

# Young / Sommer LLC

## ENVIRONMENTAL BREAKFAST CLUB REGULATORY SUMMARY

**December 10, 2014**

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Final Statutes, Rulemakings, Guidance and Cases

Citation	Summary	Implications	Schedule/Notes
<b>AIR</b>			
<p>FEDERAL <b>Cross-State Air Pollution Rule Schedule Changes</b> 40 CFR Parts 51, 52, and 97 79 Fed. Reg. 71663 (Dec. 3, 2014)</p>	<p>EPA adopted an interim final rule with request for comment on a revised schedule for implementing EPA’s <b>Cross-State Air Pollution Rule (CSAPR)</b>. The CSAPR is a multi-state cap-and-trade program that addresses ozone and fine particulate matter nonattainment problems in the Northeast by reducing nitrogen oxide and sulfur dioxide emissions from power plants. The program, which was scheduled to begin January 1, 2012, establishes state-specific emission budgets based on EPA’s quantification of each state’s contribution to nonattainment and/or interference with maintenance of the national ambient air quality standards downwind. The allowances are allocated among affected utilities, who must track actual emissions and ensure that they hold allowances equal to their emissions. In 2011, a federal appeals court stayed implementation of the CSAPR pending resolution of a judicial challenge. The Supreme Court upheld the rule in <i>EPA v. EME Homer City Generation, L.P.</i>, 134 S. Ct. 1584 (2014), after concluding that EPA did not err when it promulgated federal plans rather than allowing the states to first take steps to implement the rule and that EPA’s scheme for allocating emission reductions among upwind states was a permissible, equitable and workable interpretation of the Clean Air Act’s “good neighbor provision.” Shortly thereafter, the appellate court granted a decision lifting the stay and tolling for three years all of the CSAPR’s compliance deadlines. The recent rulemaking amends the deadlines in the CSAPR to conform to the court’s decision. Specific changes include: (1) extending by three years the deadlines for facilities to comply with the rule’s emissions limitations and assurance provisions and amending the years in which the emission budgets, set asides and variability limits apply; (2) adopting comparable amendments to the deadlines for meeting monitoring system certification requirements and submitting quarterly emissions reports; (3) amending the deadlines by which EPA must allocate and record emission allowances; and (4) amending the deadlines associated with the sunset of the Clean Air Interstate Rule, which remained in place pending resolution of the CSAPR litigation.</p> <p>The interim final rule with request for comment can be found in the December 3, 2014 Federal Register at: <a href="http://www.gpo.gov/fdsys">www.gpo.gov/fdsys</a>.</p>	<p>The rulemaking is primarily of interest to power plants, who must begin complying with the CSAPR on January 1, 2015. As described by EPA in the motion supporting the request to lift the stay, tolling the deadline in the CSAPR by three years “returns the rule and the parties to the status quo that would have existed but for the stay, provides parties with sufficient time to prepare for implementation, and avoids unnecessary regulatory burden by retaining a calendar-year schedule for the rule’s annual trading programs.” 79 Fed. Reg. at 71666.</p>	<p>The interim final rule took effect December 3, 2014. EPA is accepting comments on the interim final rule until <b>February 2, 2015</b>. Comments should be limited to the content of the amendments and the consistency of the revisions with the court order granting EPA’s motion to lift the stay and toll the CSAPR compliance deadlines by three years. EPA is not reopening any provisions of the CSAPR other than the dates and years amended in the interim final rule.</p> <p>In a related development, EPA published a notice of data availability (NODA) announcing the allocation of emission allowances to certain units for compliance with the CSAPR. 79 Fed. Reg. 71674 (Dec. 3, 2014). The allocations reflect changes to the CSAPR made after the rule was adopted and the “revintaging” of previously recorded allowances to account for the three-year tolling of the rule’s deadlines.</p>

Proposed Statutes, Regulations and Guidance

Citation	Summary	Implications	Schedule/Notes
<b>BULK STORAGE</b>			
<p>NEW YORK STATE  <b>Liquefied Natural Gas Facilities</b>                      6 NYCRR Part 570</p>	<p>DEC <b>reproposed regulations implementing a permitting program for the siting, construction and operation of liquefied natural gas (LNG) plants</b> in New York after reviewing public comments on last year’s proposed rule. The reproposed rule includes the following key provisions:</p> <ul style="list-style-type: none"> <li>• <b>Applicability.</b> The rule requires LNG facilities to obtain a DEC permit subject to certain exemptions. In response to public comments, DEC revised the proposal to include an upper limit of 70,000 gallons on the amount of LNG a facility would be permitted to store. This limit will enable construction of LNG service stations but discourage construction of peak shaving facilities and regional LNG production/storage facilities.</li> <li>• <b>Permit application requirements.</b> Consistent with the original proposal, applications for LNG facility permits must contain: basic information on facility location/configuration, including reasonable alternative locations; a certification by a licensed professional engineer that the facility meets applicable codes; an independent report attesting to the preparedness of the local fire department to respond to emergencies; and information about the surrounding area.</li> <li>• <b>Criteria for siting and operating facilities.</b> The regulation spells out the standards for operating and siting a facility, including compliance with relevant consensus and regulatory standards, consideration of the risks to persons and property in the area near the facility, and the risks from transportation accidents.</li> <li>• <b>Transportation of LNG.</b> Intrastate transportation of LNG is prohibited under the regulation unless the route has been certified by the New York State Department of Transportation.</li> </ul> <p>The regulation also addresses permit application procedures, emergency response training, non-conforming facilities, financial assurance, reporting of LNG spills, and other subjects.</p> <p>The reproposed regulation and DEC’s responsiveness summary can be accessed at: <a href="http://www.dec.ny.gov/regulations/93069.html">www.dec.ny.gov/regulations/93069.html</a>.</p>	<p>LNG is a dense, low-pressure, cryogenic liquid phase of natural gas, consisting primarily of methane. Because LNG is significantly condensed, it was traditionally stored for use during peak demand periods. Recently, however, there is growing interest in using LNG as a heavy-duty vehicle fuel because it is comparatively inexpensive and clean burning.</p> <p>An accident at a LNG facility on Staten Island in 1973 prompted the State legislature to adopt Environmental Conservation Law (ECL) Article 23, Title 17, which established strict standards for approving LNG facilities. The law was followed by a 1999 ban on LNG facilities in New York City. The siting of new facilities outside New York City is prohibited until DEC issues the regulations required under the ECL. Growing interest in LNG as a possible alternative to diesel fuel prompted the state to propose the regulation after decades of delay. New York is the only state to require a permit for LNG storage.</p>	<p>DEC is accepting comments on the revised draft regulation until <b>December 12, 2014</b>.</p> <p>DEC received extensive comments on the proposed regulation many of which focused on safety issues. In response, DEC noted that there is broad consensus that the established standards of the National Fire Protection Association on which the regulations are based are adequate to protect public safety. Nevertheless, DEC revised the regulation to limit storage to 70,000 gallons, effectively prohibiting the construction of large-scale LNG facilities. As DEC gains experience with LNG, it may reconsider the capacity limit. With regard to transportation, DEC noted that the State Department of Transportation concluded that it was impractical to designate intrastate transport routes for LNG since it does not do so for other materials. As a result, intrastate LNG transport is effectively prohibited in New York.</p>

Citation	Summary	Implications	Schedule/Notes
<b>WATER</b>			
<p>FEDERAL  <b>NPDES Electronic Reporting Rule</b>                      40 CFR Parts 122, 123, 127, 403, 501 and 503                      79 Fed. Reg. 71066                      (December 1, 2014)</p>	<p>EPA is requesting <b>additional comment on its proposal to require electronic reporting for most paper-based reports required under the National Pollutant Discharge Elimination System (NPDES) permit program.</b> The rule, which was proposed in July 2013, would apply to reports, notifications and other submissions required under both individual and general NPDES permits, including: discharge monitoring reports; notices of intent to discharge in compliance with a general permit; general permit waivers, certifications and notices of termination of coverage; and program reports. Instead of paper reports, the proposed rule requires submission electronically to EPA or to an authorized state, tribe, or territory NPDES program through the Central Data Exchange (CDX). EPA received extensive comment on the initial proposal, prompting the agency to seek further input on various matters, including: (1) implementation issues, including clarifying initial recipient status (i.e., government entity who first receives electronic reports) and state readiness criteria (i.e., criteria for deciding when to mandate electronic reporting in a particular state); implementation plan scheduling, including whether two years is sufficient time for states to implement electronic reporting; the impact of the rule on the “copy of record” (i.e., EPA’s authentication and encryption standards); and the relationship between implementation of electronic reporting and the schedule for necessary modifications to state statutes/regulations; (2) the procedures for applying for, receiving approval and authorization, and implementing an electronic reporting system that complies with EPA’s existing Cross-Media Electronic Reporting Regulation (CROMERR); and (3) comments relating to specific permits/sectors, including concentrated animal feeding operations, municipal separate storm sewer systems, and industrial and construction stormwater.</p> <p>The request for further comment can be found in the December 1, 2014 Federal Register at: <a href="http://www.gpo.gov/fdsys">www.gpo.gov/fdsys</a>.</p>	<p>The rule is potentially of interest to any facility subject to either an individual or general NPDES/SPDES permit.</p>	<p>EPA is accepting comments on the request for further comment until <b>January 30, 2015</b>.</p>

## Other Recent Developments (Final)

### AIR

FEDERAL: In response to a petition for reconsideration, **EPA revised the National Emission Standards for Hazardous Air Pollutants (NESHAP) and New Source Performance Standards (NSPS) for electric utility steam generating units (EGUs).** Environmental groups and others challenged EPA's 2012 Mercury Air Toxics Rule (MATS), set forth at 40 CFR Part 63, subpart UUUUU, on various grounds, including the purported inadequacy of the work practice standards applicable during startup and shutdown periods. After an extended review, EPA revised the startup/shutdown provisions to add an alternative compliance option for startup and shutdown periods and make other changes. Like the 2012 regulations, the revised rule requires facilities to use clean fuels to start and warm the EGU and relevant controls prior to combusting coal, residual or solid oil-derived fuel and record and report their compliance. However, the revised regulation contains an alternative definition of "startup" that gives facilities four hours from the time electricity is first generated to comply with the emission standards provided the facility maximizes its use of clean fuels and meets other requirements. The revised regulation also expands the list of clean fuels that may be combusted during startup and shutdown periods and adjusts certain monitoring and testing requirements, including establishing alternative procedures for use of sorbent trap monitoring systems during startup. The rule took effect November 19, 2014, the day it was published in the Federal Register at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys).

Implications: The rule is primarily of interest to owners/operators of electric utility steam generating units.

### REMEDICATION

FEDERAL: EPA **prepared new guidance revising language for all settlement models issued under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).** Among other things, EPA issued a memorandum entitled *Revisions to 2009 ARC Memo and Issuance of Revised CERCLA Past Cost, Peripheral, De Minimis, De Micromis and Municipal Solid Waste Settlement Models*, which summarizes changes both to CERCLA models and specific types of settlements. The changes to the models generally relate to the language governing contribution protection and contribution rights. In particular, EPA revised the contribution protection language to add a statement that the settlement "resolves liability" to the United States within the meaning of CERCLA § 113(f)(2), with the goal of clarifying that EPA settlements meet the requirements of this section and give rise to contribution protection. With respect to contribution rights, EPA clarified that EPA settlements resolve liability within the meaning of CERCLA § 113(f)(3)(B), rather than for the matters addressed in the settlement. EPA also revised its settlement models to clarify that covenants not to sue take effect on the effective date of the settlement. The memo includes an appendix summarizing noteworthy changes to each of the model settlement documents (e.g., past cost models, peripheral party models, de minimis and de micromis models, and municipal solid waste consent decree). In a separate series of documents, EPA issued its 2014 CERCLA Model Remedial Design/Remedial Action Consent Decree and Statement of Work. The documents include a transmittal memorandum, the revised

model consent decree, and an overview of substantive changes from the 2011 to the 2014 document. The various documents can be found on EPA's website at: [www2.epa.gov/enforcement/guidance-revisions-2009-arc-memo-and-issuance-cercla-payment-models](http://www2.epa.gov/enforcement/guidance-revisions-2009-arc-memo-and-issuance-cercla-payment-models) .

Implications: The documents are primarily of interest to entities entering into CERCLA settlements/consent decrees with EPA.

## WATER

NEW YORK STATE: DEC issued its **annual report for State Pollutant Discharge Elimination System (SPDES) compliance and enforcement for state fiscal year 2013–2014, which covers the period from April 1, 2013 through March 31, 2014**. Among other things the report: summarizes the number of SPDES permits currently in effect, including individual municipal, industrial and private/commercial/industrial (P/C/I) permits and SPDES general permits for construction, industrial activities, municipal separate storm sewer systems, concentrated animal feeding operations, and PCIs; it also provides an overview of SPDES compliance/enforcement efforts, including data on SPDES violations, agency inspections, wastewater treatment plant operator training, and enforcement actions, including identification of facilities in significant noncompliance. Of particular note, the report includes a detailed discussion of DEC's efforts to implement the Sewage Pollution Right-to-Know (SPRTK) Act which expanded the requirements for municipal wastewater treatment plants to report discharges of untreated and partially-treated sewage and imposed new recordkeeping and notification requirements on DEC. The annual report includes the Department's first *Sewage Pollution Right to Know Summary Report* containing an update on DEC's SPRTK progress (relating to outreach, development of reporting systems, and regulatory changes) and a summary of reported data for the period from May 2013 through March 2014. The SPDES annual report can be found on DEC's website at: [www.dec.ny.gov/docs/water\\_pdf/2013annualrpt.pdf](http://www.dec.ny.gov/docs/water_pdf/2013annualrpt.pdf).

Implications: The report provides a useful overview of DEC's SPDES program.

## ZONING

FEDERAL/NEW YORK STATE: The Second Circuit Court of Appeals **upheld a lower court decision dismissing as unripe plaintiff's claim that the City of White Plains had discriminated against it under the Americans with Disabilities Act (ADA) when it rejected plaintiff's request for a special use permit** to construct a drug and alcohol recovery facility and demanded a variance instead. In *Sunrise Detox V, LLC v. City of White Plains*, 769 F.3d 118 (2d Cir. 2014), the city originally concluded that the plaintiff's proposed facility was a "community residence" under its zoning code and so required only a special use permit; in the face of community opposition, however, the Department of Buildings reversed its decision and informed the plaintiff that it would have to either seek a variance or appeal the determination to the Zoning Board of Appeals. The plaintiff sued, claiming that the city intentionally discriminated against it and its prospective clients under the ADA. After reviewing the relevant case law, the court concluded that the plaintiff "alleging discrimination in the context of a land-use dispute is subject to the final-decision requirement unless he can show that he suffered some injury independent of the challenged land-use decision." In this case, the court found that the Department of Building's decision that the facility did not qualify as a community residence and the Common Council's failure to take



further action on the application did not give rise to an injury apart from the city's ultimate land use decision. The court went on to find that the City's response to plaintiff's request for "reasonable accommodation" under the ADA did not amount to constructive denial of its application and that requiring the applicant to pursue an administrative appeal or application for a variance would not be futile.

NEW YORK STATE: A New York appellate court **rejected a challenge to a subdivision approval based on allegedly inadequate water supply and septic disposal plans**. In *Dugan v. Liggan*, 121 A.D.3d 1471 (3d Dept. 2014), a group of landowners filed an application for subdivision approval with the Town of Rosendale that, among other things, required approval of water supply and sewage disposal plans by the Ulster County Health Department. The Appellate Division, Third Department, upheld a lower court decision rejecting a challenge to the approval of the subdivision plans brought by a group of neighbors after agreeing that the town's decision was not irrational, arbitrary and capricious or in violation of the law. After noting that courts may not substitute their judgment for that of the reviewing agency, the appellate division found that the County Health Department had undertaken a comprehensive and extensive review of the project that spanned nearly three years and included a review of the underlying studies as well as feedback from petitioners' experts. In light of the extensive review, and affording the health department appropriate deference, the court found that the Department's approval of the final subdivision plans was not arbitrary and capricious, irrational or in violation of law.

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

#### **AIR**

FEDERAL: EPA announced the results of its review of the **NESHAP for phosphoric acid manufacturing and phosphate fertilizer production** following a residual risk/periodic technology review, together with the results of its review of the **NSPS for phosphate processing**. 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 technology underlying the NESHAP to confirm that the standard remains current. In addition, EPA must periodically review each NSPS to determine if technological improvements warrant a change to the standard. With respect to the NESHAP, set forth at 40 CFR Part 63, subpart AA (phosphoric acid manufacturing) and subpart BB (phosphate fertilizer production), EPA concluded that the risks remaining after application of the NESHAP were acceptable and that the standards protect public health with an ample margin of safety; EPA also found that there were no cost-effective developments in practices, processes or control technologies and that no changes in either the NESHAP or NSPS were necessary to address technological improvements. As part of the rulemaking, EPA also required facilities to comply with emission standards during startup and shutdown and submit electronic copies of required performance test reports to EPA. Finally, EPA proposed other changes to one or both NESHAPs, including: (1) establishing an emission limit for previously unregulated mercury emissions from calciners at phosphoric acid plants; (2) establishing work practice standards to control hydrogen fluoride

emissions for calciners and gypsum dewatering ponds and cooling ponds at phosphoric acid plants; and (3) clarifying the applicability of both NESHAPs. EPA also proposed minor changes to the NSPS. EPA is accepting comments on the proposed rules until **December 22, 2014**; they can be found in the November 7, 2014 Federal Register at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys).

Implications: According to EPA, there are approximately 13 facilities that are subject to the phosphoric acid manufacturing and/or phosphate fertilizer production NESHAP; most are in both source categories.

**FEDERAL: EPA proposed further changes to the NESHAP for mineral wool production, 40 CFR Part 63, subpart DDD, and wool fiberglass manufacturing, 40 CFR Part 63, subparts NN and NNN, as part of its ongoing residual risk and periodic technology review of the standards.** EPA proposed major changes to the NESHAPs for both source categories in 2011, including: adding emission limits for pollutants not covered by the current standards; modifying testing, monitoring, notification, reporting and recordkeeping requirements; and revising the rules relating to startups, shutdowns and malfunctions. Upon further review, EPA concluded that many wool fiberglass plants no longer meet the definition of major source and proposed to establish an area source standard, set forth at 40 CFR Part 63, subpart NN. EPA also proposed additional changes to the NESHAP for major source wool fiberglass and mineral wool production facilities. The recent notice seeks comment on additional revisions, including: (1) establishing work practice requirements during startup and shutdown and deleting a proposed affirmative defense for excess emissions occurring during malfunctions; (2) revising the emission limits for cupolas and bonded lines at mineral wool production sources; (3) at major source wool fiberglass manufacturing facilities, establishing work practice standards to reduce hydrogen fluoride and hydrogen chloride emissions, revising the emission limits for other pollutants, and requiring annual chromium testing for all glass melting furnaces; (4) deleting particulate matter limits for area sources in the wool fiberglass manufacturing source category; and (5) extending the compliance deadline for gas-fired glass-melting furnaces at major and area wool fiberglass facilities. EPA is accepting comments on the supplemental notice until **December 15, 2014**; the notice can be found in the November 13, 2014 Federal Register at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys).

Implications: The proposed revisions are primarily of interest to wool fiberglass and mineral wool production facilities. EPA estimates that there are approximately seven mineral wool facilities and 30 wool fiberglass facilities operating nationwide; most of the wool fiberglass production facilities are area sources.

**FEDERAL: EPA proposed revisions to the NESHAP and NSPS for portland cement plants to make changes/corrections** identified after the rule was revised in 2013 and address a recent appellate court case invalidating EPA's affirmative defense to penalties for excess emissions during malfunctions. Key changes to the portland cement plant NESHAP, set forth at 40 CFR Part 63, subpart LLL, include: (1) providing a scaling alternative for demonstrating compliance with the hydrogen chloride (HCl) standard for sources equipped with wet scrubbers, tray towers or dry scrubbers; (2) adding a temperature parameter to the startup and shutdown requirements; in particular, EPA is proposing to require that the air pollution control device be turned on when the temperature of the device reaches 300 degrees Fahrenheit; (3) clarifying the span values for both mercury and HCl; and (4) correcting and clarifying various inconsistencies or errors. In addition, EPA is deleting an affirmative defense to civil penalties for excess emissions occurring



during malfunctions in the wake of a court of appeals decision holding that EPA lacked authority to establish the defense. Finally, EPA is proposing to clarify the definitions of rolling average, operating day and run average in both the NSPS and NESHAP regulations. Tables summarizing the miscellaneous proposed corrections to the two regulations are included in the proposal. EPA is accepting comments on the proposed changes/corrections until **January 20, 2015**; the rulemaking can be found in the November 19, 2014 Federal Register at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys).

Implications: The rule is primarily of interest to owners/operators of portland cement plants. More generally, EPA is revising NESHAPs to impose emission standards during startup, shutdown and malfunction. EPA also plans to eliminate the affirmative defense to civil penalties for excess emissions during malfunctions that was included in various recently-revised standards.

## **WATER**

**NEW YORK STATE:** DEC is **proposing to revise its water quality standards for Class I and Class SD saline surface waters to require them to be suitable for primary contact recreation**, such as swimming and water skiing. Consistent with the requirements of the federal Clean Water Act (CWA), the waters of the state are grouped into classes based on their highest and best use. Water quality standards are then set with the goal of protecting these uses; the higher the use, the stricter the applicable water quality standard. The CWA provides that “wherever attainable” water quality should provide for “recreation in and on the water” by 1983. DEC is proposing the new stricter standards for Class I and Class SD saline surface waters to help the State achieve this so-called “swimmable goal.” The proposal revises the descriptions of Class I and Class SD saline surface waters to include a requirement that the water be suitable for contact recreation. In addition, DEC revised the total and fecal coliform standards to reflect use of the water for swimming purposes. A public hearing on the proposed rule is scheduled for **January 27, 2015** at 12:00 p.m. at EPA’s Region 2 office at 290 Broadway, Room 27A, New York City; in addition, a public information meeting will be held January 6, 2015 at the same location. DEC is accepting comments on the proposed revisions until **February 2, 2015**. Information about the proposed rulemaking can be found on DEC’s website at: [www.dec.ny.gov/regulations/99546.html](http://www.dec.ny.gov/regulations/99546.html).

Implications: Class I and Class SD saline surface waters are found in New York City and Suffolk County.

## **Upcoming Deadlines**

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

**December 12, 2014:** Deadline for submitting comments on DEC’s draft *New York State Aquatic Invasive Species Management Plan*. The document can be found on DEC’s website at [www.dec.ny.gov/animals/99053.html](http://www.dec.ny.gov/animals/99053.html).

**December 12, 2014:** Deadline for submitting comments on DEC's repropoed regulations governing LNG facilities. See DEC's website at [www.dec.ny.gov/regulations/93069.html](http://www.dec.ny.gov/regulations/93069.html) for details.

**December 15, 2014:** Deadline for submitting comments on EPA's supplemental notice of proposed rulemaking on the mineral wool production and wool fiberglass manufacturing NESHAPs. See the November 13, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**December 19, 2014:** Deadline for submitting comments on EPA's preliminary determination to adopt a national primary drinking water regulation for strontium. See the October 20, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**December 19, 2014:** Deadline for submitting comments on EPA's proposed revisions to the ferroalloys production NESHAP (extended from November 20, 2014). See the October 6, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**December 22, 2014:** Deadline for submitting comments on EPA's proposed effluent limitations guidelines and standards for discharges of pollutants from dental practices to POTWs. See the October 22, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**December 22, 2014:** Deadline for submitting comments on EPA's proposed revisions to the phosphoric acid manufacturing and phosphate fertilizer production NESHAP and phosphate processing NSPS. See the November 7, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**December 22, 2014:** Deadline for submitting comments on EPA's proposed revisions to the grain elevator NSPS (extended twice from October 7, 2014). See the July 9, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**January 5, 2015:** Deadline for submitting comments on DEC's proposed revisions to the SPDES general permit for private/commercial/institutional discharges to groundwater for treated sanitary waste (extended from December 5, 2014). See DEC's website at [www.dec.ny.gov/permits/6061.html](http://www.dec.ny.gov/permits/6061.html) for details.

**January 20, 2015:** Deadline for submitting comments on EPA's proposed revisions to the portland cement plant NESHAP and NSPS. See the November 19, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**January 27, 2015:** Public hearing on proposed revisions to the water quality standards for Class I and Class SD saline surface waters to be held at 12:00 p.m. at EPA's Region 2 office at 290 Broadway, New York City. A public information meeting will be held at the same location on January 6, 2015. See DEC's website at [www.dec.ny.gov/regulations/99546.html](http://www.dec.ny.gov/regulations/99546.html) for details.

**January 30, 2015:** Deadline for submitting comments on EPA's request for further comment on its proposed NPDES electronic reporting rule. See the December 1, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**February 2, 2015:** Deadline for submitting comments on DEC's proposed revisions to the water quality standards for Class I and Class SD saline surface waters. See DEC's website at [www.dec.ny.gov/regulations/99546.html](http://www.dec.ny.gov/regulations/99546.html) for details.

**February 2, 2015:** Deadline for submitting comments on EPA's interim final rule and request for comment on the CSAPR implementation schedule. See the December 3, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.

**April 8, 2015:** Deadline for submitting information in response to OSHA's RFI on alternative approaches to workplace chemical management, including possible updating of PELs. See the October 10, 2014 Federal Register at [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys) for details.