



## **August 2013 Action Initiation List (as of 11/06/2013)**

U.S. Environmental Protection Agency (EPA)

The following actions were initiated by EPA this month. Explanations of which EPA actions are included on this list and of each element of the table can be found at the end of this document.

The two most recent Action Initiation Lists (AILs) can always be found at: <http://www.epa.gov/lawsregs/search/ail.html>. But, they will not provide updates on the actions listed herein. Updates on priority rulemakings are available from EPA's Regulatory Development and Retrospective Review Tracker (RegDaRRT) on [www.epa.gov/rulemaking/](http://www.epa.gov/rulemaking/).

If one of the rules on this AIL is in RegDaRRT, a link to the rule's profile is included in the table below. For all rules – those that are in RegDaRRT and those that are not – you may obtain updates twice a year in EPA's Semiannual Regulatory Agenda, which is accessible from these Web sites:

- EPA's Laws, Regulations, Guidance and Dockets (<http://www.epa.gov/lawsregs/search/regagenda.html>)
- RegInfo.gov (<http://www.reginfo.gov/public/do/eAgendaMain>)
- Regulations.gov  
(<http://www.regulations.gov/fdmspublic/component/main?main=UnifiedAgenda&agency=EPA&pubperiod=200710>)

Action Title	Stage	Contact	Abstract	Projected Publication Date
Response to Request for Exemption of Certain Food-Related Chemical Substances From TSCA Chemical Data Reporting (CDR) Processing and Use Information Reporting Requirements in 2016	NPRM, Direct Final	Karen Hoffman 202-564-8158 Hoffman.Karen@epa.gov	EPA received a petition from the Corn Refiners Association Coalition requesting that three food-related chemicals be exempted from the Chemical Data Reporting (CDR) processing and use reporting requirements in 2016. The chemicals include the following: 1,3-Propanediol (CASRN 504-63-2); Bentonite (Acid Leached) (CASRN 70131-50-9), and Palm Kernel Oils (CASRN 8023-79-8). The petitioners asked that these three chemical substances be added to the 40 CFR 711.6(b)(2)(iv) list of specific chemical substances that are exempt from the reporting requirements of 40 CFR 711.15(b)(4) (i.e., exempt from the requirement to report industrial processing and use and commercial/consumer use information). The chemical substances already included on this "partial exemption" list are substances for which EPA has previously determined that there is a low current interest in the CDR processing and use information. The inclusion of a chemical substance under this partial exemption is not based on the potential risks of a chemical. This partial exemption is based on the Agency's current assessment of the need for collecting CDR processing and use information for the specific chemical. In determining whether there is low current interest in CDR processing and use information related to a specific chemical substance, EPA will look to the specific circumstances surrounding the chemical in question and may use one or more considerations. EPA is developing its response to this petition, which may include rulemaking if EPA decides to grant the petition. The considerations used by EPA in reviewing this petition and an analysis of how those considerations relate to these chemicals will be addressed in EPA's response.	12 months or less
Oil and Natural Gas Sector: Reconsideration of Additional Provisions of New Source Performance Standards	NPRM	Chris Frantz 919-541-4312 Frantz.Chris@epa.gov	This action will address issues raised by petitioners following the final rule published on August 16, 2012 that were not addressed in the action "Oil and Natural Gas Sector: Reconsideration of Certain Provisions of New Source Performance Standards." This action will also finalize provisions for compliance monitoring of storage vessels and associated closed vent systems. Equipment and operations affected by these actions are located at oil and natural gas upstream and midstream operations.	12 months or less

Action Title	Stage	Contact	Abstract	Projected Publication Date
General Permits and Permits by Rule for the Tribal Minor New Source Review Program	NPRM	Chris Stoneman 919-541-0823 Stoneman.Chris@epa.gov	The Tribal Minor New Source Review (NSR) program applies to new and modified minor sources and minor modifications at major sources of air pollution in Indian country. The program, established in 2011, is implemented through issuance of preconstruction permits that can include, among other requirements, pollutant emission limits for minor sources and emission limitations on the potential of sources to emit pollution that would otherwise be considered major sources. This minor source program for Indian country is similar to state minor NSR programs. State minor NSR programs often use general permits and permits by rule as streamlined permitting approaches for similar emission units or stationary sources. This action provides general permits and permits by rule for certain source categories of minor sources wishing to locate in Indian country. This action proposes general permits for boilers and engines; and permits by rule (and general permits in the alternative) for printing operations (including degreasing and solvent cleaning); stone quarrying and processing; concrete batch plants and saw mills.	12 months or less
Revisions to Ambient Monitoring Quality Assurance and Other Requirements	NPRM	Lewis Weinstock 919-541-3661 Weinstock.Lewis@epa.gov	Quality assurance (QA) and other ambient monitoring requirements have become increasingly complex due to the many revisions to the national ambient air quality standards since 2008. This complexity has increased the burden on state and local agencies who must comply with the requirements as well as the EPA Regions and Headquarters staff that must interpret the regulations and provide supplemental explanatory guidance. This action will reduce the compliance burden on states by identifying opportunities for efficiency in the implementation of QA regulations and also by clarifying rule language to more clearly articulate minimum technical requirements. In addition to proposing a simplified structure for QA requirements described in the CFR, this action will address other common-sense revisions that have been suggested by states or EPA staff in the areas of data reporting and certification, annual monitoring network plans, network design, and the review and approval of new or revised ambient methods. The overall goal of this rule is the identification of opportunities for monitoring agency burden reduction while maintaining the current high quality of the resulting ambient data.	12 months or less

Action Title	Stage	Contact	Abstract	Projected Publication Date
Unregulated Contaminant Monitoring Rule (UCMR 4) for Public Water Systems	NPRM	Brenda Parris 513-569-7961 Parris.Brenda@epa.gov	The Safe Drinking Water Act (SDWA), as amended in 1996, requires that the EPA establish criteria for a program to monitor not more than 30 unregulated contaminants every five years. EPA published the first Unregulated Contaminant Monitoring Rule (UCMR 1) in the Federal Register on September 17, 1999 (64 FR 50556), the second (UCMR 2) on January 7, 2007 (72 FR 367), and the third (UCMR 3) on May 2, 2012 (77 FR 26072). This action meets the SDWA requirement by establishing the terms for the next cycle of monitoring, and identifying the new unregulated contaminants to be monitored during the UCMR 4 period of 2017-2021.	More than 12 months
National Contingency Plan Revisions to Align with the National Response Framework	NPRM	Lynn Beasley 202-564-1965 Beasley.Lynn@epa.gov	The purpose of this regulation is to revise the National Contingency Plan (NCP) to align it with the National Response Framework (NRF) and the National Incident Management System (NIMS). The purpose of the NCP is to provide the organizational structure and procedures for preparing for and responding to discharges of oil and releases of hazardous substance, pollutants, and contaminants. The purpose of the NRF is to provide a guide that describes how the nation conducts all-hazard response to domestic incidents. The NRF does not alter the existing authorities of federal departments and agencies, but rather, establishes the coordinating framework to integrate the authorities of various agencies into an all-hazard approach to incident management. The NRF is based on NIMS, which provides a consistent nationwide template for the management of domestic incidents. The NRF and NIMS were developed by the Department of Homeland Security, in consultation with other federal agencies (including EPA) and incident response organizations. Alignment of the NCP with the NRF and NIMS will facilitate smooth integration of emergency response activities under the NCP with the NRF and NIMS. EPA is making other minor revisions to the NCP. The revisions will update the description of federal agency organizational structures and capabilities and how they operate, as well as, recognize the establishment of the Department of Homeland Security.	12 months or less

## What EPA Actions Appear on the AILs?

Generally, AILs include those actions that 1) will appear in upcoming *Semiannual Regulatory Agenda* and 2) have been approved for commencement by EPA's Regulatory Policy Officer. In rare instances, an action will not appear on an AIL before it appears in the *Agenda*. Also, keep in mind that AILs will not post immediately. You can access a given month's list roughly 15 days after the close of the month (e.g., the April 2011 AIL will post sometime around May 15th).

## What Does Each Column in the AIL Mean?

**Title:** Self-explanatory.

**Stage:** The stage of an action describes where we are in the rule writing process, from the very beginning when a rule (or other action) is just an idea to the end when it is published as a final rule (or other action) in the Federal Register. For example, the Notice of Proposed Rulemaking (NPRM) stage announces a proposed rule or proposed modification to an existing rule. In the AILs, the following acronyms are used:

- ANPRM - Advance Notice of Proposed Rulemaking
- NPRM - Notice of Proposed Rulemaking
- Supplemental - Supplemental NPRM
- Direct Final - Direct Final Action
- Interim Final – Interim Final Action
- Final – Final Action
- Section 610 Review – Agency Review under Section 610 of the Regulatory Flexibility Act

**Contact:** Provides the name, phone, and email address for the EPA staff person assigned to this rule. Additionally, if a rule is in EPA's RegDaRRT ([www.epa.gov/rulemaking/](http://www.epa.gov/rulemaking/)), then a link to the rule's profile will be provided in this column.

**Abstract:** A brief summary of the action and its purpose.

**Projected Publication Date:** Since many variables affect how long it takes to write a rule or other action, it is difficult to predict a firm publication date when we have just started working on an action. Therefore, we insert one of two options in the "Projected Publication Date" column: 1) "12 months or less" and 2) "more than 12 months." These options give you some idea of how quickly we expect to complete an action.