



**Semiannual Regulatory Agenda
Winter 2018**

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 manufacturers, their suppliers, and/or their customers.

ENVIRONMENTAL PROTECTION AGENCY (EPA)

2040-AF84. CLEAN WATER ACT METHODS UPDATE FOR RULE FOR THE ANALYSIS OF EFFLUENT

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 136

Abstract: This regulatory action would amend the “Guidelines Establishing Test Procedures for the Analysis of Pollutants” to approve test procedures 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 alternative procedure. The regulation would also revise, clarify, and correct errors and ambiguities in existing methods and the water monitoring regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/18	
Final Rule	12/00/19	

Agency Contact: Meghan Hessenauer, Office of Water, EPA, Washington, DC
Phone: 202-566-1053; Email: hessenauer.meghan@epamail.epa.gov

2040-AF25. NPDES: SPECIFIC PROVISIONS AFFECTING APPLICATION AND PROGRAM UPDATES RULE

Priority: Other Significant
CFR Citation: 40 CFR 122

Abstract: EPA is developing a final rule to update specific elements of the existing National Pollutant Discharge Elimination System (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 more clear and effective, promote submission of complete permit applications and allow more timely development of NPDES permits.

Timetable:

Action	Date	FR Cite
NPRM	05/18/18	81 FR 31343
Final Rule	12/00/18	

Agency Contact: Francis Sylvester, Office of Water, EPA, Washington, DC
Phone: 202-564-1279; Email: Sylvester.francis@epa.gov

ENVIRONMENTAL PROTECTION AGENCY (EPA)

2060-AT03. NESHAP FOR INTEGRATED IRON AND STEEL MANUFACTURING FACILITIES

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Abstract: This proposal will address the Agency's Residual Risk and Technology Review of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Integrated Iron and Steel Manufacturing Facilities. The NESHAP established emission limitations and/or work practice requirements based on maximum achievable control technology (MACT) for controlling emission of hazardous air pollutants (HAP) from iron-making blast furnaces, steel-making oxygen furnaces, ancillary operations, such as ladling, hot metal transfer, skimming, and desulfurization. This action will implement the residual risk review requirements of the Clean Air Act.

Timetable:

Action	Date	FR Cite
NPRM	02/00/19	
Final Rule	11/00/19	

Agency Contact: Donnalee Jones, Office of Water, EPA, Washington, DC

Phone: 919-541-5251; Email: jones.donnalee@epa.gov

2070-AK33. TSCA CHEMICAL DATA REPORTING REVISIONS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 711

Abstract: The Chemical Data Reporting (CDR) rule, under TSCA, requires manufacturers to provide EPA with information, including processing and use information, on chemical substances they manufacture above threshold production volumes. The information is collected every 4 years and the production volume threshold for reporting a chemical substance is generally 25,000 pounds for a specific reporting year. Before the next reporting period of 2020, EPA will be revising the reporting requirements to better align with new statutory requirements as amended by the Frank Lautenberg Chemical Safety for the 21st Century Act.

Timetable:

Action	Date	FR Cite
NPRM	12/00/18	
Final Rule	10/00/19	

Agency Contact: Susan Sharkey, Office of Chemical Safety, EPA, Washington, DC

Phone: 202-564-8789; Email: sharkey.susan@epa.gov

2070-AK42. PARENT COMPANY DEFINITION FOR TOXICS RELEASE INVENTORY

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 372

Abstract: The Toxics Release Inventory (TRI) program is considering whether to codify a definition of "parent company" for reporting purposes. This proposed rulemaking would clarify existing guidance and provide guidance for facilities owned by public entities, multiple entities and entities with several layers of ownership. Providing this definition would clarify reporting requirements and increase the quality of TRI data by increasing consistency in the reporting and improving trend analyses across ownership structures.

Timetable:

Action	Date	FR Cite
NPRM	02/00/19	
Final Rule	10/00/20	

Agency Contact: Stephanie Griffin, Office of Chemical Safety, EPA, Washington, DC
Phone: 202-564-1463; Email: griffin.stephanie@epa.gov

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

1218-AC98. MECHANICAL POWER PRESSES

Priority: Other Significant

CFR Citation: Not Yet Determined

Abstract: The current OSHA standard on mechanical power presses does not address the use of hydraulic or pneumatic power presses. Additionally, the existing standard is approximately 40 years old and does not address technological changes. OSHA previously published an ANPRM on Mechanical Power Presses in which it proposed several options for updating this standard. The Agency would like to update the public record to determine how best to proceed. This project is in accordance with Executive Order 13777 which is intended to facilitate the review of existing regulations that may be outmoded, ineffective, insufficient or excessively burdensome and to modify, streamline, expand or repeal them.

Timetable:

Action	Date	FR Cite
Request for Information	12/00/18	

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-AC99. POWERED INDUSTRIAL TRUCKS

Priority: Substantive, Nonsignificant

CFR Citation: 29 CFR 1910

Abstract: Powered industrial trucks (i.e., fork trucks, tractors, lift trucks, motorized hand trucks) are ubiquitous in industrial worksites. The agency's standard still relies upon ANSI standards from 1969. OSHA has been urged to update and expand the standard to account for substantial revisions to ANSI standards on powered industrial trucks over the last 45 years. The current standard covers 11 types of trucks, and there are now 19 types. This project is in accordance with Executive Order 13563 which is intended to facilitate the review of existing regulations that may be outmoded, ineffective, insufficient or excessively burdensome and to modify, streamline, expand or repeal them.

Timetable:

Action	Date	FR Cite
Request for Information	10/00/18	

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 national consensus standards and international standards harmonization that govern the design and use of computer-based controls: this approach of controlling hazardous energy is more accepted in other nations which raises issues of needing to harmonize U.S. standards with those of other countries. 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. The agency may also hold a stakeholder meeting and open a public docket to explore the issue.

Timetable:

Action	Date	FR Cite
Request for Information	10/00/18	

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-AC93. UPDATE TO THE HAZARD COMMUNICATION STANDARD

Priority: Other Significant
CFR Citation: 29 CFR 1910

Abstract: OSHA and other U.S. agencies have been involved in a long-term project to negotiate a globally harmonized approach to classifying chemical hazards and providing labels and safety data sheets for hazardous chemicals. The result is the Globally Harmonized System of Classification and Labeling of Chemicals (GHS). The GHS was adopted by the United Nations, with an international goal of as many countries as possible adopting it by 2008. OSHA incorporated the GHS into the Hazard Communication Standard (HCS) in March 2012 to specify requirements for hazard classification and to standardize label components and information on safety data sheets, which will improve employee protection and facilitate international trade. However, the GHS is a living document and has been updated several times since OSHA's rulemaking. OSHA is conducting rulemaking to harmonize the HCS to the latest edition of the GHS and to codify a number of enforcement policies that have been issued since the 2012 standard.

Timetable:

Action	Date	FR Cite
Request for Information	03/00/19	

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-AD17. TRACKING OF WORKPLACE INJURIES AND ILLNESSES

Priority: Other Significant

CFR Citation: 29 CFR 1904

Abstract: OSHA published a proposed rule to remove provisions to the “Improve Tracking of Workplace Injuries and Illnesses” final rule. OSHA proposed to amend its recordkeeping regulation to remove the requirement to electronically submit to OSHA information from the OSHA Form 300 (Log of Work-Related Injuries and Illnesses) and OSHA Form 301 (Injury and Illness Incident Report) for establishments with 250 or more employees which are required to routinely keep injury and illness records. Under the proposed rule, these establishments would be required to electronically submit only information from the OSHA Form 300A (Summary of Work-Related Injuries and illnesses). OSHA also proposed to add the Employer Identification Number (EIN) to the data collection to increase the likelihood that the Bureau of Labor Statistics (BLS) would be able to match OSHA-collected data to BLS Survey of Occupational Injury and Illness data and potentially reduce the burden on employers who are required to report injury and illness data both to OSHA and to BLS. OSHA is reviewing comments and will publish a final rule in June 2019.

Timetable:

Action	Date	FR Cite
NPRM	07/03/18	83 FR 36494
Final Rule	06/00/19	

Agency Contact: Amanda Edens, Director, Directorate of Technical Support, Department of Labor, OSHA, 200 Constitution Avenue NW., Room N-3653, Washington, DC 20210
Phone: 202-693-2300; Email: edens.mandy@dol.gov

DEPARTMENT OF TRANSPORTATION (DOT)

2137-AF32. HAZARDOUS MATERIALS: HARMONIZATION WITH INTERNATIONAL STANDARDS

Priority: Substantive, Nonsignificant

CFR Citation: 49 CFR 171

Abstract: The federal hazardous materials transportation law requires the Secretary of Transportation to ensure that regulations governing the transportation of hazardous materials in commerce are consistent with standards adopted by international authorities. Harmonization enhances safety, facilitates compliance, and improves the efficiency of the global transportation system by minimizing the regulatory burden on the public, thus promoting trade. After a thorough review of the provisions recently adopted by various international regulatory bodies, the Pipeline and Hazardous Materials Safety Administration (PHMSA) has identified areas in the hazardous materials regulations (HMR) in which harmonization with international regulations will provide an enhanced level of safety, an economic benefit, or in many instances both increased safety and economic benefits. As a result, this rulemaking action would amend the HMR to maintain alignment with international standards that will become effective as of January 1, 2019, and consequently facilitate the safe global trade of hazardous materials. Proposals in this rulemaking action include: non-testing methods to classify corrosive materials, a classification scheme and transport provisions for articles containing hazardous materials that do not already have a proper shipping name, provisions to recognize one-time movement approvals issued by Transport Canada, and the incorporation of various international standards including the latest editions of the UN Model Regulations, the IMDG Code and International Organization for Standardization (ISO) technical standards.

Timetable:

Action
NPRM

Date
10/00/18

FR Cite

Agency Contact: Aaron Wiener, Transportation Regulations Specialist, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, DC 20590
Phone: 202-366-8553; Email: aaron.wiener@dot.gov