



September 2012 Action Initiation List (as of 10/23/2012)

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
Renewable Fuel Standards Renewable Identification Number (RIN) Quality Assurance Program	NPRM	Holly Pugliese 734-214-4288 Pugliese.Holly@epa.gov	EPA is responsible for developing and implementing regulations to ensure that transportation fuel sold in the United States contains a minimum volume of renewable fuel. The Renewable Fuel Standard (RFS) program regulations finalized in 2007 (RFS1) and 2010 (RFS2) were developed in collaboration with refiners, renewable fuel producers, and many other stakeholders. The RFS compliance program is based on the use of unique renewable identification numbers (RINs) assigned to batches of renewable fuel by renewable fuel producers and importers. These RINs can then be sold or traded, and used by any obligated party to demonstrate compliance with the applicable standard. It has recently come to EPA's attention that the production, transfer, and use of invalid RINs has resulted in violations for parties that were not aware that the RINs were invalid. The action will propose a voluntary mechanism for ensuring that RINs have been appropriately generated.	12 months or less
Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010	NPRM	Amy Hambrick 919 541-0964 Hambrick.Amy@epa.gov	On March 21, 2011, EPA promulgated new source performance standards and emission guidelines for sewage sludge incineration units located at wastewater treatment facilities designed to treat domestic sewage sludge. The final rule will set limits for nine pollutants under section 129 of the Clean Air Act: cadmium, carbon monoxide, hydrogen chloride, lead, mercury, nitrogen oxides, particulate matter, polychlorinated dibenzo-p-dioxins and polychlorinated dibenzofurans, and sulfur dioxide. Section 129(b)(2) of the Clean Air Act directs states with existing sewage sludge incinerators subject to the emission guidelines to submit plans to the EPA that implement and enforce the emission guidelines. The deadline for states to submit new state plans to the EPA for review was March 21, 2012. If a state with existing sewage sludge incinerators does not submit an approvable plan within 2 years after promulgation of the emission guidelines, section 129(b)(3) of the Clean Air Act requires the EPA to develop, implement and enforce a federal plan for sewage sludge incinerators in the state. This action proposes the sewage sludge incinerators federal plan to implement the emission guidelines adopted on March 21, 2011, for those states that do not have an approved new state plan implementing the emission guidelines, as amended, in place by March 21, 2012.	12 months or less

Action Title	Stage	Contact	Abstract	Projected Publication Date
Regulation of Fuels and Fuel Additives: Reducing the Number of Reporting Due Dates under EPA's Fuels Programs	Direct Final	Ben Larson 202-343-9565 Larson.Ben@epa.gov	<p>EPA's Fuels Programs will reduce regulatory burden by decreasing the number of reporting due dates across all of the fuel related programs. This action will lay the foundation for the overall goal of combining required reports together and eventually significantly reducing the burden hours associated with reporting. This overall effort responds to Executive Orders 13563 and 13610 and is one of the prototype efforts under the Agency's "E-Enterprise" reporting model.</p> <p>Currently under 40 CFR Part 79 and 40 CFR Part 80 there are 10 separate reporting dates each year (11 in a leap year). The Fuels Programs will change all of these dates to be simply one per quarter. To minimize ambiguity the reporting deadline will also change to the 1st of the month, two months after each quarter ends to June 1st (quarter 1), September 1st (quarter 2), December 1st (quarter 3), and March 1st (quarter 4).</p> <p>This change will either delay or maintain current deadlines for nearly all required reports. Only one annual report that's due on March 31st each year will have an earlier deadline by 30 days, starting in 2014.</p> <p>Respondents will still have the option of reporting before each deadline as needed. Additionally, this change will lead to a single web-form that collects all required data and maximizes the capability of web-forms with data reuse, no duplicate fields, and a user-friendly interface.</p>	12 months or less
Certain Nonylphenols and Nonylphenol Ethoxylates; Significant New Use Rule	NPRM	John Schaeffer 202-564-8173 Schaeffer.John@epa.gov	EPA intends to propose a significant new use rule (SNUR) under Section 5(a)(2) of the Toxic Substances Control Act (TSCA) for related chemicals known commonly as nonylphenols (NPs) and nonylphenol ethoxylates (NPEs). The SNUR would require persons who intend to manufacture, import, or process certain NP and NPE chemicals for an activity that is designated as a significant new use by the proposed rule to notify EPA at least 90 days before commencing that activity. The required notification would provide EPA with the opportunity to evaluate the intended use and, if necessary, to prohibit or limit that activity before it occurs to prevent unreasonable risk to human health or the environment. The NP and NPE chemicals that would be subject to this SNUR are toxic to aquatic organisms, and can be used in a variety of industrial and consumer applications that lead to releases to the environment.	12 months or less

Action Title	Stage	Contact	Abstract	Projected Publication Date
National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing	NPRM	Susan Fairchild 919-541-516 Fairchild.Susan@epa.gov	In 2012, EPA received responses from wool fiberglass companies which conducted furnace emissions testing for chromium compounds under a section 114 letter. Industry data show that wool fiberglass area sources emit chromium from all furnace types. Emissions of chromium compounds from the wool fiberglass industry's area sources total over 50 pounds per year. Additionally, one major source facility is expected to become an area source through changes to a process downstream and independent of the furnace; one furnace at that source has been measured as emitting over 500 pounds per year of chromium compounds. EPA plans to list and regulate area sources in the wool fiberglass source category for all processes that emit Hazardous Air Pollutants.	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.