

Young / Sommer LLC

ENVIRONMENTAL BREAKFAST CLUB REGULATORY SUMMARY

May 4, 2018

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Final Statutes, Regulations, Guidance and Cases

| Citation | Summary | Implications | Schedule/Notes |
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| AIR | | | |
| <p>FEDERAL Retention of National Ambient Air Quality Standards for Nitrogen Dioxide 40 CFR Part 50 83 Fed. Reg. 17226 (Apr. 18, 2018)</p> | <p>EPA retained the existing national ambient air quality standards (NAAQS) for nitrogen dioxide (NO₂) without revisions after finding that the current standards provide the requisite protection to public health with an adequate margin of safety. EPA established a new hourly NO₂ standard of 100 ppb in 2010 to supplement its annual standard of 53 ppb. Under the current short-term standard, an area violates the NAAQS if NO₂ in the ambient air exceeds 100 ppb based on the 3-year average of the 98th percentile of the annual distribution of daily maximum 1-hour concentrations. After reviewing recent data on the health effects of NO₂ in the ambient air, EPA concluded that the available studies do not call into question the adequacy of the public health protection provided by the current standards.</p> <p>The final rule can be found in the April 18, 2018 Federal Register at: www.gpo.gov/fdsys.</p> | <p>The announcement is primarily of interest to state regulators, who will not be required to revise their state implementation plans (SIPs) to address reductions in the NAAQS.</p> | <p>EPA's final action takes effect May 18, 2018.</p> <p>EPA is collectively reviewing the ecological welfare effects of oxides of nitrogen and sulfur and particulate matter as part of a comprehensive review of the secondary NAAQS for these pollutants.</p> |
| <p>FEDERAL Presidential Memorandum: Promoting Domestic Manufacturing and Job Creation—Policies and Procedures Relating to Implementation of Air Quality Standards (Apr. 12, 2018)</p> | <p>President Trump issued a memorandum directing EPA to implement specific actions to “ensure efficient and cost-effective implementation of the NAAQS program.” Highlights include:</p> <ul style="list-style-type: none"> • Requiring EPA to attempt to take final action on SIPs within 18 months. • Requiring EPA to process preconstruction permit applications within 12 months of receipt of a complete application and providing technical support where states are responsible for issuing the permit. • Specifying actions to provide relief to states required to address emissions beyond their control (e.g., exceptional events and international emissions). • Where modeling is necessary for permitting, SIPs or other decisions, attempting to ensure that modeling tools are sufficiently accurate for their intended purpose and taking other related measures. • Providing flexibility to states on identifying/achieving emission offsets. • Examining the NAAQS review process, committing to timely issuance of NAAQS implementing regulations and guidance, and reviewing rules, guidance, memoranda, and procedures relating to SIPs and permitting. <p>The Presidential Memorandum can be found on the following website: www.whitehouse.gov/presidential-actions/presidential-memorandum-administrator-environmental-protection-agency.</p> | <p>The memorandum calls on EPA to change policies and programs implemented under the NAAQS. Most of the measures relate directly to the establishment of the NAAQS and the states' implementation of the NAAQS through their SIPs, including the regional haze program. However, aspects of the memorandum are targeted at simplifying the preconstruction review process under the nonattainment new source review and prevention of significant deterioration programs. The latter changes will affect sources in New York only if DEC, as the permitting authority, chooses to implement them.</p> | |

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| RADIOACTIVE MATERIALS | | | |
| <p>NEW YORK STATE Prevention and Control of Environmental Pollution by Radioactive Materials 6 NYCRR Part 380</p> | <p>DEC revised its regulations governing the disposal and release of radioactive materials to incorporate changes to federal rules, simplify and update language, and add requirements that are already being implemented via permit. The radioactive materials regulations, set forth at 6 NYCRR Part 380, set limits on public exposure to radioactive materials, require parties to obtain permits for most releases of radioactive materials, and restrict disposal of the materials. With the recent rulemaking, DEC:</p> <ul style="list-style-type: none"> • Expanded the rule to cover use of licensed radioactive materials (RAM) in the environment (e.g., environmental studies); clarified that sites containing buried radioactive waste are subject to Part 380; and specified that certain RAM is not regulated, including intact smoke detectors. • Added definitions (disposal, emission, effluent, effluent treatment, release, uncontrolled release, dose constraint, public dose and TENORM); limited the term “discharge” to releases to ground or surface water and added the term “emission” to cover releases to the air and “release” to cover the introduction of material into the environment generally; revised the definitions of incineration, permit, loss of control of RAM, total effective dose equivalent, and member of the public; and deleted the term shallow dose equivalent. • Clarified what types of activities require a permit as well as the content of permit applications (consistent with recent DEC practices). • Expanded the existing “biomedical exemption” from the permit requirements for certain animal tissue to cover animal bedding. • Limited airborne emissions to 10 millirem consistent with federal regulations and current DEC permit conditions. • Required annual calibration of instruments measuring effluent flow rates. • Required permittee to make data maintained electronically available by hard copy and required the transfer of records when a permit is transferred. • Required reporting of environmental dosimeter results consistent with current DEC permit conditions. • Lowered the thresholds for reporting uncontrolled releases or events and specified the content and time frames for these reports. • Added isotopes N-13 and O-15 to the tables of concentrations. <p>The regulations can be found on DEC’s website at: www.dec.ny.gov/regulations/106149.html.</p> | <p>The rule is primarily of interest to companies that dispose of or otherwise release radioactive materials, including medical practices and facilities, research and diagnostic laboratories, and manufacturers. According to DEC, in 2012 there were 28 persons holding one or more Part 380 permits. Approximately 1500 facilities in the State are subject to Part 380 but do not require a permit.</p> | <p>The revised regulations take effect May 10, 2018.</p> |

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| ENVIRONMENTAL REVIEW | | | |
| <p>FEDERAL Memorandum of Understanding Implementing One Federal Decision under Executive Order 13807</p> | <p>The Trump administration issued a Memorandum of Understanding (MOU) to establish a cooperative relationship to facilitate the timely processing of environment reviews and authorizations for major infrastructure projects under the “One Federal Decision” (OFD) policy established in Executive Order (EO) 13807. The EO compelled the federal government to take steps to establish discipline and accountability in the environmental review and permitting of major infrastructure projects. Under the OFD policy, the agencies must work together to develop a single permitting timetable, prepare a single environmental impact statement (EIS), sign a single record of decision (ROD), and issue all necessary decisions within 90 days of issuance of the ROD with the goal of completing the review process no later than two years after publication of the Notice of Intent to prepare the EIS. The MOU contains the following components:</p> <ul style="list-style-type: none"> • General Agreements establishing the two-year goal and committing the agencies to developing policies to implement OFD for major infrastructure projects, communicating with other agencies, reviewing projects concurrently when possible, adhering to the permitting timetable, and implementing process enhancements to facilitate the OFD process. • Determination of Lead and Cooperating Agencies. • Permitting Timetable, including requiring the lead agency to develop a timetable in consultation with the project sponsor and cooperating and participating agencies, making it available to the agencies for comment, and specifying the contents of the timetable as well as procedures for modifications/updates and publication. • Agency Roles and Responsibilities, including lead agencies, cooperating agencies, participating agencies, state, local and tribal agencies, and Chief Environmental Review and Permitting Officers (CERPOs). • Preliminary Project Planning, including preapplication procedures and prescoping, preliminary planning, and programmatic coordination plans. • Notice of Intent, including timing of publication and revision or withdrawal. • Scoping and Concurrence Points, including requirement of coordination, specific concurrence points (purpose and need, alternatives to be carried forward, and preferred alternative and changed circumstances). • Elevation of Delays and Dispute Resolution and Exceptions. <p>The MOU can be found on EPA’s website at: www.whitehouse.gov/wp-content/uploads/2018/04/MOU-One-Federal-Decision-m-18-13-Part-2-1.pdf.</p> | <p>The MOU is potentially of interest to governments and contractors undertaking major infrastructure projects—defined as “an infrastructure project for which multiple authorizations by Federal agencies will be required to proceed with construction, the lead Federal agency has determined that it will prepare an Environmental Impact Statement (EIS) under the National Environmental Policy Act . . . and the project sponsor has identified the reasonable availability of funds sufficient to complete the project.” The goal of the EO and MOU is to streamline the environmental review process for such projects by requiring the various agencies involved in reviewing/approving such projects to establish a timeline and coordinate their review efforts.</p> | <p>The MOU took effect April 10, 2018.</p> |

Other Recent Developments (Final)

CLIMATE CHANGE

FEDERAL: EPA announced its intent to **withdraw an earlier decision to retain the greenhouse gas (GHG) emission standards applicable to model year 2022-2025 light-duty motor vehicles**. In 2012, EPA adopted GHG and corporate average fuel economy (CAFÉ) standards applicable to model year 2017-2025 light-duty vehicles. The rule requires EPA to review the standards for model year 2022-2025 to confirm that they are still appropriate and achievable. With a few days left in the Obama administration, EPA announced the results of its MTE, declaring that the GHG standards in the 2012 rule for 2022-2025 model year vehicles were feasible at reasonable cost using existing and emerging technologies. Shortly after President Trump took office, EPA announced plans to review the MTE after noting that the evaluation was not due until April 1, 2018 and that the National Highway Transportation Safety Administration had not yet issued its MTE findings with respect to the CAFÉ standards. After accepting comment on the January 2017 MTE, EPA determined that more recent information suggests that the current 2022-2025 standards may be too stringent. EPA will follow up with a proposed rule seeking comment on new standards. The announcement can be found in the April 13, 2018 Federal Register at: www.gpo.gov/fdsys.

Implications: The reconsideration is primarily of interest to the automotive industry, which had expressed concerns about the cost and feasibility of achieving the second phase of the light-duty vehicle GHG emission standards.

FEDERAL: EPA issued **guidance clarifying how it will regulate certain hydrofluorocarbons (HFCs)** in the wake of a court decision vacating a law prohibiting certain uses of these chemicals under its Significant New Alternatives Policy (SNAP) program. The SNAP program was adopted under Title VI of the Clean Air Act (CAA), which regulates the manufacture and use of substances that deplete the ozone layer. Under SNAP, EPA reviews and approves substitutes for ozone depleting substances such as hydrochlorofluorocarbons (HCFCs) before they are introduced into commerce. Prompted by concerns about the global warming impact of the HFCs that had previously been approved as substitutes for HCFCs under the SNAP program, EPA conducted a new review and concluded that the HFCs were no longer acceptable substitutes because of their high global warming potential. In a challenge to the rule, a federal court held that EPA did not have the authority under the SNAP program to require manufacturers to replace HFCs with a substitute substance because HFCs are not ozone depleting substances. With the recent notice, EPA announced that it would not apply the HFC listings in the 2015 rule pending a rulemaking to address the court's remand. This means that EPA will not apply the HFC use restrictions or unacceptability listings in the 2015 rule for any purpose prior to completing the rulemaking required by the court. The announcement can be found in the April 27, 2018 Federal Register at: www.gpo.gov/fdsys.

Implications: This announcement is primarily of interest to refrigeration and air conditioning, foam blowing and aerosol end-users affected by the HFC listing changes in the 2015 rule.

CHEMICAL

FEDERAL: In response to a recent court decision, EPA announced **new compliance dates for its 2016 rule establishing formaldehyde emissions standards for composite wood products**. The December 2016 rule, which implemented the 2010 Formaldehyde Standards for Composite Wood Products Act, established formaldehyde emission standards for hardwood plywood, particleboard, and medium-density fiberboard (collectively, composite wood products), together with emission testing and quality control/quality assurance requirements, third-party certification rules, chain-of-custody and recordkeeping requirements, and a manufacturer sell-by date for noncompliant products. Upon taking office, the Trump administration EPA adopted a rule extending the compliance date for emission standards, recordkeeping and labeling (i.e., the manufactured-by date or import-by date). However, a federal district court concluded that EPA did not have the authority to set the manufacture date beyond the statutory deadline and so could not reset the compliance date without violating the statute. To implement that ruling the court issued an order setting a compliance date for the emission standards, recordkeeping and labeling requirements of June 1, 2018. The notice announcing the order and specifying compliance dates/requirements can be found in the April 4, 2018 Federal Register at: www.gpo.gov/fdsys.

Implications: The announcement is primarily of interest to composite wood product manufacturers and importers and companies that manufacture the formaldehyde-based chemicals used in the manufacture of composite wood products. The rule is also of interest to industries that use composite wood, such as manufacturers and distributors of manufactured and prefabricated homes, recreational vehicles, and furniture.

WATER

FEDERAL: EPA issued its final **2016 Effluent Guidelines Program Plan identifying new or existing categories of industrial wastewater dischargers that have been selected for development or review of effluent guidelines and/or pretreatment standards**. The guidelines establish a framework for developing technology-based effluent limits for specific categories of direct and/or indirect wastewater dischargers. These effluent limits are then incorporated into National/State Pollutant Discharge Elimination System permits or pretreatment permits unless superseded by stricter water quality-based limits. In its final plan, EPA announced one new rulemaking (and associated schedule) for the steam electric power generating point source category. EPA also announced plans to look holistically at the management of oil and gas extraction wastewater and to initiate a study of the electrical and electronic components point source category to address changes in the industry since the standards were adopted. With the recent plan, EPA also concluded that: no changes were warranted to the standards for iron and steel manufacturing, organic chemicals, plastics and synthetic fibers, and pulp, paper and paperboard, other than possibly nutrients; changes in the battery manufacturing industry since the standards were established in 1984 did not warrant additional review or action; additional stakeholder outreach was necessary to resolve applicability questions relating to the metal finishing standard; and further review of the miscellaneous food and beverage industry sectors was not warranted at this time. EPA also reported on the status of its ongoing reviews of the petroleum refining and centralized waste treatment categories. Finally, EPA identified the following topics for future investigation: pretreatment standards for discharges of unconventional oil and gas

extraction wastewater; nutrient discharges; per and polyfluoroalkyl substances; and oil and gas extraction wastewater management. EPA's announcement of the final plan can be found in the May 2, 2018 Federal Register at: www.gpo.gov/fdsys.

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

NEW YORK STATE: The New York State Department of Health (DOH) adopted a seventh emergency rule imposing **lead testing requirements for school drinking water** to extend the program while it finalizes a permanent rule. The rule requires all school districts, including those already classified as public water systems, to test potable water outlets for lead and develop and implement a lead remediation plan, where necessary. For buildings serving elementary school age children (prekindergarten through fifth grade), the first samples were required to be collected by September 30, 2016, with an October 31, 2016 deadline for all other schools. If the results exceed 15 parts per billion, the school must: prohibit use of the outlet until the problem is remediated; supply the building with adequate potable water; immediately report the test results to the local health department; and notify staff and parents in writing and via the school's website. Schools also must post a list of buildings found to be lead-free and report the sample results to DOH and others by November 11, 2016 through DOH's electronic reporting system. Additional samples must be taken in 2020 and at least every five years thereafter. DOH proposed a permanent regulation to replace the emergency rule and accepted comment through June 26, 2017. The current emergency rule expires May 25, 2018. The emergency rule can be found at: <https://regs.health.ny.gov/regulations/proposed-rule-making>.

Implications: The rule is primarily of interest to public schools; it does not apply to private schools.

ENFORCEMENT

FEDERAL: EPA's Office of Enforcement and Compliance Assurance (OECA) issued a memorandum entitled *The Appropriate Use of Compliance Tools in Civil Enforcement Settlements* that pulls back on the Obama administration's emphasis on including innovative compliance measures in civil enforcement settlements. As part of its efforts to facilitate compliance, the Obama administration pursued so-called "Next Gen" enforcement initiatives, which emphasized implementation of real time monitoring, advanced monitoring, such as implementation of new leak detection and other monitoring requirements, and electronic reporting. It also issued a memorandum in January 2015 suggesting that such measures should routinely be included in EPA settlements. The recent OECA memo withdraws the January 2015 memorandum and makes clear that there is no default expectation that innovative enforcement techniques will routinely be sought as injunctive measures. Instead, the injunctive relief imposed "will depend on the particular facts and circumstances of each case." The memorandum can be found on EPA's website at: www.epa.gov/enforcement/appropriate-use-compliance-tools-civil-enforcement-settlements.

Implications: The memorandum is of general interest to anyone regulated by EPA directly or under a delegated permitting program.

Other Recent Developments (Proposed)

AIR

FEDERAL: EPA proposed the results of its residual risk/periodic technology review of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for wet-formed fiberglass mat production facilities. Under CAA § 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. The wet-formed fiberglass NESHAP, set forth at 40 CFR Part 63, subpart HHHH, applies to wet-formed fiberglass mat drying and curing ovens at major facilities, regulating formaldehyde as a surrogate for other hazardous air pollutants. After reviewing the existing standard, 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 the NESHAP were necessary to address technological improvements. As a result, EPA proposed no revisions to the NESHAP's numerical limits. However, EPA revised the rule to require submission of electronic copies of compliance reports, update the provisions relating to startup, shutdown and malfunction consistent with recent court decisions, and make other technical corrections and clarifications. EPA is accepting comment on the proposed rule until **May 21, 2018**; it can be found in the April 6, 2018 Federal Register at: www.gpo.gov/fdsys.

Implications: The proposed rule is primarily of interest to wet-formed fiberglass mat production facilities.

NEW YORK STATE: DEC made available for comment its proposed annual monitoring network plan, which describes New York's air monitoring network. As required by the CAA, DEC maintains a network of air monitors throughout the state to collect ambient air quality data for various pollutants, including ozone, particulate matter, and nitrogen oxides, as well as key meteorological data. The data are used by DEC to determine whether an area is achieving NAAQS; they are also used to determine the impact of a project under the Prevention of Significant Deterioration and other programs. The proposed monitoring plan includes an overview of New York's air quality monitoring program, followed by a detailed description of each of the state's air monitoring locations. Planned changes include reducing the collection frequency of fine particulate matter (PM_{2.5}) filters as a cost saving measure at four sites that are served by other monitors and have PM_{2.5} levels that are well below the NAAQS; the list of four sites includes Loudonville. DEC also is proposing to stop operation of one filter-based instrument in New York City because of interference from a nearby chimney. Finally, DEC plans to install a photochemical assessment monitoring station (PAMS) on the north shore of Long Island to support the Long Island Sound Tropospheric Ozone Study. DEC is accepting comments on the proposed monitoring plan until **June 1, 2018**; the plan can be found on DEC's website at: www.dec.ny.gov/chemical/33276.html.

Implications: The plan is primarily of interest to engineers performing air impact analyses.

SOLID WASTE

NEW YORK STATE: Governor Cuomo advanced a **program bill that would ban single-use plastic carryout bags** at any point of sale to customers and bar local governments from imposing fees or other measures relating to such bags. The fee provision is targeted at New York City, which imposed a 5 cent fee on carryout merchandise bags that the Legislature put on hold via a moratorium. The program bill includes numerous exemptions, including: bags used to contain uncooked meat, fish or poultry; bags used to package bulk items such as fruit, vegetables and nuts; bags used to contain foods sliced to order; and plastic bags supplied by restaurants for carryout/delivery, among others. It also authorizes DEC to exempt other types of bags by regulation. The bill, which would take effect January 1, 2019 if enacted, follows a January 2018 report from the New York State Plastic Bag Task Force entitled *An Analysis of the Impact of Single-Use Plastic Bags: Options for New York State Plastic Bag Legislation*, which assessed possible options for managing single-use plastic bags in the wake of a 2009 law requiring certain large stores and retail chains that provide single-use plastic carryout bags to customers to collect bags and arrange for recycling. The bill can be found at: www.governor.ny.gov/news/governor-cuomo-introduces-program-bill-banning-single-use-plastic-bags-new-york-state.

Implications: The program bill is of interest to plastic bag manufacturers as well as retailers/consumers that use the bags; it is also of interest to solid waste management and disposal facilities that handle the bags.

OTHER

FEDERAL: EPA proposed a regulation—entitled “**Transparency in Regulatory Decisionmaking**”—that would require EPA to make the data underlying certain studies offered to support major rulemakings available in a manner that allows for independent validation. The proposed new 40 CFR Part 30 would provide a mechanism to increase access to so-called “pivotal regulatory science”—the studies, models and analyses that drive the magnitude of the benefit-cost calculation, i.e., the level of a standard or point of departure from which a reference value is calculated, most notably dose response data and models. In making the data or models publicly available, EPA must protect privacy, confidentiality, and confidential business information and be sensitive to national and homeland security concerns. As part of the proposed rulemaking, EPA is seeking comment on a variety of issues, including the statutory authority for the rule, possible alternatives, the impact of the rule on individual programs, whether the rule should apply beyond “significant regulatory actions,” how to incorporate stronger data and model access requirements into cooperative agreements and grants, and whether to extend the rule to cover data/information beyond dose response data and models. According to EPA, the rule will “enhance[e] the public’s ability to understand and meaningfully participate in the regulatory process,” by providing the information that will allow scientists to review and validate key models/data underlying significant rulemakings. Numerous scientists have criticized the rule on the grounds that it will limit the number of studies available for consideration because much research relies on confidential health data. EPA is accepting comment on the proposed rule until **May 30, 2018**; it can be found in the April 30, 2018 Federal Register at: www.gpo.gov/fdsys.

Implications: The regulation may reduce the number studies available and thus limit EPA’s ability to regulate because it lacks the information necessary to make key regulatory decisions.

NEW YORK STATE: DEC is accepting comment on its **draft New York State Invasive Species Comprehensive Management Plan**, which highlights the results of past invasive species management efforts and identifies the State's new processes and strategies to mitigate the spread of invasive species. The plan, which was issued jointly with the New York State Department of Agriculture and Markets, identifies eight objectives to limit the negative impacts of invasive species. For each objective, the plan discusses the need for the objective (including progress to date in achieving the objective), the general approach for achieving the objective, and specific recommended actions broken down by sub-objectives and specific initiatives. The eight core objectives are: (1) build partnerships and capacity while supporting effective ongoing programs; (2) develop a centralized framework for sharing invasive species information; (3) set priorities for invasive species management and preparedness; (4) engage and inform the public about invasive species; (5) advance prevention and early detection; (6) improve responsiveness to new invasions; (7) recover ecosystem resilience and services; and (8) evaluate and report progress and adapt to evolving circumstances. DEC is accepting comments on the draft plan until **June 1, 2018**; it can be found on DEC's website at: www.dec.ny.gov/animals/265.html.

Implications: The plan is potentially of interest to anyone engaged in activities that may be affected by the presence or potential presence of invasive species.

NEW YORK STATE: DEC is **proposing to repeal its existing restrictions on the movement of ash wood, logs, firewood, nursery stock and wood chips adopted several years ago to prevent the spread of the invasive emerald ash borer (EAB)**. After the EAB was discovered in Cattaraugus County in 2009, a quarantine was established covering Cattaraugus and adjacent Chautauqua counties pursuant to federal quarantine protocol. Between 2009 and 2015, the quarantine area was expanded four times as the EAB spread. In 2015, New York adopted 6 NYCRR § 192.7 to establish 14 restricted zones. Despite these measures, the EAB has continued to spread and is now found in the majority of the State. In light of these developments, DEC is proposing to repeal 6 NYCRR § 192.7 after concluding that the benefits of continuing to maintain a EAB restricted zone are far outweighed by the costs to state government and industry of continuing to maintain a restricted zone and the benefits that will accrue to the forest product industry of being allowed to harvest ash trees before they are destroyed by the EAB. The movement of the EAB will continue to be subject to 6 NYCRR Part 575, Prohibited and Regulated Invasive Species, which exempts the possession, sale, importation, purchase, transportation, or introduction of invasive species it is incidental or unknowing and was not due to a failure to take "reasonable precautions." In the case of the EAB, reasonable precautions include widely accepted best management practices spelled out on the DEC website and elsewhere. DEC is accepting comment on the proposed rescission until **June 24, 2018**; it can be found in the April 25, 2018 State Register at: <https://docs.dos.ny.gov/info/register/2018/april25/toc.html>. In a related development, the New York State Department of Agriculture and Markets is accepting comments on its proposal to repeal 1 NYCRR Part 141, which established the EAB quarantine in New York.

Implications: The proposed rescission is primarily of interest to the forest products industry, including individuals that offer firewood for sale.

Upcoming Deadlines

NOTE: This calendar contains items of general interest.

May 11, 2018: Deadline for submitting comments on DEC's repropoed revisions to its SEQRA regulations (extended from May 4, 2018). See DEC's website at www.dec.ny.gov/permits/83389.html for details.

May 21, 2018: Deadline for submitting comments on EPA's proposed residual risk/periodic technology review findings for the wet-formed fiberglass mat production NESHAP. See the April 6, 2018 Federal Register at www.gpo.gov/fdsys for details.

May 24, 2018: Deadline for submitting comments on EPA's proposed rule setting TSCA user fees (extended from April 27, 2018). See the February 26, 2018 Federal Register at www.gpo.gov/fdsys for details.

May 30, 2018: Deadline for submitting comments on EPA's proposed rule requiring public access to the data/models underlying pivotal scientific studies offered to support significant rulemaking actions. See the April 30, 2018 Federal Register at www.gpo.gov/fdsys for details.

May 31, 2018: Deadline for submitting comments on DEC's advance notice of proposed general permit for discharges of winery, brewery and hard cidery wastewater to groundwater. See DEC's website at www.dec.ny.gov/docs/water_pdf/wbc2018advnotice.pdf for details.

June 1, 2018: Deadline for submitting comments on DEC's proposed changes to its ambient air monitoring network. See DEC's website at www.dec.ny.gov/chemical/33276.html for details.

June 1, 2018: Deadline for submitting comments on DEC's draft New York State Invasive Species Comprehensive Management Plan. See DEC's website at www.dec.ny.gov/animals/265.html for details.

June 12, 2018: Deadline for submitting comments on DEC's proposal to adopt new standards for enterococci and e-coli to meet the requirements of federal law and protect coastal waters for recreation. See DEC's website at www.dec.ny.gov/regulations/112962.html for details. Public information meetings and public hearings are scheduled in May and June, respectively, in New York City and Avon.

June 24, 2018: Deadline for submitting comments on DEC's proposal to rescind its regulations to control the spread of the emerald ash borer. See the April 25, 2018 State Register at <https://docs.dos.ny.gov/info/register/2018/april25/toc.html> for details.