



**AMERICAN WIRE PRODUCERS ASSOCIATION
United States Semiannual Regulatory Agenda
Summer 2016**

Twice a year, federal agencies publish their Regulatory Agendas and Regulatory Plans. The activities included in the Agenda are, in general, those that will have regulatory action within the next 12 months.

Below are regulations that could impact wire and wire products facilities.

ENVIRONMENTAL PROTECTION AGENCY (EPA)

2050-AG80. USER FEE SCHEDULE FOR ELECTRONIC HAZARDOUS WASTE MANIFEST

Priority: Other Significant

CFR Citation: Undetermined

Abstract: In February 2014, EPA promulgated the first e-Manifest regulation to authorize the use of electronic manifests and to codify key provisions of the Hazardous Waste Electronic Manifest Act. EPA is now developing the e-Manifest User Fee Schedule Regulation. The Act authorizes the EPA to impose on manifest users reasonable service fees to cover the EPA’s costs to develop, operate, maintain and upgrade the electronic manifest system. These include the costs of collecting and processing data from any paper manifest submitted to the system after the date on which the system enters operation. The agency plans to issue both a proposed and final rule to set the appropriate electronic manifest and manifest fees. In the proposed rule, EPA requests comment on the methodology it would use to establish the fees. In a final rule, the agency plans to establish a program of fees that will be imposed on users of the e-manifest system and announce the user fee schedule for manifest-related activities, including activities associated with the collection and processing of paper manifests submitted to the EPA. The agency also plans in that final rule to announce the date upon which the EPA will be ready to transmit and receive manifests through the national e-manifest system and the date upon which the user community must comply with the new e-manifest regulation.

Timetable:

Action	Date	FR Cite
NPRM	06/00/16	

Agency Contact: Rich LaShier, Solid Waste and Emergency Response, EPA, Washington, DC
Phone: 703-308-8796; Email: lashier.rich@epa.gov

2060-AS67. ELECTRONIC REPORTING AND RECORDKEEPING REQUIREMENTS FOR NATIONAL EMISSIONS STANDARDS FOR HAZARDOUS AIR POLLUTANTS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Abstract: EPA is proposing the electronic submission of performance testing information collected by industry by revising the reporting requirements for national emission standards for hazardous air pollutants (NESHAP). In addition to performance test data, this rulemaking proposes to require the electronic submission of other selected compliance data, such as excess emissions reports, that are already being compiled and submitted by industry to regulatory authorities. These data can be used for regulation development, control strategy development, rule effectiveness studies, risk analyses and other air pollution control activities. Revisions will be handled by a phased approach and this rulemaking is the first phase in the revision process.

Timetable:

Action	Date	FR Cite
NPRM	04/00/17	
Final Rule	05/00/18	

Agency Contact: Gerri Garwood, Air and Radiation, EPA, Washington, DC
 Phone: 919-541-2406; Email: Garwood.gerri@epa.gov

ENVIRONMENTAL PROTECTION AGENCY (EPA)

2040-AF25. NPDES APPLICATION AND PROGRAM UPDATES RULE

Priority: Other Significant

CFR Citation: 40 CFR 122

Abstract: EPA plans to propose regulations that would update specific elements of the existing NPDES regulations. The proposal would make targeted revisions to outdated application, permitting, monitoring and reporting requirements in order to eliminate inconsistencies between regulations and application forms, improve permit documentation and transparency, and clarify existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	05/00/16	
Final Rule	11/00/16	

Agency Contact: Erin Flannery-Keith, Office of Water, EPA, Washington, DC 20460
 Phone: 202-566-0689; Email: flannery-keith.erin@epa.gov

DEPARTMENT OF LABOR (DOL)
Occupational Safety and Health Administration (OSHA)

1218-AC41. COMBUSTIBLE DUST

Priority: Economically Significant

CFR Citation: 29 CFR 1910

Abstract: OSHA has initiated rulemaking to develop a combustible dust standard for general industry. OSHA will use the information gathered, including from an upcoming SBREFA panel, to develop a comprehensive standard that addresses combustible dust hazards.

Timetable:

Action	Date	FR Cite
ANPRM	10/21/09	74 FR 54333
Stakeholder Meetings	03/09/10	75 FR 10739
Initiate SBREFA	10/00/16	

Agency Contact: William Perry, Director, Directorate of Standards and Guidance, Department of Labor, OSHA, 200 Constitution Avenue NW., Room N-3718, Washington, DC 20210
 Phone: 202-693-1950; Email: perry.bill@dol.gov

1218-AC74. CHEMICAL MANAGEMENT AND PERMISSIBLE EXPOSURE LIMITS (PELs)

Priority: Other Significant

CFR Citation: Not Yet Determined

Abstract: The majority of the OSHA Permissible Exposure Limits (PELs) were adopted in 1971 and only a few have been updated since that time. There is widespread agreement among industry, labor and professional occupational safety and health organizations that OSHA's PELs are outdated and need revising in order to take into account newer scientific data that indicates that significant occupational health risks exist at levels below OSHA's current PELs. In 1989, OSHA issued a final standard that lowered PELs for over 200 chemicals and added PELs for 164. However, the final rule was challenged and ultimately vacated. Since that time OSHA has made attempts to examine its outdated PELs in light of the court's decision. On October 10, 2014, OSHA published a Request for Information to solicit comment from the public on approaches it may take to reduce the risk of developing illness caused by exposure to hazardous chemicals.

Timetable:

Action	Date	FR Cite
Request for Information	10/10/14	79 FR 61383
Analyze Comments	09/00/16	

Agency Contact: William Perry, Director, Directorate of Standards and Guidance, Department of Labor, OSHA, 200 Constitution Avenue NW., Room N-3718, Washington, DC 20210
 Phone: 202-693-1950; Email: perry.bill@dol.gov

DEPARTMENT OF LABOR (DOL)
Occupational Safety and Health Administration (OSHA)

1218-AD00. LOCK-OUT/TAG-OUT UPDATE

Priority: Substantive, Nonsignificant

CFR Citation: 29 CFR 1910

Abstract: Recent technological advancements that employ computer-based controls of hazardous energy (e.g., mechanical, electrical, pneumatic, chemical, radiation) conflict with OSHA's existing lock-out/tag-out standard. The use of these computer-based controls has become more prevalent as equipment manufacturers modernize their designs. Additionally, there are international standards harmonization concerns since this method of lock-out/tag-out is more accepted in other nations. The Agency has recently seen an increase in requests for variances for these devices. An RFI would be useful in understanding the strengths and limitations of this new technology, as well as potential hazards to workers. Alternatively, the agency could simply hold a stakeholder meeting and open a public docket to explore the issue.

Timetable:

Action	Date	FR Cite
Request for Information	09/00/16	

Agency Contact: William Perry, Director, Directorate of Standards and Guidance, Department of Labor, OSHA, 200 Constitution Avenue NW., Room N-3718, Washington, DC 20210
Phone: 202-693-1950; Email: perry.bill@dol.gov

DEPARTMENT OF TRANSPORTATION (DOT)

2137-AF19. HAZARDOUS MATERIALS: REVISIONS TO HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANTS REQUIREMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 49 CFR 110

Abstract: PHMSA is considering amending the Hazardous Materials Regulations (HMR) applicable to the Hazardous Materials Emergency Preparedness Grants in order to reflect current federal law and PHMSA policies and procedures. Specifically, this rulemaking proposes to revise the HMR by adding requirements for the Hazardous Materials Instructor Training Grant and the Supplemental Public Sector Training Grant by removing redundant language, authorizing pre-award expenditures and adding new definitions. This rulemaking will provide interested stakeholders the opportunity to provide comments on these proposed amendments.

Timetable:

Action	Date	FR Cite
NPRM	05/00/16	

Agency Contact: Matthew Nickels, Transportation Regulations Specialist, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, 1200 New Jersey Avenue, SE, Washington, DC

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