Veolia North America - Industrial Business

July, 2021

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A. Small Quantity Generator (SQG) Outreach Materials for Treatment, Storage and Disposal Facilities (TSDFs); Outreach Materials

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: July 7, 2020

Summary

The Environmental Protection Agency (EPA) has made outreach materials available for TSDFs to inform their small business customers about the upcoming re-notification requirement. The TSDF handout is included in various formats so TSDFs can choose whichever is the most useful.

Under the U.S. EPA's Hazardous Waste Generator Improvements Rule, small quantity generators (SQGs) must re-notify every four years. To satisfy this requirement, SQGs need to update their Notification of RCRA Subtitle C Activities (Site Identification Form), also known as EPA Form 8700-12, or state equivalent by September 1, 2021.

There are two ways that SQGs can make the Re-Notification. This is either using the Paper EPA Form 8700-12 or by submitting online.

- The Federal Paper Form and additional details can be found by clicking this link
- Many states have opted into MyRCRAID. MyRCRAID is an electronic reporting system for submitting the EPA Site ID form. SQGs in states that have adopted MyRCRAID are encouraged to submit the re-notification online. SQGs can find more information about MyRCRAID here and learn how to submit the re-notification online.

Reference/Link

The link below will allow you to view/print the Outreach Materials.

https://www.epa.gov/hwgenerators/small-quantity-generator-sqg-outreach-materials-treatment-storage-and-disposal

B. Commercial Driver's License Standards, Requirements and Penalties; Exclusively Electronic Exchange of Driver History Record Information; Final Rule

Agency

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

Dates

Published Date: 07/23/2021
Effective Date: 08/23/2021
Compliance Date: Compliance with the final rule is required by 08/22/2021
Petitions for Reconsideration: Petitions for reconsideration of this final rule must be submitted to the FMCSA Administrator no later than 08/23/2021

Summary

FMCSA has codified a statutory requirement that State driver licensing agencies (SDLAs) implement a system and practices for the exclusively electronic exchange of driver history record (DHR) information through the Commercial Driver's License Information System (CDLIS), including the posting of convictions, withdrawals, and disqualifications. The CDLIS is a national information technology system facilitating the electronic exchange of driver-specific data among the States, including commercial license status and driving history. The States are required to ensure that CDL and CLP holders convicted of serious traffic violations are prohibited from operating a CMV for the periods prescribed. The Secretary of Transportation (the Secretary) is directed to monitor the States' compliance with the licensing, testing, and qualification standards set forth in the statute. The goal of these provisions is to improve highway safety by ensuring that drivers of large trucks and buses are qualified to operate those vehicles, and to remove unqualified drivers from public roads. The rule aligns FMCSA's regulations with existing statutory requirements set forth in the Moving Ahead for Progress in the 21st Century Act (MAP-21). The rule also establishes a date by which States must be in substantial compliance with this final rule.

This rule revises 49 CFR 384.208, Notification of disqualification, and 384.209, Notification of traffic violations, to require that States implement a system and practices for the exclusively electronic exchange of DHR information through CDLIS, including the posting of convictions, withdrawals, and disqualifications. States must achieve substantial compliance with this requirement as soon as practicable, but not later than 3 years after the effective date of the final rule. “Substantial compliance” means that a State meets this requirement “by means of the demonstrable combined effect of its statutes, regulations, administrative procedures and practices, organizational structures, internal control mechanisms, resource assignments (facilities, equipment, and personnel), and enforcement practices,” 49 CFR 384.301(a).

Reference/Link

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

https://www.govinfo.gov/content/pkg/FR-2021-07-23/pdf/2021-15693.pdf

C. Parts and Accessories Necessary for Safe Operation; Authorized Windshield Area for the Installation of Vehicle Safety Technology; Notice of Proposed Rulemaking

Agency

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

Dates

Published Date: 07/06/2021
Comments Due: 08/05/2021

Summary

FMCSA proposes to amend the Federal Motor Carrier Safety Regulations (FMCSRs) to increase the area within which certain vehicle safety technology devices may be mounted on the interior of commercial motor vehicle (CMV) windshields. In addition, FMCSA proposes to add items to the definition of vehicle safety technology. This NPRM responds to a rulemaking petition from Daimler Trucks North America (DTNA).

49 CFR 393.60(e)(1)(i) of the FMCSRs currently prohibits obstruction of the driver's field of view by devices mounted at the top of the windshield. Antennas and similar devices must not be mounted more than 152 mm (6 inches) below the upper edge of the windshield and must be outside the driver's sightlines to the road and highway signs and signals.

49 CFR 393.60(e)(1)(i) does not apply to vehicle safety technologies, as defined in 49 CFR 393.5, that includes “a fleet-related incident management system, performance or behavior management system, speed management system, forward collision warning or mitigation system, active cruise control system, and transponder.” 49 CFR 393.60(e)(1)(ii) requires devices with vehicle safety technologies be mounted (1) not more than 100 mm (4 inches) below the upper edge of the area swept by the windshield wipers, or (2) not more than 175 mm (7 inches) above the lower edge of the area swept by the windshield wipers, and (3) outside the driver's sightlines to the road and highway signs and signals.

Specifically, the Agency proposes to modify 49 CFR 393.60(e)(1)(ii) to increase from 100 mm (4 inches) to 216 mm (8.5 inches) the distance below the upper edge of the area swept by the windshield wipers within which vehicle safety technologies may be mounted. The other parameters would remain unchanged. The proposed amendments do not impose new or more stringent requirements, but simply codify the temporary exemptions granted pursuant to 49 CFR 381 that allow the use of the devices/technologies in locations that would previously have been a violation of 49 CFR 393.60(e)(1). More importantly, the amendments do not mandate the use of any devices/technologies but simply permit their voluntary use while mounted in a location that maximizes their effectiveness without impairing operational safety.

Reference/Link

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

https://www.govinfo.gov/content/pkg/FR-2021-07-06/pdf/2021-14040.pdf

D. General Technical, Organizational, Conforming, and Correcting Amendments to the Federal Motor Carrier Safety Regulations; Final Rule

Agency

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

Dates

Published Date: 07/07/2021
Effective Date: 07/07/2021, except for amendatory instruction 31 which is effective 09/07/2021

Summary

FMCSA amends its regulations by making technical corrections throughout the Federal Motor Carrier Safety Regulations (FMCSRs). The Agency makes minor changes to correct inadvertent errors and omissions, remove or update obsolete references, and improve the clarity and consistency of certain regulatory provisions. The Agency also makes nondiscretionary, ministerial changes that are statutorily mandated and changes that merely align regulatory requirements with the underlying statutory authority. Finally, this rule contains two minor changes to FMCSA's rules of agency procedure or practice that relate to separation of functions and allowing FMCSA and State personnel to conduct off-site compliance reviews of motor carriers following the same safety fitness determination criteria used in on-site compliance reviews.

The FMCSA amends the following sections:

49 CFR 381.110 What definitions are applicable to this part?
FMCSA adds parts 380 and 384 to the definition of *FMCSRs* in 49 CFR 381.110. Through this amendment, in conjunction with the following amendments to 49 CFR 381.200, 381.300, and 381.400, FMCSA adds parts 380 and 384 to the list of parts and sections of the FMCSRs from which FMCSA may grant a waiver, an exemption, or an exemption for a pilot program.

49 CFR 381.200 What is a waiver?
In 49 CFR 381.200(d), FMCSA adds parts 380 and 384 to the FMCSRs from which entities and individuals can request waivers pursuant to part 381, subpart B.

49 CFR 381.300 What is an exemption?
In 49 CFR 381.300(c), FMCSA adds parts 380 and 384 to the FMCSRs from which entities and individuals can request exemptions pursuant to part 381, subpart C.

49 CFR 381.400 What is a pilot program?
In 49 CFR 381.400(f), FMCSA adds parts 380 and 384 to the FMCSRs from which entities and individuals can request exemptions for pilot programs pursuant to part 381, subpart D.

49 CFR 382.121 Employee Admission of Alcohol and Controlled Substances Use
FMCSA inserts "non-DOT" before "return to duty" in paragraphs (b)(4)(i) and (ii) of 49 CFR 382.121. Paragraph (a) provides that employees who self-admit alcohol misuse or controlled substances use to their employers are not subject to obtaining a referral, evaluation, and treatment under parts 382 and 40. The changes in paragraph (b)(4) clarify that the "return to duty" (RTD) testing referenced is not the DOT testing required under parts 382 and 40. This clarification is intended to remind employers that, consistent with the purpose of this section, results of non-DOT RTD tests conducted in accordance with paragraph (b)(4) should not be reported to the Commercial Driver's License Drug and Alcohol Clearinghouse (Clearinghouse), an electronic database that contains driver-specific drug and alcohol program violation information. The changes also provide consistency with the reference in paragraph (b)(5) to "non-DOT follow-up testing."

49 CFR 382.123 Driver identification
In 49 CFR 382.123(b)(2), FMCSA corrects a reference to the Alcohol Testing Form (ATF) (the subject of paragraph (a)), instead of the Federal Drug Testing Custody and Control Form (CCF) (the subject of paragraph (b)). The heading of 49 CFR 382.123(b) ("Identification information on the Federal Drug Testing Custody and Control Form (CCF)") indicates this paragraph relates to the information required to be provided on the CCF.

49 CFR 382.701 Drug and Alcohol Clearinghouse
Subpart G of part 382, beginning with 49 CFR 382.701, provides requirements and procedures for implementation of the Clearinghouse. In 49 CFR 382.701, FMCSA amends paragraph (d) by adding after the first use of the word "driver" the words "the employer employs or intends to hire or use." The sentence now reads, in part, "No employer may allow a driver the employer employs or intends to hire or use to perform any safety-sensitive function if the results of a Clearinghouse query demonstrate that the driver has a verified positive, adulterated, or substituted controlled substances test result . . . ."

The purpose of the amendment is to align 49 CFR 382.701(d) with 49 U.S.C. 31306a, which prohibits employers from using current and prospective employee-drivers to operate a commercial motor vehicle (CMV) if a query of the Clearinghouse shows the driver has violated the drug and alcohol testing program requirements and has not completed the return-to-duty process. In this regard, section 31306a(m)(5) defines "employer" as "a person or entity employing, or seeking to employ, 1 or more employees (including an individual who is self-employed) to be commercial motor vehicle operators." As currently drafted, 49 CFR 382.701(d) may imply that the prohibition against permitting a driver with unresolved drug and alcohol testing program violations to perform safety-sensitive functions applies to current, and not prospective, employee drivers. This amendment makes clear that consistent with the statute, the prohibition applies to employers of current and prospective drivers. In addition, the amendment conforms 49 CFR 382.701(d) to 49 CFR 382.301(a) ("Pre-employment testing"), which states, in part, "No employer shall allow a driver, who the employer intends to hire or use, to perform safety-sensitive functions unless the employer has received a controlled substances test result from the [Medical Review Officer (MRO)] or [Consortium/Third-party Administrator (C/TPA)] indicating a verified negative test result for that driver."

49 CFR 382.705 Reporting to the Clearinghouse
FMCSA amends three paragraphs of 49 CFR 382.705(b). In paragraph (b)(3)(iii), FMCSA replaces the word "designated" with the phrase "authorized to act" for clarity. This clarifying change avoids potential confusion caused by use of the word "designate" elsewhere in the section. In paragraph (b)(6) of that same section, "designate" pertains to the designation of a C/TPA for Clearinghouse reporting purposes. By substituting "authorized to act" for "designate" in paragraph (b)(3)(iii), FMCSA makes clear that, as intended, the C/TPA must have been acting with actual authority as a service agent when the refusal occurred; whether the C/TPA is "designated" by the employer, as that term is used in paragraph (b)(6), when the refusal occurs, is not relevant.

In paragraphs (b)(3)(iv) and (b)(5)(vii), FMCSA adds "(if applicable)" to the end of each paragraph. This change clarifies that when reporting a "failure to appear" refusal under paragraph (b)(3) or an "actual knowledge" violation under paragraphs (b)(4) and (5), the requirement that employers submit documentation showing that the driver was provided with all the information reported to the Clearinghouse does not apply if the driver is registered in the Clearinghouse. Drivers who are registered in the Clearinghouse have electronic access to the information and documents referenced in paragraphs (b)(3) and (5), thereby making the employer's separate delivery of the documentation to the driver unnecessary.

49 CFR 382.717 Procedures for Correcting Certain Information in the Database
In the heading of this section, FMCSA adds the word "certain" after the word "correcting" to reflect more accurately the limited scope of this section, which sets forth procedures drivers may use to request correction or removal of certain types of information about them that exists in the Clearinghouse. In the heading of paragraph (a), FMCSA replaces the word "inaccurately" with "incorrectly." The Agency also makes clarifying changes to 49 CFR 382.717(a)(1) to ensure that drivers understand the narrow basis for the correction or removal of their Clearinghouse records permitted under this section. These clarifications are consistent with the limited scope of 49 CFR 382.717, as discussed in the preamble to the December 2016 final rule establishing the Clearinghouse requirements (81 FR 87686, 87715, Dec. 5, 2016), the Privacy Impact Assessment for the Clearinghouse, and the System of Records Notice for the Clearinghouse (84 FR 56521, 56526, Oct. 22, 2019). As explained collectively therein, the correction processes in 49 CFR 382.717 apply only to administrative errors or an employer's failure to comply with documentation requirements for reporting certain test refusal and actual knowledge violations, as set forth in 49 CFR 382.703, paragraphs (b)(3) and (5); drivers may not contest the accuracy of drug and alcohol program violation information, such as test results or refusals.

49 CFR 382.725 Access by State Licensing Authorities
In 49 CFR 382.725(c), FMCSA inserts the word "commercial" after "chief" in the second sentence for consistency with the use of the term "chief commercial driver's licensing official" in that section. This amendment also helps to avoid confusion concerning the existing language, which may appear to introduce another category of licensing official.

49 CFR 383.3 Applicability
In 49 CFR 383.3(c), FMCSA corrects a typographical error by adding a missing "s" to the word "member," in the phrase "member of the national guard on active duty," to improve readability.

49 CFR 383.5 Definitions

At the end of paragraph (1) in the definition of *Commerce* in 49 CFR 383.5, FMCSA changes the conjunctive "and" to "or" to be consistent with the definition of *Commerce* in 49 U.S.C. 31301(2). This action updates language that has been in 49 CFR 383.5 since FHWA amended the FMCSRs to implement the requirements of the Commercial Motor Vehicle Safety Act of 1986. Paragraph (2) of 49 U.S.C. 31301 provides that "commerce" means trade, traffic, and transportation in the United States between a place in a State and a place outside that State (including a place outside the United States); "or" in the United States that affects trade, traffic, and transportation between a place in a State and a place outside that State. This definition applies to 49 U.S.C. 31302 ("Commercial driver's license requirement"), including the definition of *Commerce* in 49 CFR 383.5 ("Commercial driver's license standards; requirements and penalties"). To ensure consistency with the applicable statutory authority, the conjunction "and" is replaced with "or" in 49 CFR 383.5. The Agency changes the punctuation before the conjunction "or" from a comma to a semicolon. FMCSA adds a comma after the word "traffic" in paragraph (1) to have consistent punctuation with paragraph (2).

49 CFR 383.51 Disqualification of Drivers

FMCSA adds an additional exclusion to entry (6) in Table 1 to 49 CFR 383.51 (which is found in paragraph (b) of that section) to make clear there is no enforcement discretion regarding the period of disqualification for human trafficking offenses. FMCSA added the human trafficking disqualification in entry (10) of Table 1 in a final rule published July 23, 2019 (84 FR 35335, 35338). The addition requires the State to disqualify a commercial driver's license (CDL) holder for life for a human trafficking conviction. Entry (10) reflects the statutory mandate that prohibits an individual from operating a CMV for life if the individual uses a CMV in the commission of a felony involving an act or practice of severe forms of trafficking in persons, as defined and described in 22 U.S.C. 7102(11). As amended, entry (6) excludes both a felony described in paragraph (b)(9) of Table 1 (entry (9)) and a felony described in paragraph (b)(10) of Table 1 (entry (10)).

49 CFR 383.9 Commercial Motor Vehicle Groups

FMCSA updates the title of Figure 1 to 49 CFR 383.91 from "VEHICLE GROUPS AS ESTABLISHED BY FHWA (SECTION 383.91)" to simply "VEHICLE GROUPS (SECTION 383.91)." This amendment eliminates the obsolete reference to FHWA, FMCSA's predecessor agency.

49 CFR 384.401 Withholding of Funds Based on Noncompliance

In 49 CFR 384.401, FMCSA revises the cross-references to 23 U.S.C. 104(b) to reflect changes to 49 U.S.C. 31314(c), the statutory provision that provides the cross-references in 49 CFR 384.401. Section 1404(j) of MAP-21 (Pub. L. 112-141, 126 Stat. 405, 559, July 6, 2012) revised 49 U.S.C. 31314(c), effective October 1, 2011. Section 384.401 is no longer consistent with the underlying statutory authority in 49 U.S.C. 31314(c). To conform 49 CFR 384.401 to 49 U.S.C. 31314(c), FMCSA changes the cross-references in paragraphs (a) and (b) of 49 CFR 384.401 from "each of sections 104(b)(1), (b)(3), and (b)(4) of title 23 U.S.C." to "23 U.S.C. 104(b)(1) and (2)."

49 CFR 385.3 Definitions and Acronyms
FMCSA removes the word "on-site" from the definition of *Compliance review* in paragraph (1) of the definition of *Reviews* in 49 CFR 385.3. This amendment recognizes the technological advances that allow FMCSA to perform the compliance review remotely in some cases. This amendment does not alter the Safety Fitness Rating Methodology (SFRM) in part 385, appendix B, nor does it eliminate the ability for FMCSA to conduct onsite examinations. From the point of view of the regulated entity, the same safety performance metrics are being evaluated, so there is no change. This amendment, however, clarifies that a safety investigator may, in some cases, perform all the investigative functions of the compliance review remotely when the motor carrier uploads its business records for review to FMCSA's online system and the investigator conducts subsequent discussions with the motor carrier officials and employees remotely.

FMCSA also removes the word "on-site" from the definition of *Roadability review* in paragraph (4) of the definition of *Reviews* in 49 CFR 385.3. FMCSA makes this amendment to provide consistency between the definitions of *Compliance review* and *Roadability review.* The roadability review program was modeled after FMCSA's compliance review program (71 FR 76796, 76798, Dec. 21, 2006). This amendment recognizes that the same technological advances that allow FMCSA to perform the compliance review remotely in some cases also allow FMCSA to perform the roadability review remotely in some cases.

In addition to the above amendments, FMCSA adds a missing apostrophe to the phrase "commercial driver's license" in the definition of a *Compliance review.*

49 CFR 385.21 Separation of Functions
In new 49 XFR 385.21, FMCSA adds a separation of functions provision that applies to the various administrative review proceedings under part 385. This amendment clarifies that FMCSA applies a separation of functions between Agency employees engaged in the performance of investigative or prosecutorial functions and those who participate or advise in the decision in administrative review proceedings under part 385. This new section merely codifies the separation of functions that have, in fact, been maintained in FMCSA since the Agency was created in 2000. FMCSA adopts language for this section that is consistent with DOT policy and the requirements for adjudications in 5 U.S.C. 554. It also is similar to the language in 49 CFR 386.3, which is the separation of functions provision applicable to administrative reviews of proposed civil penalties.

Appendix B to Part 385—Explanation of Safety Rating Process
FMCSA amends appendix B to part 385 to conform to a 2013 revision of the standard in 49 CFR 383.37 from "knowingly" to "knows or should reasonably know"). Specifically, FMCSA amends the entries for 49 CFR 383.37(a) through (c) on the "List of Acute and Critical Regulations" found in Section VII of appendix B to part 385. In each of those entries, FMCSA deletes the word "knowingly" at the beginning of the sentence and makes minor modifications to the sentence to ensure that the appendix entries more closely follow the language of the regulatory text to which they refer (*e.g.,* by using the term "driver" instead of "employee" in all three entries and adding the term "CLP" and the acronym "CDL" in the entries for paragraphs (b) and (c)) and to better accommodate the phrase "knows or reasonably should have known" into the entries.

49 CFR 391.41(b) Physical Qualifications for Drivers
In 49 CFR 391.41(b), FMCSA corrects the punctuation by changing the ending punctuation in paragraphs (b)(2)(ii) and (b)(4) and (b)(11) from periods to semicolons. In paragraph (b)(12)(i), the Agency changes the ending punctuation from a period to a semicolon and inserts the conjunction "or." In paragraph (b)(12)(ii), the Agency changes the ending punctuation from a period to a semicolon and inserts the conjunction "and." These changes make the punctuation in the section consistent and grammatically correct.

49 CFR 391.43 Medical Examination; Certificate of Physical Examination
FMCSA amends three paragraphs of 49 CFR 391.43. In paragraph (e), FMCSA removes the word "endocrinologist" from the first sentence because it is no longer relevant to the requirements of 49 CFR 391.64, referenced in this paragraph. On September 19, 2018, FMCSA amended its physical qualification standards to allow individuals with stable insulin regimens and properly controlled insulin-treated diabetes mellitus to drive CMVs in interstate commerce if certain requirements are met (83 FR 47486). The rule also eliminated the diabetes grandfather provision under 49 CFR 391.64(a) 1 year after the effective date of the rule on November 19, 2019 (83 FR 47521). Section 391.64(a) required an annual examination by an endocrinologist. Because 49 CFR 391.64(a) was eliminated on November 19, 2019, the reference to the findings of the annual examination by an endocrinologist is obsolete.

In paragraph (f), FMCSA changes the Medical Examination Report Form, MCSA-5875, by removing the request for gender information on page 1 in Section 1, pertaining to the personal information provided by the driver, and removing "gender" on page 6 of the instructions to Section 1. FMCSA makes these changes because it is unnecessary to collect gender information on the form. In the medical examiner's attestation for both the Federal and State Medical Examiner Determination sections (pages 4 and 5 respectively), FMCSA adds a missing comma after "that" to correct punctuation. On page 6 in the instructions for Section 1 regarding the driver's personal information, FMCSA removes "Question:" prior to the question asking if a medical certificate has ever been denied or issued for less than two years because it is unnecessary. In the instructions for both the Federal and State Medical Examiner Determination sections (pages 8 and 9, respectively), FMCSA makes changes to the second sentence in the "Meets standards, but periodic monitoring is required" paragraph to correct grammar. FMCSA adds "for," deletes the comma after "other," and puts "other" in quotation marks. The sentences read, "Select the corresponding time frame that the driver is qualified for, and if selecting `other' specify the time frame." FMCSA also makes minor formatting changes to correct errors and promote consistency in the style of bullet points and quotation and apostrophe marks, use of bolding and italics, and use of a forward slash instead of a comma. Use of the revised form will become effective 60 days after this rule is published to provide sufficient time for the public to make any necessary information technology changes.

In paragraph (g)(4), FMCSA makes minor edits for clarity concerning the reasons that a medical examiner may find that a determination should be delayed. Rather than a medical examiner finding that a determination should be delayed "pending the receipt of additional information," the text makes clear that the delay may be in order "to receive additional information." Similarly, rather than finding that a determination should be delayed "pending . . . the conduct of further examination," the text makes clear that the delay may be in order "to conduct further examination."

Reference/Link

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

https://www.govinfo.gov/content/pkg/FR-2021-07-07/pdf/2021-13888.pdf

E. Incorporation by Reference; North American Standard Out-of-Service Criteria; Hazardous Materials Safety Permits; Notice of Proposed Rulemaking

Agency

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

Dates

Published Date: 07/06/2021
Comments Due: 08/05/2021

Summary

Currently the Hazardous Materials Safety Permits regulations incorporate by reference the April 1, 2019, edition of the Commercial Vehicle Safety Alliance (CVSA) handbook. The notice of proposed rulemaking is proposing to amend the regulations to incorporate by reference the April 1, 2021 edition of the handbook.

The Commercial Vehicle Safety Alliance (CVSA) handbook contains inspection procedures and Out-of-Service Criteria (OOSC) for inspections of shipments of transuranic waste and highway route controlled quantities of radioactive material. The OOSC provides enforcement personnel nationwide, including FMCSA's State partners, with uniform enforcement tolerances for inspections.

Reference/Link

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

https://www.govinfo.gov/content/pkg/FR-2021-07-06/pdf/2021-14039.pdf

F. Clarification Regarding the Supplier's DEA Registration Number on the Single-Sheet DEA Form 222; Direct Final Rule

Agency

Drug Enforcement Administration (DEA), Department of Justice (DOJ)

Dates

Published Date: 07/20/2021
Effective Date: 10/18/2021
Comments Due: 08/19/2021

Summary

The Drug Enforcement Administration (DEA) has issued a direct final rule to amend DEA regulations to clarify that either the purchaser or the supplier of Controlled Substances may enter a supplier's DEA registration number on the Single-Sheet DEA Form 222. DEA has received inquiries regarding whether the purchaser or the supplier should enter the supplier's DEA registration number on the single-sheet form. DEA is amending its regulations to clarify that either the purchaser or the supplier may fill in this information.

Additionally, the DEA has noted that the single-sheet form has been slightly modified—and approved by the Office of Management and Budget (OMB) in July 2020—by the addition of a line that separates the field for the supplier's DEA registration number from the field titled, ''PART 2: TO BE FILLED IN BY PURCHASER,'' in which the supplier's business name and address are recorded. This revised version of the form is being provided to any registrant requesting paper DEA Forms 222 pursuant to 21 CFR 1305.11.

Reference/Link

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

www.govinfo.gov/content/pkg/FR-2021-07-20/pdf/2021-15323.pdf

G. Exempt Chemical Preparations Under the Controlled Substances Act; Order with Opportunity for Comment

Agency

Drug Enforcement Administration (DEA), Department of Justice (DOJ)

Dates

Published Date: 07/22/2021
Comments Due: 09/20/2021

Summary

The Drug Enforcement Administration received applications for exempt chemical preparations between September 1, 2020 and March 31, 2021. These applications have been accepted for filing and have been approved or denied as indicated in Chart I and Chart II.

Chart I lists the compounds that the Assistant Administrator has determined to be exempted from application of sections 302, 303, 305, 306, 307, 308, 309, 1002, 1003, and 1004 (21 U.S.C. 822–823, 825–829, and 952–954) of the CSA, and 21 CFR 1301.74.

Chart II lists the compounds that the Assistant Administrator has determined as not consistent with the criteria stated in 21 U.S.C. 811(g)(3)(B) and in 21 CFR 1308.23. Accordingly, the Assistant Administrator has determined that the chemical preparations or mixtures generally described in Chart II below and specifically described in the application materials received by DEA, are not exempt from application of any part of the Controlled Substances Act (CSA) or from application of any part of the CFR.

Please refer to the posting in the federal register to see Chart I and Chart II.

Reference/Link

The link below will allow you to view/print this Order with Opportunity for Comment.

https://www.govinfo.gov/content/pkg/FR-2021-07-22/pdf/2021-15024.pdf