Veolia North America - Industrial Business

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A. Guidance Document Procedures Rescission; Final Rule

Agency

Council on Environmental Quality (CEQ)

Dates

Published Date: 04/13/2021
Effective Date: 04/13/2021

Summary

In accordance with E.O. 13992, ''Revocation of Certain Executive Orders Concerning Federal Regulation,'' this final rule rescinds the Council on Environmental Quality's (CEQ) rule on guidance document procedures. The Council on Environmental Quality (CEQ) issued a final rule on January 8th, 2021 to implement Executive Order (E.O.) 13891, ''Promoting the Rule of Law Through Improved Agency Guidance Documents.'' This final rule rescinds E.O. 13891.

E.O. 13891, ''Promoting the Rule of Law Through Improved Agency Guidance Documents,'' addressed the development, use, and public availability of agency guidance documents and required agencies to promulgate or update existing regulations setting forth their procedures for issuing guidance documents. After review and consideration, CEQ has concluded that its rule on guidance documents deprives CEQ of necessary flexibility in determining when and how best to issue guidance based on particular facts and circumstances consistent with the policy directive in E.O. 13992.

CEQ will continue to make guidance available to the public on its websites, including www.nepa.gov and www.sustainability.gov .

Reference/Link

The link below will allow you to view/print this Final Rule.

https://www.govinfo.gov/content/pkg/FR-2021-04-13/pdf/2021-07398.pdf

B. EPA Administrator Regan Establishes New Council on PFAS; News Release

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 04/27/2021

Summary

The Environmental Protection Agency (EPA) Administrator, Michael Regan, has issued a memorandum to EPA's senior leadership calling for the creation of a new "EPA Council on PFAS." The responsibilities of the council will include building the agency's ongoing work to better understand and ultimately reduce the potential risks caused by these chemicals.

Administrator Regan has asked Radhika Fox, Principal Deputy Assistant Administrator in the Office of Water, and Deb Szaro, Acting Regional Administrator in Region 1, to convene and lead the EPA Council on PFAS, which will be comprised of senior EPA career officials from across the agency.

Specifically, Administrator Regan is directing the EPA Council on PFAS to:

- Develop "PFAS 2021-2025 - Safeguarding America's Waters, Air and Land," which is a multi-year strategy to deliver critical public health protections to the American public.
- Continue close interagency coordination on regional specific and cross-media issues to assist states, Tribes, and local communities faced with significant and complex PFAS challenges.
- Work with all national program offices and regions to maximize the impact of EPA's funding and financing programs and leverage federal and state funds to support the cleanup of PFAS pollution, particularly in underserved communities.
- Expand engagement opportunities with federal, state, and tribal partners to ensure consistent communications, exchange information, and identify collaborative solutions.

Reference/Link

The link below will allow you to view/print this News Release.

https://www.epa.gov/newsreleases/epa-administrator-regan-establishes-new-council-pfas

C. EPA Announces Plan to Update Toxics Release Inventory to Advance Environmental Justice; News Release

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 04/29/2021

Summary

Under the Toxics Release Inventory (TRI) program the Environmental Protection Agency (EPA) is taking steps to advance Environmental Justice, improve transparency, and increase access to environmental information. The comprehensive plan includes expanding the scope of TRI reporting requirements to include additional chemicals and facilities, including facilities that are not currently reporting on ethylene oxide (EtO) releases, and providing new tools to make TRI data more accessible to the public.

This announcement includes the following components:

- TRI Facility Expansion to Include Certain Contact Sterilizers using Ethylene Oxide (EtO).
- Additional TRI Reporting Requirements for Other Chemicals and Sectors
    - TRI Reporting for Natural Gas Processing Facilities
    - TRI Reporting for Additional Per-and Polyfluoroalkyl Substances (PFAS)
    - TRI Reporting for TSCA Work Plan and High-Priority Chemicals

The EPA has also taken the following steps to make TRI data more useful and accessible to communities with Environmental Justice concerns:

- Enhancing TRI search tools to include a "Demographic Profile" section which displays a map showing information like the income profile and the racial makeup surrounding TRI facilities derived from EJSCREEN.
- Launching a Spanish version of the TRI website
- Promoting the use of Pollution Prevention (P2) information as a tool for communities to engage with reporting facilities on workable solutions for building community health by encouraging facilities to reduce their use and releases of toxic chemicals.

Reference/Link

The link below will allow you to view/print this News Release.

https://www.epa.gov/newsreleases/epa-announces-plan-update-toxics-release-inventory-advance-environmental-justice

D. Extension of Compliance Dates for Medical Examiner's Certification Integration; Supplemental Notice of Proposed Rulemaking

Agency

Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT)

Dates

Published Date: 04/22/2021
Comments Due: 05/24/2021

Summary

FMCSA proposes to amend its regulations to extend the compliance date from June 22, 2021, to June 23, 2025, for several provisions of its April 23, 2015, Medical Examiner's Certification Integration final rule. FMCSA issued an interim final rule (IFR) on June 21, 2018, extending the compliance date for these provisions until June 22, 2021. FMCSA proposes to finalize the IFR by further extending the compliance date to June 23, 2025. This action is being taken to provide FMCSA time to complete certain information technology (IT) system development tasks for its National Registry of Certified Medical Examiners (National Registry) and to provide the State Driver's Licensing Agencies (SDLAs) sufficient time to make the necessary IT programming changes after the new National Registry system is available.

The proposal to delay the compliance date means that through June 22, 2025:

- Certified medical examiners (MEs) would continue issuing medical examiner certificates (MECs) to qualified CLP/CDL applicants/holders;
- CLP/CDL applicants/holders would continue to provide the SDLA a copy of their MEC;
- Motor carriers would continue verifying that drivers were certified by an ME listed on the National Registry; and
- SDLAs would continue processing paper copies of MECs they receive from CLP/CDL applicants/holders.

In the 2018 IFR, FMCSA did not delay the requirement for MEs performing physical examinations of CMV drivers to report results of all CMV drivers' physical examinations (including the results of examinations where the driver was found not to be qualified) to FMCSA by midnight (local time) of the next calendar day following the examination. MEs' submission of reports by midnight (local time) of the next calendar day following the examination also allows FMCSA to begin electronically transmitting this important safety data to each State when that State is ready to receive the information, thereby providing States additional flexibility to implement the provisions of this rulemaking at their own pace. FMCSA believes some States may be prepared to receive this data ahead of the June 23, 2025, date to take advantage of the efficiencies and added security the new process affords.

When FMCSA is ready to begin electronically transmitting MEC information from the National Registry, and an SDLA is ready to begin receiving this information electronically from the National Registry, FMCSA will work with the SDLA involved on the most appropriate means to use such electronic transmissions. FMCSA states that, under such circumstances, electronic transmission of the MEC information may be an acceptable means for CDL and CLP holders to satisfy the requirement of providing the MEC to the SDLA. In order to avoid any uncertainty, provisions were added by the IFR to the appropriate regulations stating that, in case of a conflict between the medical certification information provided electronically by FMCSA and information on a paper version of the MEC, the electronic record will be controlling. The provisions in the regulations governing the handling of these matters under the current procedures will remain in effect through June 22, 2025, to ensure continued

compliance by SDLAs and other affected stakeholders until the electronic transmission of MEC information is operational for all SDLAs.

Reference/Link

The link below will allow you to view/print this Supplemental Notice of Proposed Rulemaking.

https://www.govinfo.gov/content/pkg/FR-2021-04-22/pdf/2021-08238.pdf

E. Interim Enforcement Guidance for the 2020 Final Beryllium Standards; Interim Enforcement Guidance

Agency

Occupational Safety and Health Administration (OSHA)

Dates

Published Date: 04/21/2021

Summary

The Occupational Safety and Health Administration (OSHA) has published a memorandum to announce new interim inspection procedures and specific citation guidance for OSHA compliance concerning the two final rules for beryllium issued by OSHA in 2020.

The guidance is split up into two attachments. Attachment 1 provides interim inspection procedures and specific citation guidance for OSHA compliance safety and health officers (CSHOs) for enforcing the 2020 Beryllium standards. Attachment 2 provides a table of the changes previously proposed in the 2018 Notice of Proposed Rulemaking (NPRM) to several provisions of the 2017 Beryllium standard for general industry.

Reference/Link

The link below will allow you to view/print this Interim Enforcement Guidance.

https://www.osha.gov/laws-regs/standardinterpretations/2021-04-21

F. Schedules of Controlled Substances: Placement of 10 Specific Fentanyl Related Substances in Schedule I; Final Rule

Agency

Drug Enforcement Agency (DEA)

Dates

Published Date: 04/27/2021
Effective Date: 04/27/2021

Summary

The Drug Enforcement Administration is placing 10 specified fentanyl-related substances permanently in schedule I of the Controlled Substances Act. These 10 specific substances all fall within the definition of fentanyl-related substances set forth in a February 6, 2018, temporary scheduling order which became law on February 6, 2020. This final rule imposes permanent controls on 10 specified fentanyl-related substances, which will continue to be listed in schedule I of the Controlled Substances Act.

These 10 fentanyl-related substances are:

- N-(1-(2-fluorophenethyl)piperidin4-yl)-N-(2-fluorophenyl)propionamide (2′-fluoro ortho-fluorofentanyl; 2′-fluoro 2-fluorofentanyl);
- N-(1-(4-methylphenethyl)piperidin4-yl)-N-phenylacetamide (4′-methyl acetyl fentanyl);
- N-(1-phenethylpiperidin-4-yl)-N,3- diphenylpropanamide (b′-phenyl fentanyl; beta′-Phenyl fentanyl; 3- phenylpropanoyl fentanyl);
- N-phenyl-N-(1-(2- phenylpropyl)piperidin-4- yl)propionamide (b-methyl fentanyl);
- N-(2-fluorophenyl)-N-(1- phenethylpiperidin-4-yl)butyramide (ortho-fluorobutyryl fentanyl; 2- fluorobutyryl fentanyl);
- N-(2-methylphenyl)-N-(1- phenethylpiperidin-4-yl)acetamide (ortho-methyl acetylfentanyl; 2-methyl acetylfentanyl);
- 2-methoxy-N-(2-methylphenyl)-N- (1-phenethylpiperidin-4-yl)acetamide (ortho-methyl methoxyacetylfentanyl; 2- methyl methoxyacetyl fentanyl);
- N-(4-methylphenyl)-N-(1- phenethylpiperidin-4-yl)propionamide (para-methylfentanyl; 4- methylfentanyl);
- N-(1-phenethylpiperidin-4-yl)-Nphenylbenzamide (phenyl fentanyl; benzoyl fentanyl); and
- N-(1-phenethylpiperidin-4-yl)-Nphenylthiophene-2-carboxamide (thiofuranyl fentanyl; 2-thiofuranyl fentanyl; thiophene fentanyl).

Reference/Link

The link below will allow you to view/print this Final Rule.

https://www.govinfo.gov/content/pkg/FR-2021-04-27/pdf/2021-08720.pdf

G. Schedules of Controlled Substances: Removal of Samidorphan From Control; Final Rule

Agency

Drug Enforcement Administration (DEA)

Dates

Published Date: 04/19/2021
Effective Date: 04/19/2021

Summary

The Drug Enforcement Administration (DEA) is removing samidorphan (3-carboxamido-4-hydroxy naltrexone) and its salts from the schedules of the Controlled Substances Act. Samidorphan was identified as a schedule II controlled substance because it can be derived from opium alkaloids. This action removes the regulatory controls and administrative, civil, and criminal sanctions applicable to controlled substances, including those specific to schedule II controlled substances, on persons who handle (manufacture, distribute,, reverse distribute, dispense, conduct research, import, export, or conduct chemical analysis) or propose to handle samidorphan.

Reference/Link

The link below will allow you to view/print this Final Rule.

https://www.govinfo.gov/content/pkg/FR-2021-04-19/pdf/2021-07884.pdf