



June 2012 Action Initiation List (as of 7/20/2012)

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/.

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
National Emission Standards for Hazardous Air Pollutants for Secondary Lead Smelters; Amendments	NPRM, Direct Final	Nathan Topham 919-541-0483 Topham.Nathan@epa.gov	<p>These amendments will fix an error that occurred when the Secondary Lead Smelting Residual Risk and Technology Review (RTR) was added to the Electronic Code of Federal Regulations (e-CFR). The final rule regulatory text for the RTR reproduced the entire subpart rather than only including amendatory text and used the same section numbers as the original National Emission Standards for Hazardous Air Pollutants (NESHAP). This was done to aid the public in locating and understanding the entire subpart in one location since many changes were made to the original rule.</p> <p>As a result, the entire subpart was replaced in the eCFR, removing the old sections and replacing them with the new versions. The compliance date for existing sources to meet the requirements of the RTR is January 6, 2014. The Agency intended for those sources to continue complying with the requirements included in the original NESHAP until the compliance date for the RTR amendments arrives. The eCFR no longer contains those requirements due to the inadvertent replacement of the entire subpart.</p> <p>These amendments will add a paragraph to the regulatory text that clarifies sources must continue complying with the requirements that were in effect prior to the RTR amendments until the compliance date for the RTR amendments arrives.</p>	12 months or less
Technical Corrections for the Greenhouse Gas Reporting Rule	NPRM	Alexis McKittrick 202-343-9153 McKittrick.Alexis@epa.gov	<p>This action will propose amending specific provisions in the Mandatory Reporting of Greenhouse Gases Rule to correct technical and editorial errors that have been identified since promulgation. This action would also clarify or propose amendments to certain provisions that have been the subject of questions from reporting entities. It is anticipated that this document will include over 200 changes to the current rule, including, but not limited to, additional information to clarify compliance obligations, correct data reporting elements so they more closely conform to the information used to perform emission calculations, and make other corrections and amendments. Specific subparts to be amended may include A, C, H, P, X, Z, AA, HH, MM, NN, PP, RR, TT, UU, and others.</p>	12 months or less

Action Title	Stage	Contact	Abstract	Projected Publication Date
Notice of Proposed Revisions to Stormwater Regulations to Clarify that an NPDES Permit is not Required for Stormwater Discharges from Logging Roads	NPRM	Jeremy Bauer 202-564-2775 Bauer.Jeremy@epa.gov	The EPA intends to propose revisions to its Phase I stormwater regulations (40 CFR 122.26) to clarify that stormwater discharges from logging roads do not constitute stormwater discharges associated with industrial activity and that a National Pollutant Discharges Elimination System (NPDES) permit is not required for these stormwater discharges. EPA is taking this action in response to the 9th Circuit Court of Appeals decision in Northwest Environmental Defense Center (NEDC) v. Brown, which addressed the question of whether discharges from certain logging roads require National Pollutant Discharge Elimination System (NPDES) permits. The Agency intends to clarify that a permit is not required for these discharges.	12 months or less
Greenhouse Gas Reporting - Change to Calculation Methodologies for Subpart I	NPRM	Alexis McKittrick 202-343-9153 McKittrick.Alexis@epa.gov	<p>This action proposes amending the calculation and monitoring methodologies for subpart I, Electronics Manufacturing, of the Greenhouse Gas Reporting Program. Proposed changes include revising certain calculation methods, amending data reporting requirements, and clarifying terms and definitions. This action also proposes confidentiality determinations for the reporting of the data elements that would be added to subpart I as a result of the proposed rule amendments. This notice also proposes amendments to subpart A, General Provisions, to reflect proposed changes to the reporting requirements in subpart I.</p> <p>EPA is proposing these amendments to (1) modify calculation methods and data requirements to better reflect new industry data and current practice; (2) provide additional calculation methods to allow individual facilities to choose the method best suited for their operations; (3) provide flexibility in implementation to balance the burden associated with existing requirements; and (4) address sensitive business information concerns raised by industrial stakeholders.</p>	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/), 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.