

# FEDERAL CLEAN AIR ACT REGULATORY ACTIONS FOR 2018 AND 2019

By: Jessica Reiss and Charles Denton

## NEW SOURCE REVIEW (NSR)

ISSUE	CITATION	LEVEL OF ACTION	SUMMARY
<b>New vs. existing emission units for purposes of calculating Plantwide Applicability Limits (PAL)</b>	Letter, Director Air Quality Policy Division, Anna Marie Wood, EPA Clarifies “new” Units for PAL Purposes (June 14, 2018) <a href="#">(link)</a> .	Guidance	Clarifies that any emissions unit that has existed and begun operating less than 2 years from the time of a PAL permit application submittal is a "new emissions unit." Such a unit contributes to the PAL level at an amount equal to its potential to emit. Equally clear is that all emissions units that have existed and operated for 2 or more years from the time of the PAL permit application are "existing emissions units" that contribute to the PAL level at an amount equal to average rate, in tons per year, at which the unit actually emitted the pollutant during the selected 24-month period.
<b>Inclusion of emissions decreases in calculation under Step 1 of NSR applicability</b>	Memorandum, EPA Administrator Scott Pruitt, Project Emissions Accounting Under the New Source Review Preconstruction Permitting Program (Mar. 13, 2018) <a href="#">(link)</a> .	Guidance	Clarifies that current emissions decreases as well as increases are to be considered at Step I of the NSR applicability process, provided they are part of a single project.
<b>Whether a change in fuel type qualifies under the Replacement Unit provision</b>	Letter, Air Quality Policy Division Director Anna Marie Wood, Applicability of the “Replacement Unit” provision (Mar. 20, 2018) <a href="#">(link)</a> .	Guidance	Clarifies that a change in fuel type, in and of itself, does not preclude an equipment replacement from satisfying the requirements of the Replacement Unit provision. However, in certain cases, a change in fuel type could signal that the basic design parameters of the process unit have been changed.
<b>Common control in source aggregation analyses</b>	Letter, EPA Assistant Administrator William L. Wehrum to Patrick McDonnell of the Pennsylvania Department of Environmental Protection (Apr. 30, 2018) <a href="#">(link)</a> .	Guidance	Clarifies that the assessment of “control” for title V and NSR permitting purposes focuses on the power or authority of one entity to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements.

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<b>NSR calculations based on hourly emission rates vs. tons per year</b>	Emission Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units: Emission Guideline Implementing Regulations; New Source Review Program, 83 FR 44746 (Aug. 31, 2018) ( <a href="#">link</a> ).	Proposed Rule	Proposes to amend NSR regulations to include an hourly emissions increase test for EGUs. Thus, the change must result in an hourly emissions increase at the existing EGU to trigger NSR.
<b>Adjacency in source aggregation analyses</b>	Draft Memorandum, EPA Assistant Administrator William L. Wehrum, Interpreting “Adjacent” for New Source Review and Title V Source Determinations in All Industries Other Than Oil and Gas (Sept. 4, 2018) ( <a href="#">link</a> ).	Draft Guidance	Clarifies that determinations of adjacency for source aggregation purposes should focus exclusively on proximity without consideration of functional interrelatedness.
<b>Project Aggregation</b>	Prevention of Significant Deterioration and Non-attainment New Source Review: Aggregation; Reconsideration, 83 FR 57324 (Nov. 15, 2018) ( <a href="#">link</a> ).	Final Rule	Leaves the 2009 NSR aggregation action in place, which explained EPA’s interpretation that physical and/or operational changes should be combined into a single project for consideration of major NSR applicability when those changes are “substantially related.” In characterizing the substantially-related criterion, EPA further explained that: <ul style="list-style-type: none"> <li>• a source need not group changes based on timing alone,</li> <li>• changes are not required to be aggregated simply because they support the plant’s overall basic purpose, and</li> <li>• EPA would apply a policy of presuming that changes separated by three or more years are not substantially related, unless the specifics of the activities rebut this presumption.</li> </ul>

**NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAP) AND NEW SOURCE PERFORMANCE STANDARDS (NSPS)**

ISSUE	CITATION	LEVEL OF ACTION	SUMMARY
<b>Mercury and Air Toxics Standard (MATS) Rule</b>	National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units- Reconsideration of Supplemental Finding and Residual Risk and Technology Review, 84 FR 2670 (Feb. 7, 2019) ( <a href="#">link</a> ).	Proposed Rule	Proposed Revised Supplemental Finding, proposing to find that the MATS rule was not “appropriate and necessary,” but leaving the MATS rule in place. Comments close April 8.
<b>NESHAP for Off-Site Waste and Recovery Operations Reconsideration</b>	National Emission Standards for Hazardous Air Pollutants: Off-Site Waste and Recovery Operations, 83 FR 3986 (Jan. 29, 2018) ( <a href="#">link</a> ).	Final Rule	Finalized amendments to remove continuous monitoring requirements on pressure relief devices on containers.
<b>NSPS for Oil and Natural Gas Sector</b>	Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources, 83 FR 10628 (Mar. 12, 2018) ( <a href="#">link</a> ).	Final Rule	Removed requirement for completion of delayed repairs during unscheduled or emergency vent blowdowns. Finalized amendments to fugitive emission monitoring requirements for well sites located on the Alaskan North Slope.
<b>NESHAP for Portland Cement Manufacturing Industry</b>	National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry Residual Risk and Technology Review, 83 FR 35122 (July 25, 2018) ( <a href="#">link</a> ).	Final Rule	Found residual risks acceptable under the current standards with no revisions. Made other miscellaneous revisions.
<b>NESHAP for Manufacture of Amino/ Phenolic Resins</b>	National Emission Standards for Hazardous Air Pollutants: Manufacture of Amino/ Phenolic Resins Risk and Technology Review Reconsideration, 83 FR 51842 (Oct. 15, 2018) ( <a href="#">link</a> ).	Final Rule	Finalized amendments to revise the HAP emissions standards as follows: <ul style="list-style-type: none"> <li>• back-end continuous process vents (CPVs): 8.6 pounds of HAP per ton of resin produced;</li> <li>• front-end reactor CPVs: 0.61 pounds of HAP per hour;</li> <li>• front-end non-reactor CPVs: 0.022 pounds of HAP per hour.</li> </ul>
<b>NESHAP and NSPS for Petroleum Refinery Sector Amendments</b>	National Emission Standards for Hazardous Air Pollutants and New Source Performance Standards: Petroleum Refinery Sector Amendments, 83 FR 60696 (Nov. 26, 2018) ( <a href="#">link</a> ).	Final Rule	Finalized amendments to allow for maintenance vents to exceed the prior standard (hydrocarbon content less than 10 percent of the lower explosive limit) when technically infeasible to comply.
<b>NESHAP for Friction Materials Manufacturing Facilities Residual Risk and Technology Review</b>	National Emission Standards for Hazardous Air Pollutants: Friction Materials Manufacturing Facilities Residual Risk and Technology Review, 84 FR 2742 (Feb. 8, 2019) ( <a href="#">link</a> ).	Final Rule	Found residual risks acceptable under the current standards with no revisions. Eliminated the startup, shutdown, and malfunction (SSM) exemption. Made minor revisions to reporting requirements and other miscellaneous revisions.

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<b>NESHAP for Leather Finishing Operations</b>	National Emission Standards for Hazardous Air Pollutants: Leather Finishing Operations Residual Risk and Technology Review, 84 FR 3308 (Feb. 12, 2019) ( <a href="#">link</a> ).	Final Rule	Found residual risks acceptable under the current standards with no revisions. Eliminated the SSM exemption. Provided for electronic reporting and made other miscellaneous revisions.
<b>NESHAP for Wet-Formed Fiberglass Mat Production</b>	National Emission Standards for Hazardous Air Pollutants: Wet-Formed Fiberglass Mat Production Residual Risk and Technology Review, 84 FR 6676 (Feb. 28, 2019) ( <a href="#">link</a> ).	Final Rule	Found residual risks acceptable under the current standards with no revisions. Eliminated the SSM exemption. Provided for electronic reporting and made other miscellaneous revisions.
<b>NESHAP for Surface Coating of Wood Building Products</b>	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products Residual Risk and Technology Review, 84 FR 7682 (Mar. 4, 2019) ( <a href="#">link</a> ).	Final Rule	Found residual risks acceptable under the current standards with no revisions. Eliminated the SSM exemption. Provided for electronic reporting and made other miscellaneous revisions.
<b>NESHAPs for Surface Coating of Large Appliances; Printing, Coating, and Dyeing of Fabrics and Other Textiles; and Surface Coating of Metal</b>	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances; Printing, Coating, and Dyeing of Fabrics and Other Textiles; and Surface Coating of Metal Furniture Residual Risk and Technology Reviews, 84 FR 9590 (Mar. 15, 2019) ( <a href="#">link</a> ).	Final Rule	Found residual risks acceptable under the current standards for the three listed NESHAPs. Eliminated the SSM exemption. Provided for electronic reporting and made other miscellaneous revisions.
<b>NSPS for Commercial and Industrial Solid Waste Incineration Units</b>	Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units; Technical Amendments, 83 FR 28068 (June 15, 2018) ( <a href="#">link</a> ).	Proposed Rule	Proposed amendments to: <ul style="list-style-type: none"> <li>• alternative equivalent emission limit for mercury for waste-burning kiln subcategory;</li> <li>• timing of initial test and initial performance evaluation;</li> <li>• extension of electronic data reporting requirements;</li> <li>• clarification of non-delegated authorities;</li> <li>• demonstration of initial compliance;</li> <li>• continuous opacity monitoring and continuous emissions monitoring requirements;</li> <li>• skip testing requirements;</li> <li>• deviation reporting requirements for continuous monitoring data; and</li> <li>• air curtain incinerator requirements.</li> </ul>

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<b>NESHAP for Clay Ceramics Manufacturing</b>	National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing, 83 FR 42066, (Aug. 20, 2018) ( <a href="#">link</a> ).	Proposed Rule	Proposed to revise temperature monitoring methodology used to demonstrate continuous compliance with the dioxin/furan emissions limit. Proposed to revise visible emissions monitoring of tunnel kiln stacks for continuous compliance with particulate matter and mercury emissions limits. Proposed to revise requirements for weekly visual inspections of system ductwork and control device equipment for water curtain spray booths. Proposed to include provisions for emissions averaging and make technical corrections.
<b>NSPS for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces</b>	Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces, 83 FR 61574 (Nov. 30, 2018) ( <a href="#">link</a> ).	Proposed Rule	Proposing to add a two-year “sell-through” period for all affected new hydronic heaters and forced-air furnaces that are manufactured or imported before the May 2020 compliance date to be sold at retail through May 2022.
<b>NESHAP for Hydrochloric Acid Production</b>	National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production Residual Risk and Technology Review, 84 FR 1570 (Feb. 4, 2019) ( <a href="#">link</a> ).	Proposed Rule	Proposed to find residual risks acceptable under the current standards with no revisions. Proposed to eliminate the SSM exemption. Proposed to provide for electronic reporting and made other miscellaneous revisions.
<b>NSPS for Municipal Solid Waste Landfills</b>	Adopting Subpart Ba Requirements in Emission Guidelines for Municipal Solid Waste Landfills, 83 FR 54527 (Oct. 30, 2018) ( <a href="#">link</a> ).	Proposed Rule	Proposes to amend the state plan due date from May 30, 2017 to August 29, 2019.
<b>NSPS for Oil and Natural Gas Sector</b>	Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Reconsideration, 83 FR 52056 (Oct. 15, 2018) ( <a href="#">link</a> ).	Proposed Rule	Proposed amendments to: <ul style="list-style-type: none"> <li>• pneumatic pump requirements;</li> <li>• fugitive emissions requirements;</li> <li>• professional engineering certification for closed vent system design and pneumatic pump technical infeasibility;</li> <li>• alternative means of emissions limitations; and</li> <li>• well completion requirements.</li> </ul>

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<b>NESHAP for Asbestos: Alternative Work Practice for Asbestos Cement Pipe Replacement</b>	National Emission Standards for Hazardous Air Pollutants for Asbestos: Notice of Request for Approval of an Alternative Work Practice for Asbestos Cement Pipe Replacement, 83 FR 18042 (Apr. 25, 2018) ( <a href="#">link</a> ).	Notification of Request for Comments	Proposed to allow an alternative work practice for asbestos cement pipe replacement projects.

### NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS)

ISSUE	CITATION	LEVEL OF ACTION	SUMMARY
<b>Process for review of NAAQS</b>	Memorandum, EPA Administrator Scott Pruitt, Back-to-Basics Process for Reviewing National Ambient Air Quality Standards (May 9, 2018) ( <a href="#">link</a> ).	Guidance	Set out five principles for EPA to observe in future NAAQS reviews: (1) meet statutory deadlines; (2) address all CAA provisions for NAAQS reviews; (3) streamline and standardize the process for development and review of key policy-relevant information; (4) differentiate science and policy judgments in the NAAQS review process; and (5) issue timely implementation regulations and guidance.
<b>Review of the Primary NAAQS for Oxides of Nitrogen</b>	Review of the Primary National Ambient Air Quality Standards for Oxides of Nitrogen, 83 FR 17226 (Apr. 18, 2018) ( <a href="#">link</a> ).	Final Rule	Reviewed the NAAQS (as required at 5-year intervals) and retained the current standard, without revision.
<b>Review of the Primary NAAQS for Sulfur Oxides</b>	Review of the Primary National Ambient Air Quality Standards for Sulfur Oxides, 84 FR 9866 (Mar. 18, 2019) ( <a href="#">link</a> ).	Final Rule	Reviewed the NAAQS (as required at 5-year intervals) and retained the current standard, without revision.
<b>Directives for improving NAAQS and State Implementation Plan (SIP) process</b>	Memorandum, President Donald Trump, Promoting Domestic Manufacturing and Job Creation – Policies and Procedures Related to Implementation of Air Quality Standards (April 12, 2018) ( <a href="#">link</a> ).	Guidance	Provides nine sections (with subsections) directing EPA with regard to NAAQS and SIPs. Directives include timely processing of SIPs; cooperative engagement with states to review Regional Haze Plans; timely processing of preconstruction permit applications; relying on monitoring data; providing flexibility to States with regard to identifying and achieving offsets; and timely issuance of implementing regulations and guidance.

**GREENHOUSE GAS (GHG) EMISSIONS—STATIONARY AND MOBILE SOURCES**

ISSUE	CITATION	LEVEL OF ACTION	SUMMARY
<b>Affordable Clean Energy (ACE) rule and Clean Power Plan (CPP): Existing Sources</b>	<p>Emission Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units: Emission Guideline Implementing Regulations; New Source Review Program, 83 FR 44746 (Aug. 31, 2018) (<a href="#">link</a>).</p> <p>Repeal of Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units, 82 FR 48035 (Oct. 16, 2017) (<a href="#">link</a>).</p>	Proposed Rules	<p>On August 31, 2018, the Trump Administration proposed ACE as the replacement of the CPP for existing sources. ACE proposed to redefine the best system of emission reduction (BSER) as only within-the-fence line improvements. ACE would reduce GHG emission through heat-rate efficiency improvements at existing electric generating units (Building Block 1 of the CPP). ACE would also give states more time and flexibility to develop their own state plans and GHG reduction strategies.</p> <p>On October 16, 2017, EPA proposed repeal of the Clean Power Plan. EPA proposed to reinterpret the agency’s legal authority as limited to defining BSER as only within-the-fence line improvements.</p>
<b>ACE and CPP: New Sources</b>	<p>Review of Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units, 83 FR 65424 (Dec. 20, 2018) (<a href="#">link</a>).</p>	Proposed Rule	<p>On December 20, 2018, the Trump Administration proposed ACE as the replacement of the CPP for new sources. The rule proposed limits for carbon dioxide (CO<sub>2</sub>) emissions based on the most efficient demonstrated steam cycle in combination with the best operating practices. For large units (greater than 2,000 MMBtu/hour), BSER is proposed to be super-critical steam conditions, and if revised, the emission rate will be 1,900 pounds of CO<sub>2</sub> per megawatt-hour on a gross output basis (lb CO<sub>2</sub>/MWh-gross). For small units, BSER is proposed to be subcritical steam conditions, and if revised, the emission rate will be 2,000 lb CO<sub>2</sub>/MWh-gross.</p>

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<b>Corporate Average Fuel Economy (CAFE) Standards and the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule</b>	<p>Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light-Duty Vehicles, 83 FR 16077 (Apr. 13, 2018) (<a href="#">link</a>).</p> <p>The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks, 83 FR 42986 (Aug. 24, 2018) (<a href="#">link</a>).</p>	<p>Withdraw of Final Determination</p> <p>Notice of Proposed Rulemaking</p>	<p>Reconsidered and withdrew previous greenhouse gas emission standards for model year 2022–2025 light-duty vehicles. Determined the standards were based on outdated information and should be revised.</p> <p>Proposed revised CAFE and tailpipe carbon dioxide emissions standards for model year 2021–2026 passenger cars and light trucks.</p>

## ENFORCEMENT

ISSUE	CITATION	LEVEL OF ACTION	SUMMARY
<b>Cooperative Federalism and Compliance with the Law</b>	<p>Memo, Assistant Administrator, Susan Bodine, Interim OECA Guidance on Enhancing Regional-State Planning and Communication on Compliance Assurance Work in Authorized States (Jan. 22, 2018) (<a href="#">link</a>).</p>	<p>Guidance</p>	<p>Provides actions for EPA to “begin the movement toward a more collaborative partnership between EPA and authorized States,” which applies to all EPA compliance assurance activities, such as inspections and enforcement. Actions include meetings between Region administrators and senior state leadership and deference to states implementing authorized or delegated programs.</p>
<b>Prohibition of enforcement through guidance documents</b>	<p>Memo, Department of Justice, Limiting Use of Agency Guidance Documents in Affirmative Civil Enforcement Case (Jan. 25, 2018) (<a href="#">link</a>).</p>	<p>Guidance</p>	<p>Prohibits Department of Justice attorneys from using noncompliance with guidance documents as a basis for proving violations of applicable laws.</p>
<b>Use of advanced monitoring and independent third-party verification in settlement agreements</b>	<p>Memo, Assistant Administrator, Susan Bodine, The Appropriate Use of Compliance Tools in Civil Enforcement Settlements (April 3, 2018) (<a href="#">link</a>).</p>	<p>Guidance</p>	<p>Withdrew 2015 memo that had encouraged use of “innovative enforcement” tools such as advanced monitoring and independent third-party verification of settlement obligations.</p>



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<b>National Enforcement Initiatives vs. National Compliance Initiatives</b>	Memo, Assistant Administrator, Susan Bodine, Transition from National Enforcement Initiatives to National Compliance Initiatives (Aug. 21, 2018) <a href="#">(link)</a> .	Guidance	Transitioning the National Enforcement Initiatives program into a National Compliance Initiatives program by providing states and tribes with additional opportunities for meaningful engagement, by developing and applying a broader set of compliance assurance tools, and by aligning the National Compliance Initiatives with the Agency Strategic Plan measures and priorities.
<b>Self-Disclosed Violations</b>	Policy, Renewed Emphasis on Self-Disclosed Violation Policies (May 15, 2018) <a href="#">(link)</a> .	Guidance	Announced a renewed emphasis on encouraging regulated entities to voluntarily discover, promptly disclose, expeditiously correct, and take steps to prevent recurrence of environmental violations. Specifically, EPA is taking steps to enhance and promote: (a) its already highly successful online “eDisclosure” program; (b) the additional flexibility that is available to new owners who self-disclose violations; and (c) opportunities to increase compliance through use of existing self-disclosure policies or tailored programs.
<b>Information Collection</b>	Memo, Best Practices for Compliance and Enforcement-Related Information Requests (Nov. 21, 2018) <a href="#">(link)</a> .	Guidance	Provides the following practices when issuing compliance and enforcement-related information requests: <ul style="list-style-type: none"> <li>• obtain information using the most effective and efficient method;</li> <li>• minimize transactional costs for both the recipient and the government;</li> <li>• use appropriate tone in the request;</li> <li>• clearly communicate what is requested, the process for responding, and opportunities for the recipient to ask questions; and</li> <li>• provide a reasonable amount of time to respond.</li> </ul>

**MISCELLANEOUS**

ISSUE	CITATION	LEVEL OF ACTION	SUMMARY
<b>“Once In, Always In” Policy</b>	Memorandum, Assistant Administrator, William L. Wehrum, Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act (Jan. 25, 2018) ( <a href="#">link</a> ).	Guidance	Allowed a major source subject to a maximum achievable control technology (MACT) standard under section 112 of the Clean Air Act (CAA) to be reclassified as an area source, and thereby avoid being subject thereafter to major source MACT and other requirements applicable to major sources under CAA section 112, source at such time that the source takes an enforceable limit on its potential to emit hazardous air pollutants below the major source thresholds.
<b>Cost Considerations in Rulemaking</b>	Increasing Consistency and Transparency in Considering Costs and Benefits in the Rulemaking Process, 83 FR 27524 (June 13, 2018) ( <a href="#">link</a> ).	Advance notice of proposed rulemaking	Solicited comment on whether and how EPA should promulgate regulations that provide a consistent and transparent interpretation relating to the consideration of weighing costs and benefits in making regulatory decisions in a manner consistent with applicable authorizing statutes. Solicited comment on whether and how these regulations, if promulgated, could also prescribe specific analytic approaches to quantifying the costs and benefits of EPA regulations.
<b>Refrigerant Management</b>	Protection of Stratospheric Ozone: Revisions to the Refrigerant Management Program’s Extension to Substitutes, 83 FR 49332 (Oct. 1, 2018) ( <a href="#">link</a> ).	Proposed Rule	Proposed to revise appliance maintenance and leak repair provisions so they apply only to equipment using refrigerant containing a class I or class II substance. Based on this proposed limitation of the leak repair requirements, further proposed to revise the list of practices that must be followed in order for refrigerant releases to be considered de minimis to clarify that the reference to following leak repair practices only applies to equipment that contains ozone-depleting substance refrigerant.
<b>Testing Regulations for Air Emission Sources</b>	Testing Regulations for Air Emission Sources, 83 FR 56713 (Nov. 14, 2018) ( <a href="#">link</a> ).	Final Rule	Amended existing testing regulations to reflect corrections, updates, and the addition of alternative equipment and methods for source testing of emissions.

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<b>Regulatory definition of Volatile Organic Compounds</b>	Air Quality: Revision to the Regulatory Definition of Volatile Organic Compounds-Exclusion of cis-1,1,1,4,4,4-hexafluorobut-2-ene (HFO-1336mzz-Z), 83 FR 61127 (Nov. 28, 2018) ( <a href="#">link</a> ).	Final Rule	Amended regulatory definition of volatile organic compounds to exclude HFO-1336mzz-Z.
<b>NOx SIP Call monitoring requirements</b>	Emissions Monitoring Provisions in State Implementation Plans Required Under the NOX, 84 FR 8422 (Mar. 8, 2019) ( <a href="#">link</a> ).	Final Rule	Prior to the amendments, affected states were required to include provisions in their state implementation plans (SIPs) for certain covered facilities to monitor summertime NOX emissions according to 40 CFR part 75, which generally entails the use of continuous emission monitoring systems (CEMS). The amendments allow states to amend their SIPs to include alternate, potentially lower-cost monitoring requirements for NOX SIP Call purposes.
<b>Reconsideration of Accidental Release Prevention Requirements</b>	Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act, 83 FR 24850 (May 30, 2018) ( <a href="#">link</a> ).	Proposed Rule	Proposed to rescind amendments relating to safer technology and alternatives analyses, third-party audits, incident investigations, information availability, and several other minor regulatory changes. Proposed to modify amendments relating to local emergency coordination and emergency exercises, and to change the compliance dates for these provisions.

**U.S. EPA UNITED AGENDA**

ISSUE	CITATION	LEVEL OF ACTION	SUMMARY
<b>Amendments Related to Marine Diesel Engine Emission Standards</b>	Amendments Related to Marine Diesel Engine Emission Standards, RIN 2060-AU30 ( <a href="#">link</a> ).	On EPA's United Agenda	EPA will propose to amend 40 CFR part 1042 to address concerns about the limited availability of certified Tier 4 engines that are appropriate for certain vessels. The rule may also include a variety of technical amendments related to the compliance provisions for marine diesel engines and the associated vessels.
<b>Revision to Aerosol Listing of HFC-134a</b>	Protection of Stratospheric Ozone: Revision to Aerosol Listing Under the Significant New Alternatives Policy (SNAP) Program, RIN 2060-A88 ( <a href="#">link</a> ).	On EPA's United Agenda	EPA is planning to revise the listing under the Significant New Alternatives Policy (SNAP) Rule 20 for aerosol propellant use of HFC-134a as it pertains to bear sprays and certain other fog-type defense aerosol sprays.
<b>Updates to the Significant New Alternatives Policy Program</b>	Protection of Stratospheric Ozone: Updates to the Significant New Alternatives Policy Program, RIN 2060-AU11 ( <a href="#">link</a> ).	On EPA's United Agenda	This rule would address a court remand of EPA's SNAP program final rule issued on July 20, 2015 (2015 Rule) that, among other things, changed the listings for certain hydrofluorocarbons (HFCs) in various end-uses in the aerosols, refrigeration and air conditioning, and foam blowing sectors. The Court of Appeals for the District of Columbia Circuit in the case of Mexichem Fluor, Inc. v. EPA vacated the 2015 Rule "to the extent it requires manufacturers to replace HFCs with a substitute substance" and remanded the rule to EPA for further proceedings.
<b>Revision to Method 23--Determination of Polychlorinated Dibenzo-P-Dioxins and Polychlorinated Dibenzofurans from Stationary Sources</b>	Revision to Method 23 -Determination of Polychlorinated Dibenzo-P-Dioxins and Polychlorinated Dibenzofurans from Stationary Sources, RIN 2060-AT09 ( <a href="#">link</a> ).	On EPA's United Agenda	This action will revise 40 CFR part 60, appendix A, method 23, "Determination of Polychlorinated Dibenzo-P-Dioxins and Polychlorinated Dibenzofurans from Stationary Sources," which was last revised on March 31, 1995 (60 FR 28378).
<b>Standards of Performance for Stationary Compression Ignition (CI) Internal Combustion Engines Amendments</b>	Standards of Performance for Stationary Compression Ignition (CI) Internal Combustion Engines Amendments, RIN 2060-AU27 ( <a href="#">link</a> ).	On EPA's United Agenda	This action will amend the Standards of Performance for Stationary Compression Ignition (CI) Internal Combustion Engines (40 CFR part 60, subpart IIII) to provide regulatory relief for owners and operators of stationary CI engines in remote areas of Alaska.



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