APPENDIX C
Proposed Regulations Applicable to Fuel Facilities

The U.S. Environmental Protection Agency (EPA) and other federal agencies publish advanced notices of proposed rulemaking, notices of proposed rulemaking, proposed rules, and final rules in the *Federal Register (FR),* which is published each business day. Proposed rulemaking documents are identified in the Office of Information and Regulatory Affairs of the Office of Management and Budget's Unified Agenda. The portion for EPA, as of fall 2018, that may be relevant to DLA Energy is provided below. To check on regulatory developments go to www.reginfo.gov/public.

Regulation	Description
Air Emissions	
40 CFR 63.1 72 *FR* 69 (1/3/07) 72 *FR* 9718 (3/5/07) 83 *FR* 5543 (2/8/18) RIN 2060–AM75	Reclassification of Major Sources as Area Sources
	These amendments would address when a major source can become an area source, and, thus, become not subject to national emission standards for hazardous air pollutants (NESHAP) for major sources under Clean Air Act (CAA) section 112. The January 25, 2018, William Wehrum Memorandum withdrew the Once In, Always In (OIAI) policy that required facilities that are major sources for hazardous air pollutants (HAPs) on the first substantive compliance date of a NESHAP Maximum Achievable Control Technology (MACT) standard to comply permanently with the MACT standard to comply permanently.
40 CFR 82 Not yet published in *FR*, Final rule expected 3/20 RIN 2060–AO75	Protection of the Stratospheric Ozone: Motor Vehicle Air Conditioning System Servicing
	This action would establish servicing and equipment provisions, as required by the CAA, for new alternative refrigerants in the motor vehicle air conditioning end-use currently listed as acceptable subject to use conditions under the Significant New Alternatives Policy (SNAP) program and being used in cars on the road today.
40 CFR 72-78 Not yet published in *FR*, Final rule expected 4/19 RIN 2060–AS74	General Revisions to Emissions Monitoring and Reporting Requirements for Fossil Fuel-Fired Electric Generating Units
	This proposed rule would revise the definitions, monitoring, recordkeeping, and reporting requirements associated with the allowance trading programs (for example, Acid Rain or Cross State Air Pollution Rule) implemented by EPA in conjunction with states. EPA periodically revises these regulations to update test methods incorporated by reference, correct known errors, clarify, and otherwise modify provisions where necessary to ensure that the requirements remain current and provide flexibility. The proposed rule would also update or remove other provisions of the acid rain program that applied only in earlier phases of the program.
40 CFR 82 Not yet published in *FR*, Final rule expected 1/20 78 *FR* 37164 (6/20/13)	Protection of Stratospheric Ozone: Listing of Substitutes Under the Significant New Alternatives Policy Program
RIN 2060–AT78	*EPA had received a number of manufacturers' submissions and petitions concerning listings of substitutes. This rule would propose listings based on EPA's evaluation and other updates as appropriate.*

Regulation	Description
40 CFR 80 83 *FR* 20812 (5/8/18) NPRM (2/19) Final rule expected 11/19 RIN 2060-AT31	Fuels Regulatory Streamlining
	This action is intended to streamline and modernize EPA's existing fuels regulations under 40 Code of Federal Regulations (CFR) part 80. The purpose of this effort is to update EPA's existing gasoline, diesel, and other fuels regulations to help reduce compliance costs for industry and EPA, while improving overall compliance assurance and maintaining environmental performance. In this action, EPA will streamline existing fuels regulations by deleting expired provisions, eliminating redundant compliance provisions (for example, duplicative registration requirements that are required by every EPA fuels program), and removing out-of-date requirements to replace them with a single set of provisions and definitions that will apply across all gasoline, diesel, and other fuels programs currently under 40 CFR part 80.
40 CFR 60 Not yet published in *FR*, NPRM (11/18) RIN 2060-AT56	Review of Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Generating Units
	On April 4, 2017, EPA announced it is reviewing the Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Generating Units, found at 40 CFR part 60, subpart TTTT.
40 CFR 60 82 *FR* 61507 (12/28/17) 83 *FR* 44746 (8/31/18) NPRM (10/30/18) Final rule expected 3/19 RIN 2060-AT67	Emission Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units; Revisions to Emission Guideline Implementing Regulations; Revisions to New Source Review (NSR) Program
	On April 4, 2017, EPA announced it is reviewing the Clean Power Plan (CPP), found at 40 CFR part 60, subpart UUUU via Executive Order (EO) 13771. EPA has, in a separate action, proposed to repeal the CPP. EPA solicited input on a CPP replacement rule through an Advanced Notice of Proposed Rule Making (ANPRM) published on December 28, 2017. On August 31, 2018, EPA published the proposed Affordable Clean Energy (ACE) rule in the Federal Register as a replacement for the CPP.
40 CFR 82 83 *FR* 49332 (10/1/18) Final rule expected 1/19 RIN 2060–AT81	Protection of Stratospheric Ozone: Revisions to the Refrigerant Management Requirements Under the Clean Air Act
	In 2016, EPA finalized a rule updating the refrigerant management requirements under the CAA. The 2016 rule updated those existing requirements and extended them to non-ozone depleting substitute refrigerants, such as hydrofluorocarbons (HCFCs). Updates included strengthened leak repair requirements, recordkeeping requirements for the disposal of appliances containing more than 5 and less than 50 pounds of refrigerant, revisions to the technician certification program, and revisions for improved readability and compliance. This action revisits aspects of the 2016 rule's extension of the refrigerant management requirements to substitutes like hydrofluorocarbons. This proposal would not affect the requirements for ozone-depleting refrigerants.
40 CFR 63, subpart EEEE Not yet published in *FR*, Final rule expected 3/20 RIN 2060-AT86	National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline) Residual Risk and Technology Review
	This action will address EPA's residual risk and technology review (RTR) of the NESHAP for Organic Liquids Distribution (Non-Gasoline). The Organic Liquids Distribution (Non-Gasoline) NESHAP, 40 CFR 63 subpart EEEE, was promulgated pursuant to section 112(d) of the CAA on February 3, 2004 (See 69 FR 5063). The NESHAP established emission limitations and work practice requirements based on MACT for control emissions of HAPs from storage tanks, transfer racks, and equipment leaks from associated equipment. The most prevalent HAPs emitted from these sources include, but are not limited to, benzene, ethylbenzene, toluene, vinyl chloride, and xylenes. This action will implement the residual risk review requirements of CAA section 112(f)(2) and the technology review requirements of CAA section 112(d)(6).

Regulation	Description
40 CFR 52 Not yet published in *FR*, Proposed action expected 2/19 RIN 2060–AT89	Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Project Emissions Accounting
	Under the NSR preconstruction permitting program, sources undergoing modifications need to determine whether their modification is considered a major modification and thus subject to NSR preconstruction permitting. A source owner determines if its source is undergoing a major modification under NSR using a two-step applicability test. The first step is to determine if there is a "significant emission increase" of a regulated NSR pollutant from the proposed modification (Step 1) and the second step is to determine if there is a "significant net emission increase" of that pollutant (Step 2). In this action, we are proposing the consideration of emissions increases and decreases from a modification in Step 1 of the NSR major modification applicability test for all unit types (i.e., new, existing, and hybrid units).
CFR: TBD Not yet published in *FR*, Final rule expected 1/19 RIN 2060–AT97	Determinations of Attainment by the Attainment Date, Extensions of the Attainment Date, and Reclassification of Several Areas Classified as Moderate for the 2008 Ozone National Ambient Air Quality Standards (NAAQS)
	This action relates to the attainment status of nonattainment areas for the 2008 ozone NAAQS currently classified as Moderate. All Moderate areas must attain the ozone standard within 6 years of the effective date of the designation, or by July 20, 2018, unless an area is granted a 1-year attainment date extension. If a Moderate area fails to attain the standard by the attainment date, the area will be reclassified to Serious nonattainment by operation law. In this notice, EPA proposes to find that certain Moderate nonattainment areas attained the standard by the attainment date, while others failed to attain and will be reclassified to Serious nonattainment by operation of law or qualify for a 1-year attainment date extension.
40 CFR 82 Not yet published in *FR*, Final rule expected 12/19 RIN 2060–AU11	Protection of Stratospheric Ozone: Updates to the Significant New Alternatives Policy Program
	This rule would address a court remand of EPA's Significant New Alternatives Policy (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.
40 CFR 82 Not yet published in *FR*, Final rule expected 12/19 RIN 2060–AU26	Protection of Stratospheric Ozone: Adjustments to the Allowance System for Controlling HCFC Production and Import, 2020-2030, and Other Updates
	EPA is proposing to allocate allowances for the production and consumption of hydrochlorofluorocarbons (HCFCs) between 2020 and 2030, as well as make other minor changes related to the regulations at 40 CFR part 82 subpart A.
40 CFR 60 Not yet published in *FR*, Final rule expected 11/19 RIN 2060–AU27	Standards of Performance for Stationary Compression Ignition (CI) Internal Combustion Engines Amendments
	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. Subpart IIII currently requires new CI engines in remote areas of Alaska to meet the Tier 4 PM emission standard for 2014 model year and later engines. In order to comply with the Tier 4 PM standard, owners/operators must purchase Tier 3 engines and retrofit the new engine with a diesel particulate filter. EPA is proposing to remove the requirement that new CI engines in remote areas of Alaska must meet the Tier 4 PM emission standard. EPA has already revised the rule to remove the requirement for these engines to meet the Tier 4 standards for other pollutants.

Regulation	Description
CFR: TBD Not yet published in *FR*, NPRM (1/19) Final rule expected 12/19 RIN 2060-AU28	*Renewable Fuel Standard Program Modification of Applicable Volumes, 2020 Standards, and Other Changes*
	Under the statutory provisions governing the Renewable Fuel Standard (RFS) program, EPA is required to modify, or reset, the applicable annual volume targets specified in the statute for future years if waivers of those volumes in past years met certain specified thresholds. Those thresholds have been met or are expected to be met in the near future. As a result, EPA is proposing a rulemaking that will propose modifying the applicable volumes targets for cellulosic biofuel, advanced biofuel, and total renewable fuel for the years 2020 to 2022. *In concert with these modifications, EPA will be proposing volume requirements for biomass-based diesel (BBD) for 2021 and 2022. Since the timetable for this rulemaking overlaps that for annual standard-setting rulemakings, this rulemaking will also include the applicable percentage standards for 2020. Finally, this rulemaking includes several regulatory amendments designed to provide clarity and increase opportunities for renewable fuel production.*
40 CFR 80 Not yet published in *FR*, NPRM (2/19) Final action expected 5/19 RIN 2060-AU34	Modifications to Fuel Regulations to Provide Flexibility for E15; Modifications to RFS RIN Market Regulations
	EPA is proposing regulatory changes to allow gasoline blended with up to 15% ethanol (E15) to take advantage of the 1-psi Reid Vapor Pressure (RVP) waiver that currently applies to E10 during the summer months. EPA is proposing regulatory changes to modify certain elements of the renewable identification number (RIN) compliance system under the RFS program to improve RIN market functioning.
No CFR Citation 75 *FR* 19567 (4/15/10) 75 *FR* 27191 (5/14/10) 75 *FR* 27643 (5/18/10) Final action expected 10/18 RIN 2060–AP80	Reconsideration of the Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR) Project Aggregation
	Under the NSR preconstruction permitting program, stationary sources undergoing modifications need to determine whether their physical or operational changes are a "major modification" based on the emissions increase that would result from the changes. The term "project aggregation" within the NSR program refers to the grouping of related physical and/or operational changes at a facility into a single project, and combining the corresponding emission increases or decreases for purposes of determining NSR applicability. In January 2009, the EPA finalized an interpretation of existing NSR regulations that changes at a facility should be aggregated into a single project if they are "substantially related." The action also addressed how the timing of changes should be considered for aggregation purposes and, as a statement of policy, it created a presumption against aggregating changes that occur 3 or more years apart. This 2009 action is currently stayed and under reconsideration by EPA. This current action will finalize the reconsideration of the 2009 action.
40 CFR 51, 60, 63 83 FR 3636 (1/26/18) Final rule expected 10/18 RIN 2060–AS95	Revisions to Testing Regulations for Air Emission Sources
	This action corrects and updates source test methods, performance specifications, and testing regulations for air emission sources under 40 CFR parts 51, 60, and 63. The revisions include corrections to testing provisions that contain inaccuracies and typographical errors, updates to outdated test methods, and the addition of alternative testing procedures the EPA has deemed acceptable to use.
40 CFR 60 82 *FR* 48035 (10/16/17) 82 *FR* 51787 (11/8/17) 83 *FR 4620* (2/1/18) Final rule expected 3/19 RIN 2060–AT55	Repeal of Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units
	On April 4, 2017, the EPA announced it is reviewing the Clean Power Plan, found at 40 CFR part 60, subpart UUUU via EO 13771. This action proposes to withdraw the Clean Power Plan on grounds that it exceeds the statutory authority provided under section 111 of the CAA. The proposed repeal was published on October 16, 2017.

Regulation	Description
40 CFR 50 83 *FR* 26752 (6/8/18) 83 *FR* 28843 (6/21/18) Final action expected 1/19 RIN 2060–AT68	Review of the Primary National Ambient Air Quality Standards for Sulfur Oxides
	Under the CAA Amendments of 1977, EPA is required to review and if appropriate revise the air quality criteria and NAAQS every 5 years. On June 22, 2010, EPA published a final rule to revise the primary (health-based) NAAQS for sulfur oxides to provide increased protection for public health. This review of the 2010 NAAQS includes the preparation by EPA of an Integrated Review Plan, an Integrated Science Assessment, a Risk/Exposure Assessment, and also a Policy Assessment Document, with opportunities for review by EPA's Clean Air Scientific Advisory Committee (CASAC) and the public. These documents inform the administrator's proposed decision as to whether to retain or revise the current standard.
40 CFR 80 83 *FR* 31098 (7/3/18) 83 *FR* 32024 (7/10/18) Final rule expected 11/18 RIN 2060-AT93	Renewable Fuel Volume Standards for 2019 and Biomass-Based Diesel (BBD) Volume for 2020
	The CAA requires EPA to promulgate regulations that specify the annual volume requirements for renewable fuels under the RFS program. Standards are to be set for four different categories of renewable fuels: cellulosic biofuel, BBD, advanced biofuel, and total renewable fuel. The statute requires that the standards be finalized by November 30 of the year prior to the year in which the standards would apply. In the case of BBD, the statute requires applicable volumes to be set no later than 14 months prior to the year for which the requirements would apply.
40 CFR 81 Not yet published in *FR*, Final rule expected 10/18 RIN 2060–AU29	Air Quality Designations for the 2015 Ozone National Ambient Air Quality Standards: Error Corrections
	EPA established the area designations for the 2015 ozone NAAQS in actions published on November 16, 2017, June 4, 2018, and July 25, 2018. Following publication, EPA discovered inadvertent errors in the regulatory tables for six states. The inadvertent errors include typographical and formatting errors and omission of several attainment/unclassifiable counties. EPA is correcting the errors consistent with the rulemaking record.
Emergency Response	
Nonregulatory 81 *FR* 21362 (4/16)	Revisions to the National Preparedness for Response Exercise Program (PREP) Guidelines
	The U.S. Coast Guard revised the PREP Guidelines, in consultation with EPA, PHMSA, and DOI Bureau of Safety and Environmental Enforcement (formerly Mineral Management Services).
Hazardous Waste and Used Oil	
40 CFR 261 NPRM expected 11/18 Final rule expected 01/20 RIN 2050-AG93	Modernizing Ignitable Liquids Determinations
	EPA is considering updating the flash point test methods for the determination of characteristically ignitable hazardous waste along with other minor changes. The required test methods refer to outdated standards developed by the American Society for Testing and Materials (ASTM standards) and require instrumentation that is no longer readily commercially available. A proposed update to the flash point test methods will allow for the use of commercially available instrumentation and will no longer require mercury thermometers. EPA is also proposing to remove the requirements for mercury thermometers in the SW-846 air sampling and stack emissions methods. In addition, EPA intends to solicit public input on the alcohol exclusion for ignitable aqueous alcohols and whether a revision is necessary to improve existing waste management practices.
40 CFR 262.41 Not yet published in *FR*, RIN 2050–AF01	RCRA Smarter Waste Reporting
	Proposed initiative would decrease regulatory burden on respondents completing the Biennial Report (BR) by eliminating the form for waste shipped off-site. Proposes to 1) substitute BR data with data from the e-Manifest system and 2) improve the information EPA currently receives from respondents who manage waste on-site, in an effort to improve the quality of BR data.

Regulation	Description
Wastewater and Stormwater Permitting	
40 CFR 110, 112, 116, 117, 122, 230, 232, 300, 302, 401 Final action expected 9/19 RIN: 2040-AF75	Revised Definition of "Waters of the United States"
	Responds to the February 28, 2017, Presidential EO: Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the "Waters of the United States" Rule. To meet the objectives of the EO, a comprehensive, two-step rulemaking process to first, recodify the pre-existing definition of "waters of the United States." And second, reconsideration of the definition of "waters of the United States" consistent with the EO.
40 CFR 122.26, 122.30–.37 Not yet published in *FR*, Final action expected 12/14 RIN 2040–AF13	Stormwater Regulations Revision to Address Discharges from Developed Sites
	Proposed action would establish requirements for, at minimum, managing stormwater discharges from newly developed and redeveloped sites, to reduce the amount of pollutants in stormwater discharges entering receiving waters by reducing the discharge of excess stormwater, and may take other actions to implement improved control of stormwater pollution and more efficient rainwater use.
40 CFR 122 RIN 2040-AF78 Final Rule expected 4/19	Updates to eReporting Rule Data Elements to Reflect MS4 General Permit Remand Rule
	Proposed action will update the data elements included in the final eReporting Rule for Phase II municipal separate storm sewer systems (MS4s) to reflect the changes made in the MS4 General Permit Remand Rule (81 FR 89320, December 8, 2016). These updates do not increase the work associated with complying with the eReporting Rule, but rather the changes will correct obsolete citations and current inconsistencies with the newly modified Phase II stormwater regulations. The updates will assist permitting authorities and MS4 permittees who will need to begin reporting information electronically by December 21, 2020.
40 CFR 122 NPRM expected 7/19 Final action expected 7/20 RIN: 2040-AF81	Peak Flows Management
	Proposed update to the regulations will seek to clarify permitting procedures to provide POTWs with separate sanitary sewer systems flexibility in how they manage and treat peak flows under wet weather conditions. These updates will also seek to ensure a consistent national approach for permitting POTWs that allows efficient treatment plant operation while protecting the public from potential adverse health effects of inadequately treated wastewater.
40 CFR 122–125 Proposed Rule 81 *FR* 31343 Final action expected 12/18 RIN 2040–AF25	National Pollutant Discharge Elimination System (NPDES) Application and Program Updates Rule
	A final action on a subset of provisions included in the EPA's proposal to update specific elements of the existing NPDES regulations. The rule will make targeted revisions to application and public notice requirements, and several other minor revisions that were included in the proposed rule. The rule will address portions of the proposed rule that were intended to update the NPDES regulations to be clearer and more effective, promote submission of complete permit applications, and allow more timely development of NPDES permits.

Regulation	Description
40 CFR 1700 RIN 2040-AF53 Final Rule expected 12/18	Uniform National Discharge Standards for Vessels of the Armed Forces – Phase II-Batch Two (UNDS)
	Section 312(n) of the "Uniform National Discharge Standards (UNDS) for Vessels of the Armed Forces" directs the EPA and DoD to establish national discharge standards for discharges incidental to the normal operation of a vessel of the Armed Forces in three phases. After the third phase of the rulemaking is complete, these national standards will preempt state discharge standards for these vessels, though states may enforce the uniform national standards. The EPA and DoD jointly promulgated Phase I on May 10,1999 (64 FR 25126) and concluded that 25 discharges from vessels of the Armed Forces would require discharge performance standards. Phase II of the rulemaking (joint EPA and DoD rule) is the development of the 25 discharge performance standards, which is being done in three "batches" of rulemaking. UNDS Phase II – Batch One performance standards were promulgated on January 11, 2017 (82 FR 3173). The UNDS Phase II – Batch Two includes the following discharges: catapult water brake tank and postlaunch retraction exhaust; controllable pitch propeller hydraulic fluid; deck runoff; fire main systems; gray water; hull coating leachate; motor gasoline compensating discharge; sonar dome discharge; submarine bilgewater; surface vessel bilgewater/oil-water separator; and underwater ship husbandry.
40 CFR 131 75 *FR* 44930 (7/30/10) 78 *FR* 54517 (9/4/13) 78 FR 70905 (11/13) Final rule 10/20/15 RIN 2040–AF16	Water Quality Standards (WQS) Regulatory Clarifications
	Proposed rule addresses the following areas: 1) administrator's determination that new or revised WQS are necessary, 2) designated uses, 3) triennial review requirements, 4) antidegradation, 5) variances to water quality standards, and 6) compliance schedule authorizing provisions.
40 CFR 136 NPRM expected 12/18 Final rule expected 12/19 RIN 2040-AF84	Clean Water Act Methods Update Rule for the Analysis of Effluent
	To amend "Guidelines Establishing Test Procedures for the Analysis of Pollutants" at 40 CFR part 136 to approve test procedures (analytical methods) for use by testing laboratories and others for water monitoring. These test procedures must be used to implement the NPDES program unless EPA has approved the use of an alternate procedure. The regulation would also revise, clarify, and correct errors and ambiguities in existing methods and the water monitoring regulations.
40 CFR 151 83 *FR* 29499 NPRM (6/18) Final expected 8/19 RIN 2050-AG87	Clean Water Act Hazardous Substances Spill Prevention
	As a result of a consent decree, the EPA has issued a proposed rule that addresses the prevention of hazardous substance discharges under section 311(j)(1)(C) of the Clean Water Act (CWA). This section directs the President to issue regulations to prevent discharges of oil and hazardous substances from onshore and offshore facilities, and to contain such discharges. The EPA assessed the consequences of hazardous substance discharges into the nation's waters, and evaluated the costs and benefits of potential preventive regulatory requirements for facilities handling such substances. Based on an analysis of the frequency and impacts of reported CWA hazardous substances discharges and the existing framework of EPA regulatory requirements, the Agency did not propose additional regulatory requirements.
40 CFR 230 NPRM expected 06/19 RIN 2040-AF88	Clean Water Act Section 404(c) Regulatory Revision
	Revisited to reflect modern-day methods and protections, including the robust existing processes under the National Environmental Policy Act (NEPA) that requires federal agencies to consider the environmental and related social and economic effects of their proposed actions while providing opportunities for public review and comment on those evaluations. The updated regulations have the opportunity for increasing certainty for landowners, investors, businesses and entrepreneurs to make investment decisions while preserving EPA's authority to restrict discharges of dredge or fill material that will have an unacceptable adverse effect on water supplies, recreation, fisheries and wildlife.

Regulation	Description
40 CFR 423 78 *FR* 34431 (6/7/13) 78 *FR* 41907 (7/12/13) 80 *FR* 67838 82 *FR* 43494 Final action expected 12/19 RIN 2040–AF77	Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category
	Would establish effluent limitations guidelines and standards to steam electric power plants using nuclear or fossil fuels, such as coal, oil, and natural gas to reduce discharges of pollutants from industries to waters of the U.S. These requirements are incorporated into NPDES discharge permits issued by EPA and states and through the national pretreatment program. EPA intends to conduct a rulemaking to potentially revise certain best available technology economically achievable (BAT) effluent limitations and pretreatment standards for existing sources (PSES) for the steam electric power generating point source category, which were published in the Federal Register on November 3, 2015. EPA is, accordingly, postponing the associated compliance dates in the 2015 Rule.
40 CFR 450 78 *FR* 19434 (4/1/13) 79 *FR* 12661 (3/14) Final rule effective date 5/5/14 RIN 2040–AF44	Effluent Limitations Guidelines and Standards for the Construction and Development Point Source Category
	Would address revisions to the effluent guidelines and standards for the construction and development point source category 40 CFR 450, specific to several of the non–numeric portions of the rule in response to litigation.
CFR: TBD RIN 2040-AF90	Compensatory Mitigation for Losses of Aquatic Resources – Review and Approval of Mitigation Banks and In-Lieu Fee Programs
	In 2008, the U.S. Army Corps of Engineers (USACE) and the EPA issued a final rule governing compensatory mitigation for losses of aquatic resources (73 FR 19593). The interagency review team consists of federal, state, and local agencies, Tribal nations, and the mitigation bank or in-lieu fee program sponsor. USACE is reviewing the review and approval process and the interagency review team process in particular to enhance the efficiency of the mitigation bank and in-lieu fee program approval time frames. An increase in efficiency would likely result in savings to the public because it is expected to result in shorter review times for proposed mitigation banks, in-lieu fee programs, and instrument modifications, as well as credit release requests, and decreases in the resources other federal, state, and local agencies expend in reviewing these activities, attending meetings, participating in site visits, and providing their comments to USACE.
40 CFR 1700 81 FR 69753 (10/16) Final action expected 12/18 RIN 2040–AF53	Uniform National Discharge Standards (UNDS) for Vessels of the Armed Forces – Phase II – Batch Two
	Phase II will establish performance standards for control devices for these 25 discharges, possibly leading to more oily wastes being offloaded at terminals. The Phase II standards will be promulgated in 3 batches. Each batch will address several performance standards. Once DoD implements Phase II rules, covered discharges will no longer be subject to state discharge standards. UNDS Phase II – Batch Two includes the following discharges: catapult water brake tank & post-launch retraction exhaust; controllable pitch propeller hydraulic fluid; deck runoff; fire main systems; gray water; hull coating leachate; motor gasoline compensating discharge; sonar dome discharge; submarine bilgewater; surface vessel bilgewater/oil-water separator; and underwater ship husbandry.
40 CFR 122 Final Rule expected 4/19 RIN 2040-AF78	Updates to eReporting Rule Data Elements to Reflect MS4 General Permit Remand Rule
	EPA plans to update the data elements included in the final eReporting Rule for Phase II municipal separate storm sewer systems (MS4s) to reflect the changes made in the MS4 General Permit Remand Rule (81 FR 89320, December 8, 2016). These updates do not increase the work associated with complying with the eReporting Rule, but rather the changes will correct obsolete citations and current inconsistencies with the newly modified Phase II stormwater regulations. The updates will assist permitting authorities and MS4 permittees who will need to begin reporting information electronically by December 21, 2020.

Regulation	Description
Drinking Water	
40 CFR 141 and 142 Final action expected 12/2019 RIN 2040–AF28	National Primary Drinking Water Regulations: Regulation of Perchlorate
	A consent decree entered by the U.S. District Court for the Southern District of New York states that EPA shall propose a national primary drinking water regulation (NPDWR) with a proposed Maximum Contaminant Level Goal (MCLG) for perchlorate in drinking water no later than October 31, 2018, and finalize a MCLG and NPDWR for perchlorate in drinking water no later than December 19, 2019. EPA has begun the process for developing a NPDWR for perchlorate. The Safe Drinking Water Act describes EPA's requirements for regulating contaminants. In accordance with these requirements, EPA will consider the Science Advisory Board's guidance on how to best interpret perchlorate health information to derive a MCLG for perchlorate. EPA is evaluating the feasibility and affordability of treatment technologies to remove perchlorate from drinking water and will examine the costs and benefits of a Maximum Contaminant Level (MCL) and alternative MCLs. EPA is seeking input through informal and formal processes from the National Drinking Water Advisory Council, the Department of Health and Human Services, State and Tribal drinking water programs, the regulated community (public water systems), public health organizations, academia, environmental and public interest groups, and other interested stakeholders on a number of issues relating to the regulation of perchlorate. EPA made a determination to regulate perchlorate in drinking water on February 11, 2011.
Miscellaneous	
40 CFR 745 83 FR 30889 Final Rule expected 6/19 RIN 2070 AJ82	Review of Dust-Lead Hazard Standards and the Definition of Lead-Based Paint
	EPA is reviewing existing regulatory dust-lead hazard standards for target housing and child-occupied facilities (COFs) and the definition of lead-based paint for non-target housing. EPA proposed to change the dust-lead hazard standards from 40 microgram per square foot (µg/ft^2) and 250 µg/ft^2 to 10 µg/ft^2, and 100 µg/ft^2 on floors and window sills, respectively. These standards apply to most pre-1978 housing and child-occupied facilities, such as daycare centers and kindergarten facilities. In addition, EPA proposed to make no change to the definition of lead-based paint because the Agency currently lacks sufficient information to support such a change.

RIN = Regulation Identification Number

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