

Veolia North America

Regulatory Update - December 2024



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A. New Storage and Transfer Management Method Codes; Memorandum

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 12/24/2024

Effective Date: 01/01/2025

Summary

On December 24, 2024 the Environmental Protection Agency (EPA) announced a change that is being implemented to replace the code H141 for Storage and Transfer with new management method codes that begin with the letter "S". The new codes will be used when hazardous waste is stored and transferred from one Treatment, Storage, Disposal Facility (TSDF) to another and will provide additional details on what it is being transferred for.

The new codes became available to use on January 1, 2025 but H141 may be used until January 1, 2027.

Management Method Codes to be added on Jan. 1, 2025:

- S010 - STORED AND TRANSFERRED FOR METALS RECOVERY
- S011 - STORED AND TRANSFERRED FOR MERCURY RECOVERY
- S015 - STORED AND TRANSFERRED FOR DEPLOYMENT/DEACTIVATION OF AIRBAG WASTE
- S020 - STORED AND TRANSFERRED FOR SOLVENTS RECOVERY
- S039 - STORED AND TRANSFERRED FOR OTHER RECOVERY OR RECLAMATION FOR REUSE
- S040 - STORED AND TRANSFERRED FOR INCINERATION
- S041 - STORED AND TRANSFERRED FOR OPEN BURNING/OPEN DETONATION
- S042 - STORED AND TRANSFERRED FOR THERMAL DESORPTION
- S070 - STORED AND TRANSFERRED FOR CHEMICAL TREATMENT
- S081 - STORED AND TRANSFERRED FOR BIOLOGICAL TREATMENT
- S090 - STORED AND TRANSFERRED FOR POLYMERIZATION
- S100 - STORED AND TRANSFERRED FOR PHYSICAL TREATMENT ONLY
- S110 - STORED AND TRANSFERRED FOR STABILIZATION
- S113 - STORED AND TRANSFERRED FOR STABILIZATION TO REMOVE HAZARDOUS WASTE CHARACTERISTICS OR TO ACHIEVE DELISTING LEVELS
- S120 - STORED AND TRANSFERRED FOR COMB. OF CHEMICAL, BIOLOGICAL, AND/OR PHYSICAL TREATMENT
- S121 - STORED AND TRANSFERRED FOR NEUTRALIZATION ONLY
- S122 - STORED AND TRANSFERRED FOR EVAPORATION
- S129 - STORED AND TRANSFERRED FOR OTHER TREATMENT
- S130 - STORED AND TRANSFERRED FOR SURFACE IMPOUNDMENT THAT WILL BE CLOSED AS LANDFILL
- S131 - STORED AND TRANSFERRED FOR LAND TREATMENT OR APPLICATION
- S132 - STORED AND TRANSFERRED FOR LANDFILL (WITH PRIOR TREATMENT AND/OR STABILIZATION)

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- S134 - STORED AND TRANSFERRED FOR DEEPWELL OR UNDERGROUND INJECTION

Reference/Link

The link below will allow you to view/print the full details regarding the new codes.

https://rcrapublic.epa.gov/rcrainfoweb/documents/2025_br_file_specs_industry.pdf

B. Hazardous Waste Generator Improvements Rule, the Hazardous Waste Pharmaceuticals Rule, and the Definition of Solid Waste Rule; Technical Corrections

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 12/11/2024

Effective Date: 02/10/2025

Summary

The Environmental Protection Agency (EPA) has finalized five amendments that were withdrawn in its December 6, 2023, partial withdrawal of direct final rule. Due to receipt of adverse comments, the EPA withdrew eight amendments from the August 9, 2023, direct final rule that included revisions to the 2016 Hazardous Waste Generator Improvements Rule, the 2019 Hazardous Waste Pharmaceuticals Rule and the 2018 Vacatur of the Definition of Solid Waste Rule (88 FR 54086).

The five technical amendments that are being finalized are found in the following sections:

- A. Section 261.4(e)(1) - EPA is revising this citation to include references to 262.14(a)(3) and (4), the accumulation limits for Very Small Quantity Generators (VSQGs) accumulating acute and nonacute hazardous waste. The original language in this section referred to accumulation limits for VSQGs and Small Quantity Generators (SQGs) and this revision reestablishes those two references. Generators accumulating waste at Satellite Accumulation Area (SAAs) must include that waste in their monthly quantities for determining generator status, but the original regulatory language did not refer to the SAA requirements and Large Quantity Generators (LQGs) do not have an accumulation limit. For these reasons, EPA is not amending the language to add any references to SAA or LQG requirements.
- B. Section 262.16(b)(1) - EPA is revising the citation to be more clear that the quantity of acute hazardous waste accumulated on site at a SQG may never exceed 1 kilogram (2.2 pounds) and the quantity of non-acute hazardous waste accumulated on site never exceeds 6,000 kilograms (13,200 pounds). If these thresholds are exceeded the generator would be a LQG.
- C. Section 262.17(a)(8)(i) Introductory Text AND Section 262.17(a)(8)(i)(A) - These sections are in regards to the notification for closure of a waste accumulation unit. EPA is finalizing revisions to these sections to make the change from "final closure"

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to “closing a waste accumulation unit” and to state that the regulations still apply when closing a single waste accumulation unit and not all waste accumulation units.

- D. Section 266.508(a)(2)(ii) - EPA has codified the four-character PHRM code as well as the existing six-character PHARMS code in Item 13 when manifesting non-creditable hazardous waste pharmaceuticals to a TSDF as described in the 2019 guidance. Second, EPA inserted a sentence at the end clarifying that a healthcare facility may choose to include the applicable EPA hazardous waste numbers (i.e., hazardous waste codes) in Item 13 of EPA Form 8700–22, in addition to the PHARMS or PHRM code that was already required. This was consistent with the preamble from the Hazardous Waste Pharmaceuticals final rule.

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2024-12-11/pdf/2024-28802.pdf>

- C. **Can I use old manifest forms after the final rule’s January 22, 2025, effective date?; FAQ**

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 12/2024

Summary

With the change to the format of the Uniform Hazardous Waste Manifest the Environmental Protection Agency (EPA) published a Frequently Asked Question (FAQ) to explain that EPA will accept Page 1 copies of the obsolete 5-copy manifest (EPA Form 8700-22) and continuation sheet (EPA Form 8700-22A) after January 22, 2025, until December 1, 2025.

For hazardous waste export and import shipments, hazardous waste exporters and importers who wish to continue to use the obsolete 5-copy manifest forms during their transition to switching from the 5-copy form to the 4-copy form must record the consent numbers for their wastes in the Special Handling Instructions and Additional Information Field (Item 14) of the 5-copy manifest and, when necessary, the exporter must enter its EPA ID number in this field as well. For clarity, EPA recommends listing the exporter EPA ID number as “Exporter EPA ID #AAANNNNNNNNN.” EPA views the recording of this information on the 5-copy form to be an effective way for hazardous waste exporters and importers to record this same information on the obsolete 5-copy manifest form (and continuation sheet) as they would be required to record on the new 4-copy manifest form and continuation sheet during this time of transition between the two forms, so that this same information would be captured on either form.

No later than December 1, 2025:

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In any case, all waste handlers (e.g., hazardous waste generators, transporters, hazardous waste permitted treatment, and receiving facilities) must fully transition to the new 4-copy manifest forms no later than December 1, 2025. After this date, EPA will not accept the 5-copy obsolete forms.

Reference/Link

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

<https://www.epa.gov/e-manifest/frequent-questions-about-e-manifest#:~:text=Can%20I%20use%20old%20manifest%20forms%20after%20the%20final%20rule%E2%80%99s%20January%202022%2C%202025%2C%20effective%20date%3F>

D. Trichloroethylene (TCE); Regulation Under the Toxic Substances Control Act (TSCA); Final Rule

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 12/17/2024

Effective Date: 03/21/2025

Summary

The Environmental Protection Agency (EPA or Agency) has finalized a rule to address the unreasonable risk of injury to health presented by trichloroethylene (TCE) under its conditions of use. EPA's final rule will prevent consumer access to the chemical, restricting the industrial and commercial use of the chemical while also allowing for a reasonable transition period with interim worker protections in place where an industrial and commercial use of the chemical is being prohibited, and provide time-limited exemptions for critical or essential uses of TCE for which no technically and economically feasible safer alternatives are available.

The items below with the two blue asterisks (**) may pertain to Veolia facilities and Veolia and Veolia customers.

To address the unreasonable risk of TCE, EPA is issuing this final rule to:

- A. Prohibit the manufacture (including import), processing, and distribution in commerce of TCE for all of the following:
 - a. Consumer usage
 - b. The industrial and commercial use of TCE, provided the longer compliance timeframes for certain uses
 - c. Use as a laboratory chemical for essential laboratory activities and some research and development activities, following a 50-year TSCA section 6(g) exemption

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- d. Use as an intermediate for the manufacturing of hydrofluorocarbon 134a (HFC-134a), following an 8.5-year phase-out
 - e. Use as a solvent for closed-loop batch vapor degreasing for rayon fabric scouring for end use in rocket booster nozzle production by Federal agencies and their contractors, following a 10-year phase-out
 - f. Use as a laboratory chemical for asphalt testing and recovery, following a 10-year phase-out
 - g. Use as a solvent in batch vapor degreasing for essential aerospace parts and components and narrow tubing used in medical devices, following a 7-year TSCA section 6(g) exemption
 - h. Use as a solvent in closed loop vapor degreasing necessary for rocket engine cleaning by Federal agencies and their contractors, following a 7-year TSCA section 6(g) exemption
 - i. Use as potting compounds for naval electronic systems and equipment; sealing compounds for high and ultra-high vacuum systems; bonding compounds for materials testing and maintenance of underwater systems and bonding of nonmetallic materials; and cleaning agents to satisfy cleaning requirements (which includes degreasing using wipes, sprays, solvents and vapor degreasing) for: materials and components required for military ordnance testing; temporary resin repairs in vessel spaces where welding is not authorized; ensuring polyurethane adhesion for electronic systems and equipment repair and installation of elastomeric materials; various naval combat systems, radars, sensors, equipment; fabrication and prototyping processes to remove coolant and other residue from machine parts; machined part fabrications for naval systems; installation of topside rubber tile material aboard vessels; and vapor degreasing required for substrate surface preparation prior to electroplating processes, following a 10-year TSCA section 6(g) exemption
 - j. Use furtherance of the NASA mission for specific conditions which are critical or essential and for which no technically and economically feasible safer alternative is available, following a 10- year
 - k. Use as a processing aid for manufacturing battery separators for lead acid batteries, following a 20-year TSCA section 6(g) exemption
 - l. Use as a processing aid for manufacturing specialty polymeric microporous sheet materials following a 15-year TSCA section 6(g) exemption
- B. ****Require strict workplace controls to limit exposure to TCE, including compliance with a TCE workplace chemical protection program (WCPP), which would include requirements for an interim existing chemical exposure limit (ECEL) revised from the proposed rule, as well as dermal protection, for conditions of use with long term phase-outs or time limited exemptions under TSCA section 6(g)**
- C. ****Prohibit the disposal of TCE to industrial pre-treatment, industrial treatment, or publicly owned treatment works, through a phaseout allowing for longer time frames for disposal necessary for certain industrial and commercial uses as described in Unit IV.B.6., along with a 50-year TSCA section 6(g) exemption for disposal for cleanup projects before prohibition, as described in Unit IV.G.8., and interim requirements for wastewater worker protection, as described in Unit IV.E. of the final rule**
- D. ****Establish recordkeeping and downstream notification requirements, as described in Unit IV.F of the final rule to ensure that owners or operators can demonstrate compliance with the regulations if necessary. The recordkeeping requirement begins on February 18, 2025.**

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****Workplace plans must be established for all facilities that will continue to manage TCE.** During the timeframe of the exemptions, this rule requires owners and operators of cleanup sites with TCE exposures to potentially exposed persons (e.g., workers or others in the workplace, such as persons directly handling the chemical or in the area where the chemical is being used) as well as publicly owned treatment works (POTWs) receiving TCE wastes from cleanup sites, battery separator manufacturers, and specialty polymeric microporous sheet material manufacturers to comply with the Occupational Safety and Health Administration's (OSHA's) Hazardous Waste Operations and Emergency Response (HAZWOPER) requirements modified to incorporate the interim ECEL (for cleanup sites) and WCPP requirements modified to include a water screening method (for POTWs).

This final rule is effective March 21, 2025. Note: The effective date was extended to 03/21/2025 on 1/28/2025

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2024-12-17/pdf/2024-29274.pdf>

E. Carbon Tetrachloride (CTC); Regulation Under the Toxic Substances Control Act (TSCA); Final Rule

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 12/18/2024

Comments Due: 01/17/2025

Summary

The Environmental Protection Agency (EPA) has finalized a rule to address the unreasonable risk of injury to health presented by carbon tetrachloride (CTC) under its conditions of use. EPA's final rule will establish workplace safety requirements for most conditions of use, including the condition of use related to the making of low Global Warming Potential (GWP) hydrofluoroolefins (HFOs); prohibit the manufacture (including import), processing, distribution in commerce, and industrial/commercial use of CTC for conditions of use where information indicates use of CTC has ceased; and establish recordkeeping and downstream notification requirements.

The use of CTC in low GWP HFOs is particularly important in the Agency's efforts to support the American Innovation and Manufacturing Act of 2020 (AIM Act) and the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, which was ratified on October 26, 2022.

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To address the unreasonable risk of CTC, EPA is issuing this final rule to:

- A. Require a Workplace Chemical Protection Program (WCPP), including an inhalation exposure concentration limit, direct dermal contact controls, and related workplace exposure controls, for the following occupational conditions of use of CTC not prohibited, outlined in Unit IV.B.:
 - a. Domestic manufacture;
 - b. Import;
 - c. Processing as a reactant in the production of hydrochlorofluorocarbons (HCFCs), hydrofluorocarbons (HFCs), HFOs, and perchloroethylene (PCE);
 - d. Incorporation into formulation, mixture or reaction products in agricultural products manufacturing, vinyl chloride manufacturing, and other basic organic and inorganic chemical manufacturing;
 - e. Repackaging for use as a laboratory chemical;
 - f. Recycling;
 - g. Industrial and commercial use as an industrial processing aid in the manufacture of agricultural products and vinyl chloride;
 - h. Industrial and commercial use in the elimination of nitrogen trichloride in the production of chlorine and caustic soda and the recovery of chlorine in tail gas from the production of chlorine; and
 - i. Disposal.
- B. Require use of laboratory ventilation devices, such as fume hoods or glove boxes, and dermal personal protective equipment (PPE) for the industrial and commercial use as a laboratory chemical, as outlined in Unit IV.C.;
- C. Prohibit these additional conditions of use, for which the Agency understands use of CTC has already ceased, as outlined in Unit IV.D.:
 - a. Incorporation into formulation, mixture or reaction products in petrochemical-derived manufacturing except in the manufacture of vinyl chloride (for which EPA is requiring a WCPP);
 - b. Industrial and commercial use as an industrial processing aid in the manufacture of petrochemicals-derived products except in the manufacture of vinyl chloride (for which EPA is requiring a WCPP);
 - c. Industrial and commercial use in the manufacture of other basic chemicals (including manufacturing of chlorinated compounds used in solvents, adhesives, asphalt, and paints and coatings), except for use in the elimination of nitrogen trichloride in the production of chlorine and caustic soda and the recovery of chlorine in tail gas from the production of chlorine (for which EPA is requiring a WCPP);
 - d. Industrial and commercial use in metal recovery;
 - e. Industrial and commercial use as an additive; and
 - f. Industrial and commercial use in specialty uses by the U.S. Department of Defense (DoD).
- D. Require recordkeeping, as outlined in Unit IV.E.1. Manufacturers, processors, distributors, and commercial users maintain ordinary business records, such as invoices and bills-of-lading, that demonstrate compliance with the prohibitions, restrictions, and other provisions of this final regulation; and to maintain such records for a period of 5 years from the date the record is generated. This requirement begins on February 18, 2025.
- E. Require manufacturers (including importers), processors, and distributors to provide downstream notification of the requirements, as outlined in Unit IV.E.2. This downstream notification requirement includes adjusting Safety Data Sheets to include specific language outlined in the final rule.

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This final rule is effective January 17, 2025.

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2024-12-18/pdf/2024-29517.pdf>

F. **Perchloroethylene (PCE); Regulation Under the Toxic Substances Control Act (TSCA); Final Rule**

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 12/18/2024

Effective Date: 01/17/2025

Summary

The Environmental Protection Agency (EPA) has finalized a rule to address the unreasonable risk of injury to health presented by perchloroethylene (PCE) under its conditions of use. EPA's final rule will prevent serious illness associated with uncontrolled exposures to the chemical by preventing consumer access to the chemical, restricting the industrial and commercial use of the chemical while also allowing for a reasonable transition period where the industrial and commercial use of the chemical is being prohibited, providing a time-limited exemption for a critical or essential use of PCE for which no technically and economically feasible safer alternative is available, and protecting workers from the unreasonable risk of PCE while on the job.

To address the unreasonable risk of PCE, EPA is issuing this final rule to:

- A. Prohibit the manufacture (including import), processing, and distribution in commerce of PCE for all of the following:
 - a. Use of PCE for all industrial and commercial use, except for those industrial and commercial uses which would continue under the WCPP, laboratory use and use as an energized electrical cleaner.
 - b. Commercial use
 - c. Use in dry cleaning and spot cleaning through a 10-year phaseout
- B. Require a Workplace Chemical Protection Program (WCPP), including an inhalation exposure concentration limit, direct dermal contact controls, and related workplace exposure controls, for many occupational conditions of use of PCE not prohibited, outlined in Unit IV.B.
- C. Require prescriptive workplace controls for use of PCE in laboratories and energized electrical cleaners, outlined in Unit IV.C.
- D. Establish recordkeeping and downstream notification requirements, outlined in Unit IV.E.

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- E. Provide a 10-year time limited exemption under TSCA section 6(g) for certain emergency uses of PCE in furtherance of National Aeronautics and Space Administration's (NASA) mission, for specific conditions of use which are critical or essential and for which no technically and economically feasible safer alternative is available, outlined in Unit IV.F.
- F. Identify a regulatory threshold for products containing PCE for the prohibitions and restrictions on PCE, as outlined in Unit IV.A.

This final rule is effective on January 17, 2025.

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2024-12-18/pdf/2024-30117.pdf>

G. Certain Existing Chemicals; Request To Submit Unpublished Health and Safety Data Under the Toxic Substances Control Act (TSCA); Final Rule

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 12/13/2024

Effective Date: 01/13/2025

Summary

The Environmental Protection Agency (EPA) has finalized the Health and Safety Reporting Rule under the Toxic Substance Control Act (TSCA) to require manufacturers (including importers) of the sixteen chemical substances identified in this rulemaking to submit copies and lists of certain unpublished health and safety studies to EPA. Health and safety studies sought by this action will inform EPA actions in carrying out its responsibilities pursuant to TSCA, including prioritization, risk evaluation, and risk management.

The chemical substances addressed in this final rule are as follows:

1. 4,4-Methylene bis(2-chloraniline) (CASRN 101-14-4);
2. 4-tert-octylphenol(4-(1,1,3,3-Tetramethylbutyl)-phenol) (CASRN 140-66-9);
3. Acetaldehyde (CASRN 75-07-0);
4. Acrylonitrile (CASRN 107-13-1);
5. Benzenamine (CASRN 62-53-3);
6. Benzene (CASRN 71-43-2);
7. Bisphenol A (CASRN 80-05-7);
8. Ethylbenzene (CASRN 100-41-4);
9. Naphthalene (CASRN 91-20-3);
10. Vinyl Chloride (CASRN 75-01-4);
11. Styrene (CASRN 100-42-5);

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12. Tribromomethane (Bromoform) (CASRN 75–25–2);
13. Triglycidyl isocyanurate; (CASRN 2451–62–9);
14. Hydrogen fluoride (CASRN 7664– 39–3);
15. N-(1,3-Dimethylbutyl)-N'-phenyl-pphenylenediamine (6PPD) (CASRN 793– 24–8);
and
16. 2-anilino-5-[(4-methylpentan-2-yl) amino]cyclohexa-2,5-diene-1,4-dione
(6PPD-quinone) (CASRN 2754428–18– 5).

The reporting requirements outlined in the final rule are due by March 13, 2025.

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2024-12-13/pdf/2024-29406.pdf>

H. Updates to New Chemicals Regulations Under the Toxic Substances Control Act (TSCA); Final Rule

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 12/18/2024

Effective Date: 01/17/2025

Summary

The Environmental Protection Agency (EPA) has published a final rule to amend the new chemicals procedural regulations under the Toxic Substances Control Act (TSCA). These amendments align the regulatory text with the amendments to TSCA's new chemicals review provisions contained in the Frank R. Lautenberg Chemical Safety for the 21st Century Act, enacted on June 22, 2016, will improve the efficiency of EPA's review processes, and update the regulations based on existing policies and experience implementing the New Chemicals Program.

The final rule includes amendments that will increase the quality of information initially submitted in new chemicals notices and improve the Agency's processes for timely, effective completion of individual risk assessments and the new chemicals review process overall.

EPA is also finalizing several amendments to the regulations for low volume exemptions (LVEs) and low release and exposure exemptions (LoREXs), which will require EPA approval of an exemption notice prior to commencement of manufacture, make per- and polyfluoroalkyl substances (PFAS) categorically ineligible for these exemptions, and provide that certain

persistent, bioaccumulative, toxic (PBT) chemical substances are ineligible for these exemptions.

Owners and operators may be potentially affected by this action if they intend to manufacture a new chemical substance, or manufacture or process a chemical substance for a significant new use.

This final rule is effective January 17, 2025.

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2024-12-18/pdf/2024-28870.pdf>

I. **A Guide to Complying with the 2024 Methylene Chloride Regulation Under the Toxic Substances Control Act (TSCA); Compliance Guide**

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 11/2024

Summary

In November 2024, the Environmental Protection Agency (EPA) published a compliance guide for complying with the 2024 Methylene Chloride Regulation Under the Toxic Substances Control Act (TSCA). The goal of the methylene chloride regulation is to prevent injuries, long-term illness, and death.

The EPA issued Methylene Chloride; Regulation under Section 6(a) of the Toxic Substances Control Act (TSCA)¹ on May 8, 2024, in the Federal Register. This regulation went into effect on July 8, 2024.

The guide may be used to determine the applicability of the Methylene Chloride rule, the requirements of the Workplace Chemical Protection Program (WCPP), the timeframes and Interim Workplace Protections for Commercial Use of Methylene Chloride in Furniture Refinishing, the prohibitions of Methylene Chloride, the recordkeeping and downstream notification requirements and the violations for non-compliance. The guide also provides a Frequently Asked Questions (FAQ). A summary of the Methylene Chloride final rule was included in the [May 2024 Veolia Regulatory Update](#).

Reference/Link

The link below will allow you to view/print the Compliance Guide.

<https://www.epa.gov/system/files/documents/2024-07/mecl-compliance-guide.pdf>

J. **Crash Preventability Determination Program; Notice**

Agency

Department of Transportation (DOT)

Dates

Published Date: 12/04/2024

Summary

Federal Motor Carrier Safety Administration (FMCSA) announced changes to its Crash Preventability Determination Program (CPDP). Under the CPDP carriers and drivers may submit requests for data review (RDR) to FMCSA to determine the preventability of commercial motor vehicle (CMV) crashes. FMCSA proposed these changes in its Federal Register notice, "Crash Preventability Determination Program," published at <https://www.regulations.gov/docket/FMCSA-2022-0233> on April 13, 2023.

FMCSA published a notice and response to comments received in response to the April 2023 comment. The December 2024 posting includes a table which shows the current list and new and update eligible crash types for crashes occurring after December 1, 2024. Please refer to the CFR link below for the full chart.

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2024-12-04/pdf/2024-28377.pdf>

K. **Record of Decision for the Long-Term Management and Storage of Elemental Mercury and Designation of a Long-Term Management and Storage Facility; Notice**

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 12/02/2024

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Summary

The U.S. Department of Energy (DOE) has issued a Record of Decision (ROD) for the long-term management and storage of elemental mercury to fulfill DOE's statutory responsibility for long-term management and storage of elemental mercury generated within the United States as required by the Mercury Export Ban Act of 2008 and the Frank R. Lautenberg Chemical Safety for the 21st Century Act (together referred to herein as MEBA).

DOE has designated Waste Control Specialists, LLC (WCS) near Andrews, Texas as the Long Term Elemental Mercury Storage Facility for up to 7,700 tons of elemental mercury.

The DOE will be collecting a fee at the time that elemental mercury is delivered to the designated facility. DOE intends to issue a final rule to establish the fee.

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2024-12-02/pdf/2024-27859.pdf>

L. Schedules of Controlled Substances: Extension of Temporary Placement of Seven Specific Fentanyl-Related Substances in Schedule I of the Controlled Substances Act; Temporary Scheduling Order

Agency

Drug Enforcement Administration (DEA)

Dates

Published Date: 12/30/2024

Effective Date: 12/31/2024

Expiration Date: 12/31/2025

Summary

The Drug Enforcement Administration (DEA) has issued a temporary scheduling order to extend the temporary schedule I status of seven specific fentanyl-related substances, as identified in this order, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers.

The seven substances are listed below:

1. para-chlorofentanyl (N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide),
2. ortho-chlorofentanyl (N-(2-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide),
3. meta-fluorofentanyl (N-(3-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)furan-2-carboxamide),

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4. ortho-methylcyclopropyl fentanyl (N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)cyclopropanecarboxamide),
5. beta-methylacetyl fentanyl (Nphenyl-N-(1-(2-phenylpropyl)piperidin-4-yl)acetamide),
6. tetrahydrothiofuranyl fentanyl (N-(1-phenethylpiperidin-4-yl)-Nphenyltetrahydrothiophene-2-carboxamide),
7. para-fluoro valeryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)pentanamide)

This temporary scheduling order, which extends schedule I control of seven specific substances covered by an order (83 FR 5188, February 6, 2018), is effective December 31, 2024, and expires on December 31, 2025. If DEA publishes a final rule making this scheduling action permanent, this order will expire on the effective date of that rule, if the effective date is earlier than December 31, 2025.

Reference/Link

The link below will allow you to view/print the Temporary Scheduling Order.

<https://www.govinfo.gov/content/pkg/FR-2024-12-30/pdf/2024-31130.pdf>

M. Agricultural Bioterrorism Protection Act of 2002; Biennial Review and Republication of the Select Agent and Toxin List; Final Rule

Agency

Animal and Plant Health Inspection Service (APHIS)

Dates

Published Date: 12/17/2024

Effective Date: 01/16/2025

Summary

In accordance with Title II, Subtitle B of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (which is cited as the “Agricultural Bioterrorism Protection Act of 2002” and referred to as the Act), we are amending and republicating the list of select agents and toxins that have the potential to pose a severe threat to animal or plant health, or to animal or plant products.

The Act requires the biennial review and republication of the list of select agents and toxins (the list) and the revision of the list as necessary. This action implements the findings from the biennial review of the list. The biennial review was initiated within 2 years of the completion of the previous biennial review.

The final rule removes the following pathogens from the select agent list:

- *Peronosclerospora philippinensis* (*Peronosclerospora sacchari*) (Plant Protection and Quarantine select agent)
- African horse sickness virus (Veterinary Services select agent)

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- Brucella abortus, Brucella suis, and Brucella melitensis (overlap select agents)

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2024-12-17/pdf/2024-29567.pdf>

N. Possession, Use, and Transfer of Select Agents and Toxins; Biennial Review of the List of Select Agents and Toxins; Final Rule

Agency

Centers for Disease Control and Prevention (CDC)

Dates

Published Date: 12/17/2024

Effective Date: 01/16/2024

Summary

The CDC issued a final rule that updates the HHS list of select agents and toxins that could pose a severe threat to public health and safety. These updates were proposed along with other changes to the select agent and toxin regulations.

The final rule takes the following actions:

- Remove Brucella abortus, Brucella melitensis, and Brucella suis from the select agent list.
- Update the nomenclature of select agents:
 - Change “SARS coronavirus (SARS– CoV)” to “Severe acute respiratory syndrome coronavirus (SARS–CoV)” to correct the nomenclature;
 - Rename the exclusion of “South American genotype of Eastern Equine Encephalitis virus” to “Madariaga virus”;
 - Rename the exclusion of “West African Clade of Monkeypox virus” to “clade II monkeypox virus”;
 - Rename Ebola virus to Ebolavirus in accordance with the recent taxonomic change by the International Committee on Taxonomy of Viruses (ICTV);
- Retain nomenclature of monkeypox virus;
- Retain designation of botulinum neurotoxin producing species of Clostridium as a Tier 1 agent;
- No addition of Hantaviruses: specifically not adding Sin Nombre virus (SNV), Andes virus (ANDV), Hantaan virus (HTNV), and Dobrava virus (DOBV) to the select agent list;
- Increase the exclusion amount for short, paralytic alpha conotoxins from 100 mg to 200 mg;
- Designate Nipah virus as a Tier 1 Select agent;

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- Add a footnote to the list for HHS and Overlap select agents indicating that the current nomenclature will be available on the FSAP website (<https://www.selectagents.gov>).

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2024-12-17/pdf/2024-29583.pdf>