



**Semiannual Regulatory Agenda  
Spring 2019**

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 companies, their suppliers, and/or their customers.

**ENVIRONMENTAL PROTECTION AGENCY (EPA)**

2060-AS50. REVIEW OF THE NATIONAL AMBIENT AIR QUALITY STANDARDS FOR PARTICULATE MATTER

Priority: Other Significant  
CFR Citation: 40 CFR 50

Abstract: Under the Clean Air Act Amendments, EPA is required to review and, if appropriate, revise the air quality criteria for the primary (health-based) and secondary (welfare-based) national ambient air quality standards (NAAQS) every five years. On January 13, 2013, the EPA published a final rule revising the NAAQS for particulate matter to provide increased protection for public health. The current review includes the preparation of an Integrated Review Plan, an Integrated Science Assessment and, if warranted, a Risk/Exposure Assessment, and also a Policy Assessment by EPA, with opportunities for review by EPA’s Clean Air Scientific Advisory Committee and the public. These documents will inform the Administrator’s proposed decision as to whether to retain or revise the standards. This proposed decision will be published in the Federal Register with opportunity provided for public comment. The Administrator’s final decisions will take into consideration these documents and public comment on the proposed decision.

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Timetable:

Action	Date	FR Cite
NPRM	03/00/20	

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Agency Contact: Scott Jenkins, Office of Air, EPA, Washington, DC  
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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 work practice requirements based on maximum achievable control technology (MACT) for controlling emissions 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.

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Timetable:

Action	Date	FR Cite
NPRM	06/00/19	
Final Rule	03/00/20	

**WIRE IS EVERYWHERE**

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**ENVIRONMENTAL PROTECTION AGENCY (EPA)**

2060-AT30. NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR IRON AND STEEL FOUNDRIES

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 Iron and Steel Foundries. The NESHAP established emission limitations and work practice requirements based on maximum achievable control technology (MACT) for controlling emissions of hazardous air pollutants (HAP) from iron and steel foundries. This action will implement the residual risk review requirements of the Clean Air Act.

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Timetable:

<b>Action</b>	<b>Date</b>	<b>FR Cite</b>
NPRM	07/00/19	
Final Rule	07/00/20	

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Agency Contact: Phil Mulrine, Office of Air, EPA  
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2060-AU10. GENERAL NATIONAL AMBIENT AIR QUALITY STANDARDS IMPLEMENTATION UPDATE RULE

Priority: Other Significant  
CFR Citation: Undetermined

Abstract: This action is intended to provide regulatory relief with respect to National Ambient Air Quality Standards (NAAQS) implementation consistent with the statutory provisions of the Clean Air Act. Among other things, the action will draw upon the recommendations identified in the agency's August 2017 Report to Congress on Administrative Options to Enable States to Enter into Cooperative Agreements to Provide Regulatory Relief for implementing Ozone Standards and the October 2017 Final Report on Review of Agency Actions that Potentially Burden the Safe, Efficient Development of Domestic Energy Resources under Executive Order 13783.

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Timetable:

<b>Action</b>	<b>Date</b>	<b>FR Cite</b>
NPRM	09/00/19	

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Agency Contact: Mike Koerber, Office of Air, EPA  
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## ENVIRONMENTAL PROTECTION AGENCY (EPA)

### 2070-AK33. TSCA CHEMICAL DATA REPORTING REVISIONS

Priority: Substantive, Nonsignificant  
CFR Citation: 40 CFR 711

Abstract: On April 25, 2019, EPA proposed modifications to the Chemical Data Reporting rule and the small manufacturers definition under TSCA section a. EPA intends on finalizing these as two separate actions. 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 21<sup>st</sup> Century Act.

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Timetable:

<b>Action</b>	<b>Date</b>	<b>FR Cite</b>
NPRM	04/25/19	84 FR 17692
Final Rule	12/00/19	

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

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Timetable:

<b>Action</b>	<b>Date</b>	<b>FR Cite</b>
NPRM	07/00/19	

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Agency Contact: Stephanie Griffin, Office of Chemical Safety, EPA, Washington, DC  
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### 2070-AK53. COMMUNITY RIGHT-TO-KNOW; CORRECTIONS TO TOXICS RELEASE INVENTORY (TRI) REPORTING REQUIREMENTS

Priority: Substantive, Nonsignificant  
CFR Citation: 40 CFR 372

Abstract: EPA is developing proposed corrections to the existing regulatory language for the Toxics Release Inventory (TRI) Program. EPA is considering corrections that will a) update identifiers, formulas, and names for certain TRI-listed chemicals and to b) update text to indicate for which chemicals the 0.1 percent de minimis concentration applies to remedy a cross-reference to a no-longer-applicable regulatory citation. These proposed corrections are intended to maintain previous regulatory actions and

do not alter existing reporting requirements. The proposed changes would not cause an increase or decrease in TRI reporting.

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Timetable:

Action	Date	FR Cite
NPRM	11/00/19	

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

1218-AC91. EMERGENCY RESPONSE

Priority: Economically Significant  
CFR Citation: 29 CFR 1910

Abstract: OSHA currently regulates aspects of emergency response and preparedness; some of these standards were promulgated decades ago, and none were designed as comprehensive emergency response standards. Consequently, they do not address the full range of hazards or concerns currently facing emergency responders, and other workers providing skilled support, nor do they reflect major changes in performance specifications for protective clothing and equipment. The Agency acknowledged that current OSHA standards also do not reflect all the major developments in safety and health practices that have already been accepted by the emergency response community and incorporated into industry consensus standards. OSHA is considering updating these standards with information gathered through an RFI and public meetings.

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Timetable:

Action	Date	FR Cite
Initiate SBREFA	05/00/19	

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Agency Contact: William Perry, Director, Directorate of Standards and Guidance, Department of Labor, OSHA, 200 Constitution Avenue NW., Room N-3718, Washington, DC 20210  
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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.

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Timetable:

Action	Date	FR Cite
Request for Information	06/00/19	

Agency Contact: William Perry, Director, Directorate of Standards and Guidance, Department of Labor, OSHA, 200 Constitution Avenue NW., Room N-3718, Washington, DC 20210  
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**DEPARTMENT OF LABOR (DOL)**

**Occupational Safety and Health Administration (OSHA)**

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.

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Timetable:

<b>Action</b>	<b>Date</b>	<b>FR Cite</b>
Request for Information	03/11/19	84 FR 8633
RFI Comment Period End	06/10/19	

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Agency Contact: William Perry, Director, Directorate of Standards and Guidance, Department of Labor, OSHA, 200 Constitution Avenue NW., Room N-3718, Washington, DC 20210  
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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.

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Timetable:

<b>Action</b>	<b>Date</b>	<b>FR Cite</b>
Request for Information	05/00/19	

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Agency Contact: William Perry, Director, Directorate of Standards and Guidance, Department of Labor, OSHA, 200 Constitution Avenue NW., Room N-3718, Washington, DC 20210  
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**DEPARTMENT OF LABOR (DOL)**  
**Occupational Safety and Health Administration (OSHA)**

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.

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Timetable:

<b>Action</b>	<b>Date</b>	<b>FR Cite</b>
NPRM	12/00/19	

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Agency Contact: William Perry, Director, Directorate of Standards and Guidance, Department of Labor, OSHA, 200 Constitution Avenue NW., Room N-3718, Washington, DC 20210  
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1218-AC67. STANDARDS IMPROVEMENT PROJECT IV

Priority: Other Significant  
CFR Citation: 29 CFR 1926

Abstract: OSHA's Standards Improvement Projects (SIPs) are intended to remove or revise duplicative, unnecessary and inconsistent safety and health standards. The Agency has published three earlier final standards to remove unnecessary provisions, thus reducing costs or paperwork burden on affected employers. This latest project identified revisions to existing standards in OSHA's recordkeeping, general industry, and construction standards, with most of the revisions to its construction standards. OSHA also proposed to remove from its standards the requirements that employers include an employee's social security number on exposure monitoring, medical surveillance and other records in order to protect employee privacy and prevent identity fraud.

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Timetable:

<b>Action</b>	<b>Date</b>	<b>FR Cite</b>
NPRM	10/04/16	81 FR 68504
Final Rule	05/00/19	

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Agency Contact: Scott Ketcham, Acting Director, Directorate of Construction, Department of Labor, OSHA  
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**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.

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Timetable:

<b>Action</b>	<b>Date</b>	<b>FR Cite</b>
NPRM	11/27/18	83 FR 60970
Final Rule	09/00/19	

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Agency Contact: Aaron Wiener, Transportation Regulations Specialist, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, DC 20590  
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2137-AF33. HAZARDOUS MATERIALS: ADOPTION OF MISCELLANEOUS PETITIONS TO REDUCE REGULATORY BURDENS

Priority: Substantive, Nonsignificant  
CFR Citation: 49 CFR 171

Abstract: In response to various petitions for rulemaking submitted by the regulated community, this rulemaking action would amend the Hazardous Materials Regulations (HMR) to reduce regulatory burdens while maintaining or enhancing the existing level of safety. These changes have been identified as deregulatory in nature and would provide a cost savings to industry. Specific examples include amending the HMR to adopt a phase-out schedule for certain tank cars used to ship chlorine, among others. Additionally, this rulemaking action would amend the HMR and respond to petitions that are identified as deregulatory in nature and which would provide a cost savings to industry.

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Timetable:

<b>Action</b>	<b>Date</b>	<b>FR Cite</b>
NPRM	05/00/19	

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Agency Contact: Steven Andrews, Transportation Regulations Specialist, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, DC 20590

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**DEPARTMENT OF TRANSPORTATION (DOT)**

2137-AF34. HAZARDOUS MATERIALS: CONTINUED CONVERSION OF SPECIAL PERMITS

Priority: Substantive, Nonsignificant  
CFR Citation: 49 CFR 171

Abstract: PHMSA would amend the Hazardous Materials Regulations (HMR) to adopt provisions contained in certain widely-used or long-standing special permits that have an established safety record. The rulemaking action is intended to provide wider access to the regulatory flexibility offered in special permits and eliminate the need for numerous renewal requests. The rulemaking action would also reduce paperwork burdens and facilitate commerce while maintaining an appropriate level of safety. PHMSA conducted an extensive analysis of active special permits, approvals, and related petitions, and those deemed suitable will be adopted in to the HMR.

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Timetable:

<b>Action</b>	<b>Date</b>	<b>FR Cite</b>
NPRM	06/00/19	

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Agency Contact: Michael Stevens, Transportation Regulations Specialist, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, DC 20590  
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2137-AF47. HAZARDOUS MATERIALS: REGULATORY REFORM INITIATIVES AND REDUCING UNNECESSARY BURDENS

Priority: Substantive, Nonsignificant  
CFR Citation: 49 CFR 171

Abstract: PHMSA proposes to amend the Hazardous Materials Regulations (HMR) to adopt a number of actions that would reduce certain unnecessary regulatory burdens on hazardous material transportation without compromising safety. These amendments include deregulatory actions identified by internal agency review and public comments on the Department of Transportation regulatory reform and infrastructure notices. PHMSA has identified a number of complex deregulatory opportunities, to include package design, regulatory updates and incident reporting and data. Working closely with our stakeholders, PHMSA seeks to ensure the HMR are amended as necessary to reflect new technologies, improved manufacturing methods, and current economic conditions.

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Timetable:

<b>Action</b>	<b>Date</b>	<b>FR Cite</b>
ANPRM	10/00/19	

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Agency Contact: Eamonn Patrick, Transportation Regulations Specialist, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, DC 20590  
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