characterizations and monitoring.	Effective <u>9/7/90</u> .
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 Final rule 55 FR 37616 9/12/90	NPS establishes definitions and guidelines for the preservation of archeological artifacts and associated records from federal projects.	Effective <u>10/12/90</u> .
		NPRM 55 FR 37670 9/12/90	NPS proposes to amend the final rule of 9/12/90 to establish procedures for federal agencies to provide both information on the disposition of collections and copies of certain associated records to pertinent state officials and procedures for discarding certain collection materials.	Comments by <u>12/11/90</u> .
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 55 FR 16294 4/23/90	DOI proposes a rule to clarify the various administrative procedures for identification of historic and archeological properties for the National Register of Historic Places by consolidating and updating 36 CFR 60 and 63.	Final rule 10/90.

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FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT				
300-003	Guidelines on Disposal and Storage 40 CFR 165	Updating underway 50 FR 44656 10/29/85 Planned NPRM 55 FR 16831 4/23/90	The 1988 amendments to FIFRA significantly expand EPA authority to regulate the storage, transportation, and disposal of pesticides. The Agency may exercise this authority through labeling provisions, procedures for recall of canceled products, and other regulations for storage, transport, and disposal of pesticide residues.	NPRM 12/90. Final rule 12/91.
*300-004	Worker Protection Standards 40 CFR 156 40 CFR 170	ANPRM 49 FR 32605 8/15/84 NPRM 53 FR 25970 7/8/88 Corrections 53 FR 32322 8/24/88 Regulatory Agenda 55 FR 16832 4/23/90	EPA proposes to revise its regulations governing worker protection from agricultural pesticides. These revisions would expand the scope of the standards to include workers in forests, nurseries, and greenhouses, and workers who mix, load, and apply pesticides.	Final rule 2/91.
*300-007	Restricted Use Classification for Groundwater Contaminating Pesticides 40 CFR 152.170	Notice 55 FR 5861 2/20/90 Planned NPRM 55 FR 16829 4/23/90	This rule will provide a scheme for identifying pesticides which may pose an unacceptable hazard because of the potential to leach into groundwater. The Agency will propose criteria for classifying such pesticides for restricted use. Restricted use pesticides generally may be applied only by state certified applicators.	NPRM 10/90.
*300-014	Microbial Pesticides 40 CFR 172	Planned NPRM 55 FR 16830 4/23/90	EPA will propose to amend its experimental use permit regulations for pesticides to clarify the circumstances under which a permit is presumed not to be required and to specify that the presumption is based on risk. EPA will also propose to require notification before initiation of small-scale testing of certain genetically modified microbial pesticides.	NPRM 10/90.

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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 55 FR 16393 4/23/90	The Mine Safety and Health Administration proposes to revise existing standards for ionizing radiation at underground metal and nonmetal mines. The rule will improve worker protection based on current developments in radiation protection principles.	Final rule undergoing further revisions.
330-004	Safety Standards for Explosions at Metal and Nonmetal Mines 30 CFR 56.6000 30 CFR 57.6000	NPRM 53 FR 45487 11/10/88 Regulatory Agenda 55 FR 16392 4/23/90	DOL proposes a rule to update and clarify the Mine Safety and Health Administration's safety standards for explosives at metal and nonmetal mines to make them consistent with technological advances such as gaseous initiation systems, miniaturized detonating cord systems, and the use of bulk mixing of explosives materials.	Final rule 10/90.
*330-005	Air Quality, Chemical Substances, and Respiratory Protection Standards 30 CFR 56 30 CFR 57 30 CFR 58 30 CFR 70 30 CFR 71 30 CFR 72 30 CFR 75 30 CFR 90	NPRM 54 FR 35760 8/29/89 Correction 55 FR 5118 2/13/90 Comment period extended 55 FR 36838 9/7/90	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.	Final rule 12/90. Comments on PELs by 10/26/90.

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BIOTECHNOLOGY				
110-005	Microbial Products 40 CFR 704 40 CFR 720 40 CFR 721	Planned NPRM 55 FR 16835 4/23/90	EPA is proposing to amend its definition of "small quantities solely for research and development" and to amend reporting requirements for persons who are using microorganisms. EPA will establish a special notification mechanism for experimental releases of microorganisms. EPA also is proposing significant new use notification requirements under TSCA Sect. 5(a)(2).	NPRM 12/90.
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 Final rule 55 FR 36248 9/4/90	The Coast Guard amends its pollution prevention regulations for vessels and waterfront facilities to include hazardous materials, as well as oil, and to consolidate the waterfront facility safety requirements.	<u>Effective 10/4/90.</u>
COASTAL ZONE MANAGEMENT ACT				
160-002	National Estuarine Reserve Research System 15 CFR 921	NPRM 53 FR 43816 10/28/88 Interim final rule 55 FR 29940 7/23/90	NOAA revises the process for designation of research reserves to place greater emphasis using the reserves to address research and management issues and to provide financial assistance to states to enhance public awareness and education about estuarine areas. The regulations provide new guidance for delineating reserve boundaries, new procedures for the acquisition of land, and criteria for withdrawing the designation of a reserve.	Interim final rule effective 7/23/90. Final rule undetermined.

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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 Fall 1990.
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 Fall 1990.
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 10/90.
805-032	Onshore Federal and Indian Oil and Gas Operations - Hydrogen Sulfide Release Hazards 43 CFR 3160 43 CFR 3162 43 CFR 3164	NPRM 54 FR 21075 5/15/89 Regulatory Agenda 55 FR 16332 4/23/90	DOI proposes Onshore Oil and Gas Order No. 6 which 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 11/90.

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805-037	Protection of Essential Resources and Facilities 44 CFR 335	NPRM 54 FR 32359 8/7/89 Regulatory Agenda 55 FR 16907 4/23/90	FEMA proposes to add a new Part 335 to 44 CFR which would cover federal agencies' responsibilities in assessing vulnerability and protecting essential resources and facilities, including those needed for defense.	Final rule Spring 1991.
*805-040	Offsite Emergency Radiation Measurement Systems	NOA 55 FR 18948 5/7/90 Comment period extended 55 FR 39520 9/27/90	FEMA issues "Guidance on Offsite Emergency Radiation Measurement Systems, Phase 3 - Water and Non-dairy Food Pathway," FEMA REP-13, May 1990 (interim edition) which deals with the potential radiation dose to the public in the event of an accident at a commercial power plant.	Comments by 12/31/90.
805-041	Task Force on Wetlands - No Net Loss Strategy	Notice 55 FR 30279 7/25/90	The Domestic Policy Council's Task Force on Wetlands requests comments on strategies for attaining "no net loss" of wetlands. DOE is represented on the Council.	

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