



## **October 2016 Action Initiation List (as of 12/21/2016)**

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: <https://www.epa.gov/laws-regulations/actions-initiated-month>. 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/).

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 (<https://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
Revisions to Testing Regulations for Air Emission Sources	NPRM	Lula Melton 919-541-2910 Melton.Lula@epa.gov	This action makes corrections and updates to source test methods, performance specifications, and testing regulations for air emission sources under 40 CFR Parts 51, 60, and 63. The revisions include corrections to testing provisions that contain inaccuracies and typographical errors, updates to outdated test methods, and the addition of alternative testing procedures the agency has deemed acceptable to use. For example, in Method 204, the enclosure area ratio must be less than 0.05, but the method currently inadvertently indicates less than 10.05. In Performance Specification 12B, the paired sorbent trap agreement currently indicates less than or equal to 20 percent relative deviation if the average concentration is less than or equal to 1.0 ug/m3; the proposed revision would indicate less than or equal to 20 percent relative deviation or less than or equal to 0.2 ug/dscm absolute difference for mercury concentrations less than or equal to 1.0 ug/dscm. This action is developed every few years to keep rules up-to-date and to ensure that compliance testing and monitoring are done correctly.	12 months or less
Federal Aluminum Aquatic Life Criteria Applicable to Oregon	NPRM	Heather Goss 202-566-1198 Goss.Heather@epa.gov	The EPA is proposing water quality criteria in Oregon to protect aquatic life from the harmful effects of exposure to toxic levels of aluminum. In January 2013, the EPA disapproved Oregon's new and revised freshwater acute and chronic criteria for aluminum, based on concerns that the criteria would not adequately protect aquatic life in Oregon. Oregon has not yet adopted or submitted criteria for aluminum to address EPA's disapproval. Therefore, consistent with Clean Water Act Section 303(c)(3), the EPA is proposing aluminum criteria to protect aquatic life in Oregon. This rule will improve water quality, protect aquatic life, and strengthen Oregon's natural ecosystem. Under a consent decree with Northwest Environmental Advocates, EPA has until December 15, 2017 to either take an action under CWA section 303(c) to approve aquatic life criteria for aluminum submitted by the state of Oregon, or, if aluminum criteria have not yet been submitted by Oregon and approved by EPA, to propose statewide federal aquatic life criteria for aluminum for Oregon.	More than 12 months

## 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 20 days after the close of the month (e.g., the April 2014 AIL will post sometime around May 20th).

## 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.