ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

[FRL-9968-33-OP]

Fall 2017 Unified Agenda of Regulatory and Deregulatory Actions

AGENCY: Environmental Protection Agency.

ACTION: Semiannual regulatory agenda**.**

SUMMARY: The Environmental Protection Agency (EPA) publishes the semiannual regulatory agenda online (the e-Agenda) at http://www.reginfo.gov and at www.regulations.gov to update the public. This document contains information about:

- Regulations in the semiannual regulatory agenda that are under development, completed, or canceled since the last agenda; and
- Reviews of regulations with small business impacts under Section 610 of the Regulatory Flexibility Act.

FOR FURTHER INFORMATION CONTACT: If you have questions or comments about a particular action, please get in touch with the agency contact listed in each agenda entry. If you have general questions about the semiannual regulatory agenda, please contact: Caryn Muellerleile (muellerleile.caryn@epa.gov; 202-564-2855).

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SUPPLEMENTARY INFORMATION:

I. Introduction

EPA is committed to a regulatory strategy that effectively achieves the Agency's mission of protecting the environment and the health, welfare, and safety of Americans while also supporting economic growth, job creation, competitiveness, and innovation. EPA publishes the Semiannual Regulatory Agenda to update the public about regulatory activity undertaken in support of this mission. In the Semiannual Regulatory Agenda, EPA provides notice of our plans to review, propose, and issue regulations.

Additionally, EPA's Semiannual Regulatory Agenda includes information about rules that may have a significant economic impact on a substantial number of small entities, and review of those regulations under the Regulatory Flexibility Act, as amended.

In this document, EPA explains in greater detail the types of actions and information available in the Semiannual Regulatory Agenda and actions that are currently undergoing review specifically for impacts on small entities.

A. EPA's Regulatory Information

"E-Agenda," "online regulatory agenda," and "semiannual regulatory agenda" all refer to the same comprehensive collection of information that, until 2007, was published in the **Federal Register.**

Currently, this information is only available through an online database, at both www.reginfo.gov/ and www.regulations.gov.

"Regulatory Flexibility Agenda" refers to a document that contains information about regulations that may have a significant impact on a substantial number of small entities. We continue to publish this document in the **Federal Register** pursuant to the Regulatory Flexibility Act of 1980. This document is available at https://www.gpo.gov/fdsys/search/home.action.

"Unified Regulatory Agenda" refers to the collection of all agencies' agendas with an introduction prepared by the Regulatory Information Service Center facilitated by the General Service Administration.

"Regulatory Agenda Preamble" refers to the document you are reading now. It appears as part of the Regulatory Flexibility Agenda and introduces both EPA's Regulatory Flexibility Agenda and the e-Agenda.

"610 Review" as required by the Regulatory Flexibility Act means a periodic review within ten years of promulgating a final rule that has or may have a significant economic impact on a substantial number of small entities. EPA maintains a list of these actions at https://www.epa.gov/reg-flex/section-610-reviews.

B. What Key Statutes and Executive Orders Guide EPA's Rule and Policymaking Process?

A number of environmental laws authorize EPA's actions, including but not limited to:

- Clean Air Act (CAA),
- Clean Water Act (CWA),
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, or Superfund),
- Emergency Planning and Community Right-to-Know Act (EPCRA),
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA),
- Resource Conservation and Recovery Act (RCRA),
- Safe Drinking Water Act (SDWA), and

- Toxic Substances Control Act (TSCA).

Not only must EPA comply with environmental laws, but also administrative legal requirements that apply to the issuance of regulations, such as: the Administrative Procedure Act (APA), the Regulatory Flexibility Act (RFA) as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA), the Unfunded Mandates Reform Act (UMRA), the Paperwork Reduction Act (PRA), the National Technology Transfer and Advancement Act (NTTAA), and the Congressional Review Act (CRA).

EPA also meets a number of requirements contained in numerous Executive Orders: 13771, “Reducing Regulation and Controlling Regulatory Costs” (82 FR 9339, Feb. 3, 2017); 12866, "Regulatory Planning and Review" (58 FR 51735, Oct. 4, 1993), as supplemented by Executive Order 13563, "Improving Regulation and Regulatory Review" (76 FR 3821, Jan. 21, 2011); 12898, "Environmental Justice" (59 FR 7629, Feb. 16, 1994); 13045, "Children's Health Protection" (62 FR 19885, Apr. 23, 1997); 13132, "Federalism" (64 FR 43255, Aug. 10, 1999); 13175, "Consultation and Coordination with Indian Tribal Governments" (65 FR 67249, Nov. 9, 2000); 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001).

C. How Can You Be Involved in EPA's Rule and Policymaking Process?

You can make your voice heard by getting in touch with the contact person provided in each agenda entry. EPA encourages you to participate as early in the process as possible. You may also participate by commenting on proposed rules published in the **Federal Register** (FR).

Instructions on how to submit your comments through https://www.regulations.gov are provided in each Notice of Proposed Rulemaking (NPRM). To be most effective, comments should contain information and data that support your position and you also should explain why EPA should incorporate your suggestion in the rule or other type of action. You can be particularly helpful and persuasive if you provide examples to illustrate your concerns and offer specific alternative(s) to that proposed by EPA.

EPA believes its actions will be more cost effective and protective if the development process includes stakeholders working with us to help identify the most practical and effective solutions to environmental problems. EPA encourages you to become involved in its rule and policymaking process. For more information about EPA's efforts to increase transparency, participation and collaboration in EPA activities, please visit https://www.epa.gov/open.

II. Semiannual Regulatory Agenda

A. What Actions Are Included in the E-Agenda and the Regulatory Flexibility Agenda?

EPA includes regulations in the e-Agenda. However, there is no legal significance to the omission of an item from the agenda, and EPA generally does not include the following categories of actions:

- Administrative actions such as delegations of authority, changes of address, or phone numbers;
- Under the CAA: Revisions to state implementation plans; equivalent methods for ambient air quality monitoring; deletions from the new source performance standards source categories list; delegations of authority to states; area designations for air quality planning purposes;
- Under FIFRA: Registration-related decisions, actions affecting the status of currently registered pesticides, and data call-ins;
- Under the Federal Food, Drug, and Cosmetic Act: Actions regarding pesticide tolerances and food additive regulations;
- Under RCRA: Authorization of State solid waste management plans; hazardous waste delisting petitions;
- Under the CWA: State Water Quality Standards; deletions from the section 307(a) list of toxic pollutants; suspensions of toxic testing requirements under the National Pollutant Discharge Elimination System (NPDES); delegations of NPDES authority to States;
- Under SDWA: Actions on State underground injection control programs.

Meanwhile, the Regulatory Flexibility Agenda includes:

- Actions likely to have a significant economic impact on a substantial number of small entities.
- Rules the Agency has identified for periodic review under section 610 of the RFA.

EPA has one ongoing 610 review at this time.

B. How Is the E-Agenda Organized?

Online, you can choose how to sort the agenda entries by specifying the characteristics of the entries of interest in the desired individual data fields for both the www.reginfo.gov and www.regulations.gov versions of the e-Agenda. You can sort based on the following characteristics: EPA subagency (such as Office of Water); stage of rulemaking as described in the following paragraphs; alphabetically by title; or the Regulation Identifier Number (RIN), which is assigned sequentially when an action is added to the agenda.

Each entry in the Agenda is associated with one of five rulemaking stages. The rulemaking stages are:

1. Prerule Stage – EPA's prerule actions generally are intended to determine whether the agency should initiate rulemaking. Prerulemakings may include anything that influences or leads to rulemaking; this would include Advance Notices of Proposed Rulemaking (ANPRMs), studies or analyses of the possible need for regulatory action.

2. Proposed Rule Stage— Proposed rulemaking actions include EPA's Notice of Proposed Rulemakings (NPRMs); these proposals are scheduled to publish in the **Federal Register** within the next year.

3. Final Rule Stage—Final rulemaking actions are those actions that EPA is scheduled to finalize and publish in the **Federal Register** within the next year.

4. Long-Term Actions—This section includes rulemakings for which the next scheduled regulatory action (such as publication of a NPRM or final rule) is twelve or more months into the future. We urge you to explore becoming involved even if an action is listed in the Long-Term category.

5. Completed Actions—EPA's completed actions are those that have been promulgated and published in the **Federal Register** since publication of the spring 2017 Agenda. The term completed actions also includes actions that EPA is no longer considering and has elected to "withdraw" and also the results of any RFA section 610 reviews.

C. What Information Is in the Regulatory Flexibility Agenda and the E-Agenda?

The Regulatory Flexibility Agenda entries include only the nine categories of information that are required by the Regulatory Flexibility Act of 1980 and by Federal Register Agenda printing requirements: Sequence Number, RIN, Title, Description, Statutory Authority, Section 610 Review, if applicable,

Regulatory Flexibility Analysis Required, Schedule and Contact Person. Note that the electronic version of the Agenda (E-Agenda) replicates each of these actions with more extensive information, described below.

E-Agenda entries include:

Title: a brief description of the subject of the regulation. The notation ‘‘Section 610 Review’’ follows the title if we are reviewing the rule as part of our periodic review of existing rules under section 610 of the RFA (5 U.S.C. 610).

Priority: Each entry is placed into one of the five following categories:

a. Economically Significant: Under Executive Order 12866, a rulemaking that may have an annual effect on the economy of $100 million or more, or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities.

b. Other Significant: A rulemaking that is not economically significant but is considered significant for other reasons. This category includes rules that may:

1. Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

2. Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients; or

3. Raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles in Executive Order 12866.

c. Substantive, Nonsignificant: A rulemaking that has substantive impacts but is not Significant, Routine and Frequent, or Informational/Administrative/Other.

d. Routine and Frequent: A rulemaking that is a specific case of a recurring application of a regulatory program in the Code of Federal Regulations (e.g., certain State Implementation Plans, National Priority List updates, Significant New Use Rules, State Hazardous Waste Management Program actions, and Pesticide Tolerances and Tolerance Exemptions). If an action that would normally be classified Routine and Frequent is reviewed by the Office of Management and Budget (OMB) under EO 12866, then we would classify the action as either “Economically Significant” or “Other Significant.”

e. Informational/Administrative/Other: An action that is primarily informational or pertains to an action outside the scope of EO 12866.

EO 13771 Designation: Each entry is placed into one of the following categories:

a. Deregulatory: when finalized, an action is expected to have total costs less than zero;

b. Regulatory: the action is either

(i) a significant regulatory action as defined in Section 3(f) of EO 12866, or

(ii) a significant guidance document (e.g., significant interpretive guidance) reviewed by OMB's Office of Information and Regulatory Affairs (OIRA) under the procedures of EO 12866

that, when finalized, is expected to impose total costs greater than zero;

c. Fully or Partially Exempt: the action has been granted, or is expected to be granted, a full or partial waiver under one or more of the following circumstances:

(i) it is expressly exempt by EO 13771 (issued with respect to a "military, national security, or foreign affairs function of the United States"; or related to "agency organization, management, or personnel"), or

(ii) it addresses an emergency such as critical health, safety, financial, or non-exempt national security matters (offset requirements may be exempted or delayed), or

(iii) it is required to meet a statutory or judicial deadline (offset requirements may be exempted or delayed), or

(iv) expected to generate de minimis costs;

d. Not subject to, not significant: is a NPRM or final rule AND is neither an EO 13771 regulatory action nor an EO 13771 deregulatory action;

e. Other: at the time of designation, either the available information is too preliminary to determine EO 13771 status or other reasonable circumstances preclude a preliminary EO 13771 designation.

f. Independent agency: is an action an independent agency anticipates issuing and thus is not subject to EO 13771.

Major: a rule is "major" under 5 U.S.C. 801 (Pub. L. 104-121) if it has resulted or is likely to result in an annual effect on the economy of $100 million or more or meets other criteria specified in that Act.

Unfunded Mandates: Whether the rule is covered by section 202 of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4). The Act requires that, before issuing an NPRM likely to result in a mandate that

may result in expenditures by State, local, and tribal governments, in the aggregate, or by the private sector of more than $100 million in 1 year, the agency prepare a written statement on federal mandates addressing costs, benefits, and intergovernmental consultation.

Legal Authority: The sections of the United States Code (U.S.C.), Public Law (Pub. L.), Executive Order (EO), or common name of the law that authorizes the regulatory action.

CFR Citation: The sections of the Code of Federal Regulations that would be affected by the action.

Legal Deadline: An indication of whether the rule is subject to a statutory or judicial deadline, the date of that deadline, and whether the deadline pertains to a Notice of Proposed Rulemaking, a Final Action, or some other action.

Abstract: A brief description of the problem the action will address.

Timetable: The dates and citations (if available) for all past steps and a projected date for at least the next step for the regulatory action. A date displayed in the form 10/00/18 means the agency is predicting the month and year the action will take place but not the day it will occur. For some entries, the timetable indicates that the date of the next action is "to be determined."

Regulatory Flexibility Analysis Required: Indicates whether EPA has prepared or anticipates preparing a regulatory flexibility analysis under section 603 or 604 of the RFA. Generally, such an analysis is required for proposed or final rules subject to the RFA that EPA believes may have a significant economic impact on a substantial number of small entities.

Small Entities Affected: Indicates whether the rule is anticipated to have any effect on small businesses, small governments or small nonprofit organizations.

Government Levels Affected: Indicates whether the rule may have any effect on levels of government and, if so, whether the affected governments are State, local, tribal, or Federal.

Federalism Implications: Indicates whether the action is expected to have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government.

Energy Impacts: Indicates whether the action is a significant energy action under EO 13211.

Sectors Affected: Indicates the main economic sectors regulated by the action. The regulated parties are identified by their North American Industry Classification System (NAICS) codes. These codes were

created by the Census Bureau for collecting, analyzing, and publishing statistical data on the U.S. economy. There are more than 1,000 NAICS codes for sectors in agriculture, mining, manufacturing, services, and public administration.

International Trade Impacts: Indicates whether the action is likely to have international trade or investment effects, or otherwise be of international interest.

Agency Contact: The name, address, phone number, and email address, if available, of a person who is knowledgeable about the regulation.

Additional Information: Other information about the action including docket information.

URLs: For some actions, the Internet addresses are included for reading copies of rulemaking documents, submitting comments on proposals, and getting more information about the rulemaking and the program of which it is a part. (Note: To submit comments on proposals, you can go to the associated electronic docket, which is housed at www.regulations.gov. Once there, follow the online instructions to access the docket in question and submit comments. A docket identification [ID] number will assist in the search for materials.)

RIN: The Regulation Identifier Number is used by OMB to identify and track rulemakings. The first four digits of the RIN identify the EPA office with lead responsibility for developing the action.

D. What Tools Are Available for Mining Regulatory Agenda Data and for Finding More About EPA Rules and Policies?

1. Federal Regulatory Dashboard

The https://www.reginfo.gov/ searchable database, maintained by the Regulatory Information Service Center and OIRA, allows users to view the Regulatory Agenda database (https://www.reginfo.gov/public/do/eAgendaMain), which includes search, display, and data transmission options.

2. Subject Matter EPA Websites

Some actions listed in the Agenda include a URL for an EPA-maintained website that provides additional information about the action.

3. Public Dockets

When EPA publishes either an Advance Notice of Proposed Rulemaking (ANPRM) or a Notice of Proposed Rulemaking (NPRM) in the **Federal Register**, the Agency typically establishes a docket to accumulate materials throughout the development process for that rulemaking. The docket serves as the repository for the collection of documents or information related to that particular Agency action or activity. EPA most commonly uses dockets for rulemaking actions, but dockets may also be used for RFA section 610 reviews of rules with significant economic impacts on a substantial number of small entities and for various non-rulemaking activities, such as **Federal Register** documents seeking public comments on draft guidance, policy statements, information collection requests under the PRA, and other non-rule activities. Docket information should be in that action's agenda entry. All of EPA's public dockets can be located at www.regulations.gov.

III. Review of Regulations under 610 of the Regulatory Flexibility Act

A. Reviews of Rules with Significant Impacts on a Substantial Number of Small Entities

Section 610 of the RFA requires that an agency review, within 10 years of promulgation, each rule that has or will have a significant economic impact on a substantial number of small entities. At this time, EPA has one ongoing 610 review.

Review Title	RIN	Docket ID #	Status
Section 610 Review of Lead-Based Paint Activities; Training and Certification for Renovation and Remodeling Section 402(c)(3)	2070-AK17	EPA-HQ-OPPT-2016-0126	Ongoing

EPA established an official public docket for this 610 Review. EPA is no longer accepting comment on the review itself, but comments received in 2016 can be accessed at https://www.regulations.gov/ with docket identification number EPA-HQ-OPPT-2016-0126.

B. What Other Special Attention Does EPA Give to the Impacts of Rules on Small Businesses, Small Governments, and Small Nonprofit Organizations?

For each of EPA's rulemakings, consideration is given to whether there will be any adverse impact on any small entity. EPA attempts to fit the regulatory requirements, to the extent feasible, to the scale of the businesses, organizations, and governmental jurisdictions subject to the regulation.

Under RFA as amended by SBREFA, the Agency must prepare a formal analysis of the potential negative impacts on small entities, convene a Small Business Advocacy Review Panel (proposed rule stage), and prepare a Small Entity Compliance Guide (final rule stage) unless the Agency certifies a rule will not have a significant economic impact on a substantial number of small entities. For more detailed information about the Agency's policy and practice with respect to implementing RFA/SBREFA, please visit EPA's RFA/SBREFA Web site at www.epa.gov/reg-flex.

IV. Thank You for Collaborating With Us

Finally, we would like to thank those of you who choose to join with us in making progress on the complex issues involved in protecting human health and the environment. Collaborative efforts such as EPA's open rulemaking process are a valuable tool for addressing the problems we face, and the regulatory agenda is an important part of that process.

DATED: October 2, 2017.

Name: Samantha K. Dravis,

Associate Administrator, Office of Policy.

10—Completed Actions

Sequence Number	Title	Regulation Identifier Number
321	Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act	2050–AG82

35—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
322	Section 610 Review of Lead-Based Paint Activities; Training and Certification for Renovation and Remodeling Section 402(c)(3) **(Section 610 Review)**	2070–AK17

35—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
323	N-Methylpyrrolidone (NMP) and Methylene Chloride; Rulemaking Under TSCA Section 6(a)	2070–AK07
324	Trichloroethylene (TCE); Rulemaking Under TSCA Section 6(a); Vapor Degreasing	2070–AK11

35—Completed Actions

Sequence Number	Title	Regulation Identifier

		Number
325	Formaldehyde Emission Standards for Composite Wood Products	2070–AJ44

Environmental Protection Agency (EPA)	Completed Actions
10	

321. ACCIDENTAL RELEASE PREVENTION REQUIREMENTS: RISK MANAGEMENT PROGRAMS UNDER THE CLEAN AIR ACT

EO 13771 Designation: Not subject to, not significant

Legal Authority: 42 U.S.C. 7412(r)

Abstract: The EPA, in response to Executive Order 13650, has amended its Risk Management Program regulations. Such revisions include several changes to the accident prevention program requirements including an additional analysis of safer technology and alternatives for the process hazard analysis for some Program 3 processes, third-party audits and incident investigation root cause analysis for Program 2 and Program 3 processes, enhancements to the emergency preparedness requirements, increased public availability of chemical hazard information, and several other changes to certain regulatory definitions and data elements submitted in risk management plans. Such amendments are intended to improve chemical process safety, assist local emergency authorities in planning for and responding to accidents, and improve public awareness of chemical hazards at regulated sources.

Timetable:

Action	Date	FR Cite
NPRM	03/14/16	81 FR 13637
Final Rule	01/13/17	82 FR 4594
Final Rule Effective	02/19/19	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Jim Belke, Environmental Protection Agency, Office of Land and Emergency Management, 1200 Pennsylvania Avenue NW, Mail Code 5104A, Washington, DC 20460

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RIN: 2050–AG82

Environmental Protection Agency (EPA)	**Prerule Stage**
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322. SECTION 610 REVIEW OF LEAD–BASED PAINT ACTIVITIES; TRAINING AND CERTIFICATION FOR RENOVATION AND REMODELING SECTION 402(C)(3) (SECTION 610 REVIEW)

EO 13771 Designation: Not subject to, not significant

Legal Authority: 5 U.S.C. 610

Abstract: EPA is continuing a review of the 2008 Lead; Renovation, Repair, and Painting Program (RRP) (73 FR 21692) pursuant to section 610 of the Regulatory Flexibility Act (RFA, 5 U.S.C. 610). The rule was amended in 2010 (75 FR 24802) and 2011 (76 FR 47918) to eliminate a provision for contractors to opt-out of prescribed work practices and to affirm the qualitative clearance of renovated or repaired spaces, respectively. Although the section 610 review only needs to address the 2008 RRP Rule, EPA is exercising its discretion to consider relevant comments to the 2010 and 2011 amendments, including comments on lead test kits, field testing alternatives and other broader RRP rule concerns as referenced in 80 FR 79335 and 80 FR 27621. The RRP rule is intended to reduce exposure to lead hazard created

by renovation, repair, and painting activities that disturb lead-based paint. The current rule establishes requirements for training renovators and dust sampling technicians; certifying renovators, dust sampling technicians, and renovation firms; accrediting providers of renovation and dust sampling technician training; and for renovation work practices. This entry in the regulatory agenda describes EPA's review of this action pursuant to section 610 of the Regulatory Flexibility Act (5 U.S.C. 610) to determine if the provisions that could affect small entities should be continued without change, or should be rescinded or amended to minimize adverse impacts on small entities. As part of this review, EPA is considering comments on the following factors: (1) The continued need for the rule; (2) the nature of complaints or comments received concerning the rule; (3) the complexity of the rule; (4) the extent to which the rule overlaps, duplicates, or conflicts with other Federal, State, or local government rules; and (5) the degree to which the technology, economic conditions or other factors have changed in the area affected by the rule. The results of EPA's review will be summarized in a report and placed in the docket at the conclusion of this review. This review's Docket ID number is EPA-HQ-OPPT-2016-0126; the docket can be accessed at www.regulations.gov.

Timetable:

Action	Date	FR Cite
Final Rule	04/22/08	73 FR 21691
Begin Review	06/09/16	81 FR 37373
Comment Period Extended	08/08/16	81 FR 52393
End Review	04/00/18	

Regulatory Flexibility Analysis Required: No

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RIN: 2070–AK17

Environmental Protection Agency (EPA)	Long-Term Actions
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323. N–METHYLPYRROLIDONE (NMP) AND METHYLENE CHLORIDE; RULEMAKING UNDER TSCA SECTION 6(A)

EO 13771 Designation: Regulatory

Legal Authority: 15 U.S.C. 2605 Toxic Substances Control Act

Abstract: Section 6(a) of the Toxic Substances Control Act provides authority for EPA to ban or restrict the manufacture (including import), processing, distribution in commerce, and use of chemical substances, as well as any manner or method of disposal. Methylene chloride and N-methylpyrrolidone (NMP) are used in paint and coating removal in commercial processes, consumer products, and residential settings. In the August 2014 TSCA Work Plan Chemical Risk Assessment for methylene chloride and the March 2015 TSCA Work Plan Chemical Risk Assessment for NMP, EPA characterized risks from use of these chemicals in paint and coating removal. EPA determined that these are unreasonable risks. On January 19, 2017, EPA proposed prohibitions and restrictions on the use of methylene chloride in consumer and most types of commercial paint and coating removal. EPA co-proposed two options for NMP in paint and coating removal. The first co-proposal would prohibit NMP in all consumer and commercial paint and coating removal. The second co-proposal would establish a worker protection program for commercial use of NMP in paint and coating removal; limit the concentration of NMP in all paint and coating removal products; and require warnings and instructions on any consumer paint and coating removal products containing NMP. Also in that proposal, EPA identified

commercial furniture refinishing as an industry for which EPA would like more information before proposing regulations to address the risks presented by methylene chloride, and announced its intention to issue a separate proposal to address those risks. EPA held a public workshop on September 12, 2017, with representatives of federal and state government agencies, industry professionals, furniture refinishing experts, non-government organizations, academic experts, and others to discuss the role of methylene chloride in furniture refinishing, work practices employed when using methylene chloride in furniture refinishing, potential alternatives, economic impacts, and other issues identified in EPA's January 2017 proposed rule.

Timetable:

Action	**Date**	**FR Cite**
NPRM	01/19/17	82 FR 7464
NPRM Comment Period Extended	05/01/17	82 FR 20310
Supplemental NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Ana Corado, Environmental Protection Agency, Office of Chemical Safety and Pollution Prevention, 1200 Pennsylvania Avenue NW, Mail Code 7408M, Washington, DC 20460

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RIN: 2070–AK07

324. TRICHLOROETHYLENE (TCE); RULEMAKING UNDER TSCA SECTION 6(A); VAPOR DEGREASING

EO 13771 Designation: Regulatory

Legal Authority: 15 U.S.C. 2605 Toxic Substances Control Act

Abstract: Section 6(a) of the Toxic Substances Control Act (TSCA) provides authority for EPA to ban or restrict the manufacture (including import), processing, distribution in commerce, and use of chemical substances, as well as any manner or method of disposal. In the June 2014 TSCA Work Plan Chemical Risk Assessment for TCE, EPA characterized risks from the use of TCE in commercial degreasing and in some consumer uses. EPA determined that these are unreasonable risks. On January 19, 2017, EPA proposed to prohibit the manufacture, processing, distribution in commerce, or commercial use of TCE in vapor degreasing. A separate action (RIN 2070-AK03), published on December 16, 2016, proposes to address the unreasonable risks from TCE when as a spotting agent in dry cleaning and in commercial and consumer aerosol spray degreasers.

Timetable:

Action	Date	FR Cite
NPRM	01/19/17	82 FR 7432
NPRM Comment Period Extended	02/15/17	82 FR 10732
NPRM Comment Period Extended	05/01/17	82 FR 20310
Final Rule	To Be	Determined

Regulatory Flexibility Analysis Required: Yes

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RIN: 2070–AK11

Environmental Protection Agency (EPA)	Completed Actions
35	

325. FORMALDEHYDE EMISSION STANDARDS FOR COMPOSITE WOOD PRODUCTS

EO 13771 Designation: Not subject to, not significant

Legal Authority: 15 U.S.C. 2697 Toxic Substances Control Act

Abstract: On December 12, 2016, the EPA issued a final rule to implement the Formaldehyde Standards for Composite Wood Products Act, which added Title VI to the Toxic Substances Control Act (TSCA). The purpose of TSCA Title VI is to reduce formaldehyde emissions from composite wood products, which will reduce exposures to formaldehyde and result in benefits from avoided adverse health effects. This final rule includes formaldehyde emission standards applicable to hardwood plywood, medium-density fiberboard, and particleboard, and finished goods containing these products, that are sold, supplied, offered for sale, or manufactured (including imported) in the United States. This final rule includes provisions relating to, among other things, laminated products, products made with no-added formaldehyde resins or ultra low-emitting formaldehyde resins, testing requirements, product labeling, chain of custody documentation and other recordkeeping requirements, enforcement, import certification, and product inventory sell-through provisions, including a product stockpiling prohibition. This final rule also establishes a third-party certification program for hardwood plywood, medium-density fiberboard, and particleboard and includes procedures for the accreditation of third-party certifiers and general requirements for accreditation bodies and third-party certifiers.

Timetable:

Action	Date	FR Cite
ANPRM	12/03/08	73 FR 73620
Second ANPRM	01/30/09	74 FR 5632
NPRM	06/10/13	78 FR 34795
NPRM Comment Period Extended	07/23/13	78 FR 44090
NPRM Comment Period Extended	08/21/13	78 FR 51696
Final Rule	12/12/16	81 FR 89674
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