

# Young / Sommer LLC

## ENVIRONMENTAL BREAKFAST CLUB REGULATORY SUMMARY

October 8, 2014

Prepared by:  
Elizabeth Morss  
Young/Sommer LLC  
5 Palisades Drive  
Albany, NY 12205  
(518) 438-9907, ext. 232  
emorss@youngsommer.com  
<http://www.youngsommer.com>

Final Statutes, Rulemakings, Guidance and Cases

Citation	Summary	Implications	Schedule/Notes
<b>WATER</b>			
<p>NEW YORK STATE <b>Screening and Assessment of Contaminated Sediment</b></p>	<p>DEC’s Division of Fish, Wildlife and Marine Resources issued <b>guidance entitled <i>Screening and Assessment of Contaminated Sediment</i></b>. The document provides information and guidance to DEC staff on assessing contaminated sediment to determine whether it is toxic and potentially poses a risk to aquatic life. The guidance contains numeric thresholds for specific contaminants commonly found in sediment – Class A (little or no risk to aquatic life); Class C (high potential to be toxic to aquatic life); and Class B (sediment cannot be classified as A or C). Class B sediments require additional testing and/or evaluation before being reclassified as Class A or C. The guidance outlines the procedures for classifying sediment, addressing: (1) the definition of sediment (composition, size, origins, etc.); (2) the technical basis for establishing sediment guidance values (SGVs), i.e., the contaminant-specific thresholds for identifying sediment as toxic; (3) contaminant mixtures (addressing sediments contaminated by more than one chemical, including special rules for mixtures of polycyclic aromatic hydrocarbons and metals); (4) bioaccumulation-based SGVs; (5) site-specific SGVs (at sites where there is a potential for adverse effects using site-specific information to modify SGVs, reduce uncertainty and reclassify sites from Class B to Class A or C); (6) sediment toxicity testing; and (7) the decision-making process (screening and classifying sediment samples and additional studies based on results of the initial screening with the goal of eliminating all Class B contaminants and reclassifying them as either acceptable (Class A) or toxic (Class C)).</p> <p>The guidance can be found on DEC’s website at: <a href="http://www.dec.ny.gov/docs/fish_marine_pdf/screenassedfin.pdf">www.dec.ny.gov/docs/fish_marine_pdf/screenassedfin.pdf</a>.</p>	<p>The guidance is primarily of interest to individuals involved in evaluating and potentially remediating sites with contaminated sediment. The guidance establishes a framework for classifying sediment based on toxicity and contains threshold levels for distinguishing between acceptable and toxic sediment. The guidance applies to sediments that comprise the substrate of water bodies up to the mean high water line as well as permanently inundated wetlands that border water bodies. The guidelines may not be applicable to wetlands that are only occasionally submerged or are more soil-like in composition. The document does not discuss sediment management, remediation, mitigation or disposal; in addition, it is not to be used to characterize the suitability of dredged sediment for upland placement or disposal.</p>	<p>DEC significantly revised the guidance in response to public comment. A responsiveness summary was made available with the final guidance document.</p>

Citation	Summary	Implications	Schedule/Notes
<b>OCCUPATIONAL SAFETY AND HEALTH</b>			
<p>FEDERAL  <b>Injury and Illness Recording and Reporting Requirements</b>                      29 CFR Part 1904                      79 Fed. Reg. 56130                      (Sept. 18, 2014)</p>	<p>OSHA revised the injury and illness recording and reporting regulation to update the list of industries that are partially exempt from reporting and change the rules for reporting serious work-related injuries. As a general rule, employers with more than 10 employees must keep records of occupational injuries and illnesses at their establishments. These records include a log of workplace injuries/illnesses, supplementary injury/illness incident reports, and an annual summary of work-related injuries and illnesses that must be posted in the workplace. Establishments in certain low-hazard industries are exempt from these requirements unless specifically asked to maintain injury and illness records by OSHA. In addition, all employers, regardless of size, must report fatalities and certain serious injuries to OSHA when they occur. Changes to the recording and reporting requirements recently adopted by OSHA include:</p> <ul style="list-style-type: none"> <li>• Updating the list of partially exempt industries based on recent data concerning injury and illness rates.</li> <li>• Listing exempt industry groups using North American Industry Classification System (NAICS) codes rather than Standard Industrial Classification (SIC) codes.</li> <li>• Retaining the existing requirement that employers report all workplace-related fatalities to OSHA within 8 hours of the event.</li> <li>• Replacing the existing requirement that employers report work-related in-patient hospitalizations of three or more employees within 8 hours of occurrence with a requirement that employers report all work-related in-patient hospitalizations, as well as amputations and loss of an eye, within 24 hours of the event.</li> </ul> <p>The final rule can be found in the September 18, 2014 Federal Register at: <a href="http://www.gpo.gov/fdsys">www.gpo.gov/fdsys</a>.</p>	<p>The revisions to the list of low-hazard industries that are partially exempt from the OSHA injury/illness recordkeeping and reporting requirement primarily affects businesses in the retail trade; finance, insurance and real estate; and service sectors. All employers, regardless of size or industry, must report fatalities and serious injuries in accordance with the new requirements. OSHA is developing a web portal for employers to report incidents electronically, in addition to phone reporting options.</p>	<p>The final rule takes effect January 1, 2015.</p>

Citation	Summary	Implications	Schedule/Notes
<b>OTHER</b>			
<p>NEW YORK STATE  <b>Prohibited and Regulated Invasive Species</b>                      6 NYCRR Part 575</p>	<p>DEC adopted <b>regulations to identify and classify invasive species and establish a permit system</b> in an effort to restrict the sale, purchase possession, propagation, introduction, importation and transport of invasive species. The rule, set forth at 6 NYCRR Part 575, defines invasive species as “a species that is nonnative to the ecosystem under consideration, and whose introduction causes or is likely to cause economic or environmental harm or harm to human health” that significantly outweighs any benefits. The rule distinguishes between prohibited and regulated invasive species and provides specific lists of each, identified by scientific and common names and species categories. With certain exceptions, individuals are barred from possessing with intent or actually selling, importing, purchasing, transporting, introducing or propagating any prohibited invasive species. In addition, such species must be rendered nonliving and nonviable before disposal. By comparison, individuals may legally possess regulated species but may not knowingly or carelessly introduce them into the wild. Regulated species must be sold with a label or notice that states “Invasive Species – Harmful to the Environment,” lists non-invasive alternatives, and provides instructions on preventing their spread. The rule contains exemptions for various management, transportation and other activities. DEC may issue permits authorizing possession of prohibited/regulated species for research, education and other approved activities.</p> <p>The regulations classify non-native species as prohibited or regulated based on a ranking system established in <i>A Regulatory System for Non-Native Species</i> (June 2010). The “invasiveness rank” assigned—very high, high, medium, low or insignificant—is balanced against the socioeconomic benefits of a particular species. For example, a moderately invasive species that imposes significant economic harm may be prohibited while one with no significant adverse economic impacts may merely be regulated. The rule includes a petition process for adding/removing invasive species from the list.</p> <p>The regulation can be found on DEC’s website at:  <a href="http://www.dec.ny.gov/regulations/2359.html">www.dec.ny.gov/regulations/2359.html</a>.</p>	<p>The regulation is primarily of interest to individuals engaged in the sale and distribution of plants and animals such as pet shops, nurseries, and landscaping services. However, the rule extends to anyone who purchases, transports, introduces or propagates any prohibited invasive species. Thus, an individual who knowingly purchases a prohibited invasive plant from a catalogue or gives a cutting of such a plant to someone else is arguably violating the regulation. By comparison, the rule includes an exception for persons who incidentally or unknowingly possess, sell, import, purchase, transport, or introduce a prohibited or regulated species and take reasonable precautions.</p>	<p>The rule takes effect March 10, 2015. Longer deadlines have been established for Japanese barberry and wild Eurasian boars.</p> <p>DEC made minor revisions to the regulations in response to comments.</p>

Proposed Statutes, Regulations and Guidance

Citation	Summary	Implications	Schedule/Notes
<b>AIR</b>			
<p>FEDERAL  <b>SIP Call to Amend Provisions Relating to Excess Emissions During Startup, Shutdown and Malfunction Events</b>                      40 CFR Part 52                      79 Fed. Reg. 55920                      (Sept. 17, 2014)</p>	<p>EPA <b>proposed additional changes to its policy governing excess emissions during startup, shutdown and malfunction (SSM) events</b>, together with a notice requiring several additional states to revise their state implementation plans (SIPs) to eliminate inconsistent SSM provisions (i.e., a SIP call). Many states have adopted provisions exempting excess emissions during SSM events from regulation or giving the state unlimited discretion to excuse SSM-related excess emissions. These provisions, many of which were adopted decades ago, conflict with EPA’s current SSM policy; also, the policy itself has been criticized for being inconsistent with the Clean Air Act (CAA). The Sierra Club petitioned EPA to revise aspects of its SSM policy and compel states with impermissible SSM provisions to make necessary changes. In February 2013, EPA proposed to revise its existing SSM policy to provide that excess emissions during malfunctions are eligible for an affirmative defense to penalties, while those occurring during startup and shutdown are not because malfunctions are unplanned events that are not within the source’s control. EPA also proposed to grant most of petitioner’s request for modifications of specific state provisions exempting excess emissions during SSM events, issuing SIP calls demanding that 36 states revise their SIPs to address inconsistencies with EPA’s SSM policy. With the recent rulemaking, EPA proposed to grant the Sierra Club’s request to rescind the affirmative defense provision in EPA’s SSM policy in the wake of a recent appellate court decision invalidating a similar provision under the National Emission Standards for Hazardous Air Pollutants program. In addition, EPA proposed to grant the petition seeking to rescind similar provisions in various SIPs; EPA also identified other affirmative defense provisions in six states’ SIPs that should be subject to a SIP call.</p> <p>The proposed rule can be found in the September 17, 2014 Federal Register at: <a href="http://www.gpo.gov/fdsys">www.gpo.gov/fdsys</a>.</p>	<p>New York is not among the states required to revise its SSM provisions under the proposed SIP call. However, the SIP call reflects a broader concern about SSM emissions that may influence DEC’s approach to SSM-related excess emissions.</p> <p>The states subject to the SIP call must revise their SIPs within 18 months of issuance of the final rule. If the state fails to submit the necessary revisions or if EPA disapproves them, EPA must impose a federal implementation plan within 24 months of the finding.</p>	<p>EPA is accepting comments on the revisions to the proposed SIP call until <b>November 6, 2014</b>.</p>

## Other Recent Developments (Final)

### AIR

**FEDERAL: EPA revised the National Emission Standards for Hazardous Air Pollutants (NESHAP) for acrylic and modacrylic fibers, polycarbonate, and amino/phenolic resins production** following a residual risk/periodic technology review. Under Clean Air Act § 112, EPA must assess whether any residual risk remains after imposing technology-based NESHAPs and revise the standard as necessary; EPA also must conduct a periodic review of the underlying technology to confirm that it remains current. Acrylic and modacrylic fibers and polycarbonate are regulated under the generic maximum achievable control technology standard, set forth at 40 CFR Part 63, subpart YY. With this rulemaking, EPA concluded that the standard provides an ample margin of safety to protect public health and prevent adverse environmental effects and that no revisions are necessary to address residual risk. Following the periodic technology review, EPA eliminated the less stringent of two options for complying with leak detection and repair program requirements. EPA did not revise the amino/phenolic resins production standard set forth at 40 CFR Part 63, subpart OOO following the residual risk/periodic technology review. As part of the rulemaking, EPA also required compliance with emission standards during startup and shutdown and required facility owners to submit electronic copies of required performance test reports to EPA. However, EPA did not finalize an affirmative defense to penalties for excess emissions occurring during malfunctions in the wake of a recent appellate court decision invalidating a similar provision under the cement plant NESHAP. The final rule took effect October 8, 2014; it can be found in the Federal Register issued on that date at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys).

Implications: According to EPA, there are approximately 24 facilities in the three source categories subject to the two NESHAPs.

**NEW YORK STATE: DEC removed as obsolete New York's nitrogen oxide (NOx) budget rule and NOx and sulfur dioxide (SO<sub>2</sub>) budget trading program regulations.** 6 NYCRR Part 227-3 established the NOx Emissions Budget and Allowance Program for fossil fuel-fired boilers, certain power plants and other sources to implement a program required for states in the Northeast Ozone Transport Region. DEC followed up with 6 NYCRR Parts 237 and 238, which established the Acid Deposition Reduction Budget Trading Programs that required NOx and SO<sub>2</sub> emission reductions from power plants. These programs have since been replaced by regulations set forth at 6 NYCRR Parts 243–245 that implement EPA's Clean Air Interstate Rule (CAIR), a multi-state NOx and SO<sub>2</sub> emission trading program that covers a larger area of the country than the program it replaced. The final rule takes effect on October 5, 2014; it can be found on DEC's website at: [www.dec.ny.gov/regulations/98664.html](http://www.dec.ny.gov/regulations/98664.html).

Implications: The rule is primarily of interest to power plants and other large combustion sources subject to the various programs.

## REMEDIATION

**FEDERAL:** EPA **amended its all appropriate inquiries rule to remove the reference to ASTM International's E1527-05 standard**, which has been replaced by E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. In 2005, EPA issued a rule setting standards for conducting “all appropriate inquiries” into prior ownership and use of property for purposes of allowing site owners/purchasers to qualify for liability protections under the Superfund program. The rule established a procedure for demonstrating all appropriate inquiries and allowed use of ASTM E1527-05 to comply with the rule. In 2013, EPA amended the rule to authorize the use of ASTM's new E1527-13 standard as an option for conducting site assessments. With the recent rulemaking, EPA removed the reference to ASTM E1527-05 from the all appropriate inquiries rule. The revision takes effect October 6, 2015 to provide sufficient time for new or ongoing investigations to be completed or updated prior to the effective date. After that date, audits conducted pursuant to the old standard will no longer automatically satisfy the all appropriate inquiries rule. The final rule can be found in the October 6, 2014 Federal Register at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys).

Implications: The rule is of interest to anyone involved in purchasing potential brownfield sites.

## CHEMICAL

**FEDERAL:** EPA **added a nonylphenol category to the list of toxic chemicals subject to reporting under the Toxic Release Inventory (TRI) program**. Under TRI, certain facilities that manufacture, process or otherwise use listed toxic chemicals in amounts above specific thresholds must report their environmental releases and other waste management activities to EPA annually. These facilities also must report pollution prevention and recycling data for such chemicals. Nonylphenol is used in the manufacture of nonylphenol ethoxylates, which are nonionic surfactants used in a wide variety of industrial applications and consumer products. According to EPA, nonylphenol is persistent in the aquatic environment, moderately bioaccumulative, and extremely toxic to aquatic organisms, justifying its inclusion on the TRI list. Because there is no one Chemical Abstract Service (CAS) number that describes nonylphenol, EPA added the substance to the TRI list as a category defined by a list of chemical names and CAS numbers. The rule takes effect September 30, 2014. Nonylphenol must be reported July 1, 2016 for the reporting year beginning January 1, 2015. The final rule can be found in the September 30, 2014 Federal Register at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys).

Implications: The rule is potentially of interest to a wide variety of industries that manufacture, process or otherwise use nonylphenol.

## WATER

**FEDERAL:** EPA finalized a **general permit under the National Pollutant Discharge Elimination System (NPDES) permit program authorizing discharges incidental to the normal operation of non-military and non-recreational vessels less than 79 feet in length (sVGP)**. The coverage applies to discharges from these small vessels to “waters of the United States,” as defined in 40

CFR § 122.2. The sVGP does not require the vessel owner or operator to submit a Notice of Intent to receive permit coverage; however, sVGP permittees must complete and keep a Permit Authorization and Record of Inspection (PARI) form onboard their vessels. The sVGP imposes “common-sense” best management practices for general discharges, fuel management, engine and oil control, solid and liquid waste management, deck washdown and runoff and above water line hull cleaning, vessel hull maintenance, graywater, fish hold effluent, ballast water, and overboard cooling water discharges. Vessel owners must conduct quarterly inspections, take corrective action as necessary, and certify compliance annually on the PARI form. The permit takes effect December 19, 2014 when a law imposing a moratorium against NPDES permitting of these discharges expires. Notice of the final permit can be found in the September 10, 2014 Federal Register at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys).

Implications: The sVGP is primarily of interest to owners/operators of certain small non-military and non-recreational vessels.

NEW YORK STATE: A New York appellate court recently **reversed a lower court decision annulling DEC’s SPDES general permit for stormwater discharges from municipal separate storm sewer systems (MS4s)**. The MS4 general permit authorizes municipalities with MS4s to discharge stormwater provided they seek coverage under the permit and develop and implement a stormwater management program. In *Natural Resources Defense Council v. DEC*, the trial court found that the 2010 MS4 general permit violates the federal Clean Water Act because it fails to require MS4s to reduce their discharges of pollutants to the “maximum extent practicable” as required by statute. On appeal, the Appellate Division, Second Department concluded that the MS4 general permit was consistent with the scheme for general permits envisioned by EPA, which gives covered entities flexibility to develop a tailored stormwater management program based on the best management practices outlined in the general permit. The court went on to note that the general permit includes numerous enforcement measures that are sufficient to comply with the “maximum extent practicable” standard. The court also reversed the lower court’s decision that the MS4 permit violates federal and state clean water laws because the permitting scheme does not provide an opportunity for public hearings on the content of notices of intent to seek coverage, finding that DEC’s interpretation of “permit application” as including only those situations where a new general permit is issued or an existing general permit is renewed was not arbitrary and capricious.

Implications: The decision upholds DEC’s existing MS4 permit program and eliminates broader questions about the viability of the Department’s SPDES general permit program raised by the lower court decision.

## **Other Recent Developments (Proposed)**

### **AIR**

FEDERAL: EPA supplemented its **proposed amendments to the NESHAP for ferroalloys production** following a residual risk/periodic technology review. As noted above, under Clean Air Act § 112, EPA must assess whether any residual risk remains after imposing technology-based NESHAPs and revise the standard as necessary; EPA also must conduct a periodic review of the underlying technology to confirm that it remains current. In November 2011, EPA proposed amendments to the ferroalloys production



standard, set forth at 40 CFR Part 63, subpart XXX, following a periodic review. With the current rulemaking, EPA proposed additional changes to certain emission limits and other requirements as well as the withdrawal of the affirmative defense to penalties for excess emissions during malfunctions. EPA is accepting comments on the supplemental proposed rule until **November 20, 2014**; the proposal can be found in the October 6, 2014 Federal Register at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys).

Implications: According to EPA, there are two facilities subject to the ferroalloys NESHAP.

## WATER

**FEDERAL**: EPA published its **Final 2012 and Preliminary 2014 Effluent Guidelines Program Plans and 2012 and 2013 Annual Effluent Guidelines Review Reports identifying new or existing industrial wastewater dischargers that have been selected for development of effluent guidelines and/or pretreatment standards**. The guidelines establish technology-based effluent limits for specific categories of direct and/or indirect wastewater dischargers. These effluent limits are then incorporated into NPDES/SPDES permits or pretreatment permits unless superseded by stricter water quality-based limits. With the recent notice, EPA requested comment/information in the following areas: (1) whether it used the correct evaluation factors, criteria and data sources in conducting its 2012 and 2013 annual reviews and developing plans; (2) data and information relating to the discharge and other characteristics of wastewater from centralized waste treatment facilities, petroleum refineries, metal finishing, and nanomaterial manufacturing and formulating; and (3) various issues relating to innovation and technology in the effluent guidelines program. In the Final 2012 Plan EPA announced its decision to delist coalbed methane extraction and chlorine and chlorinated hydrocarbon manufacturing after concluding no effluent guidelines were necessary. EPA also announced that it had completed its review of the effluent guidelines for the pulp, paper and paperboard and meat and poultry products point source categories and concluded that no revisions were necessary. Finally, EPA announced that it was continuing its review of effluent guidelines for steam electric generating facilities. EPA is accepting comments on the combined Final 2012 and Preliminary 2014 Effluent Guidelines Program Plans and 2012 and 2013 Annual Review Reports until **November 17, 2014**; the notice of availability can be found in the September 16, 2014 Federal Register at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys).

Implications: The notice is primarily of interest to facilities in the named source categories.

## OTHER

**NEW YORK STATE**: DEC is **accepting applications for its New York Environmental Leaders (NYEL) program**, which seeks to recognize and provide incentives to organizations that demonstrate use of sustainable business practices or pollution prevention practices that exceed environmental compliance. Companies accepted into the NYEL program are considered a priority for DEC assistance, and are provided access to a specially designated DEC contact to facilitate communication between DEC and the NYEL member; they are also eligible to use the NYEL logo. The program consists of two tiers: (1) a leadership tier (open to organizations with a track record of environmental leadership); and (2) an entry tier. Applications for entry into the program this year must be

submitted to DEC by **October 31, 2014**. NYEL information and application forms can be found on DEC's website at: [www.dec.ny.gov/chemical/939.html](http://www.dec.ny.gov/chemical/939.html).

Implications: This announcement is potentially of interest to companies seeking state recognition for their environmental compliance efforts.

## Upcoming Deadlines

**NOTE:** This calendar contains items of general interest.

**October 16, 2014:** Deadline for submitting comments on EPA's proposed CO<sub>2</sub> emission standards for modified and reconstructed power plants. See the June 18, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**October 17, 2014:** Deadline for responding to DHS's ANPR seeking input on possible changes to its Chemical Facility Anti-Terrorism Standards. See the August 18, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**October 28, 2014:** Deadline for submitting comments on EPA's proposed revisions to petroleum refinery NESHAP and NSPS (extended from August 29, 2014). See the June 30, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**October 29, 2014:** Deadline for submitting comments on EPA's request for information on possible revisions to its risk management plan regulations under CAA § 112(r). See the July 31, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**October 31, 2014:** Deadline for submitting applications for participation in the New York Environmental Leader program. See DEC's website at [www.dec.ny.gov/chemical/939.html](http://www.dec.ny.gov/chemical/939.html) for details.

**November 4, 2014:** Deadline for submitting comments on DEC's proposed revisions to the PBS, CBS and used oil management regulations and DEC's Draft Program Policy, DER-40, *Operator Training*. The draft regulations can be found at [www.dec.ny.gov/chemical/92526.html](http://www.dec.ny.gov/chemical/92526.html). The draft program policy can be found at [www.dec.ny.gov/regulations/2387.html](http://www.dec.ny.gov/regulations/2387.html).

**November 6, 2014:** Deadline for submitting comments on EPA's proposed revisions to grain elevator NSPS (extended from October 7, 2014). See the July 9, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**November 6, 2014:** Deadline for submitting comments on EPA's proposed SIP call addressing excess emissions during SSM events. See the September 17, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**November 10, 2014:** Deadline for submitting comments on PHMSA's proposed reverse logistics exception to hazardous material transport regulations (extended from October 10, 2014). See the August 11, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**November 14, 2014:** Deadline for submitting comments on EPA's/Army Corps' proposed rule defining scope of waters protected under the Clean Water Act (extended from July 21, 2014). See the April 21, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**November 17, 2014:** Deadline for submitting comments on EPA's preliminary 2014 effluent guidelines program plan and 2012 and 2013 annual review reports. See the September 16, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**November 20, 2014:** Deadline for submitting comments on EPA's proposed revisions to the ferroalloys NESHAP. See the October 6, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**December 1, 2014:** Deadline for submitting comments on EPA's proposed carbon pollution emission guidelines for existing power plants (extended from October 16, 2014). See the June 18, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.