



**FEDERAL REGULATORY ACTIONS**

**IMPACTING**

**ONSHORE DRILLING**

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## Table of Contents

	Page
<b>Glossary</b>	1
<b><u>Agency</u></b>	
Department of Homeland Security	2
Health & Human Services	2
Department of Justice	3
Drug Enforcement Administration (DEA)	3
Department of Labor (DOL)	3
Occupational Safety and Health Administration (OSHA)	3
Department of Transportation (DOT)	4
Federal Motor Carrier Safety Administration (FMCSA)	4
Pipeline and Hazardous Materials Safety (PHMSA)	7
Environmental Protection Agency (EPA)	7
Resource Conservation and Recovery Act (RCRA)	7
Clean Air Act (CAA)	8

# ABBREVIATIONS AND ACRONYMS

<b>ACOE/ACE</b>	Army Corps of Engineers	<b>NEPA</b>	National Environmental Policy Act of 1969
<b>AESC</b>	Association of Energy Servicing Companies	<b>NESHAPs</b>	National Emissions Standard for Hazardous Air Pollutants
<b>AIS</b>	Automatic Identification System	<b>NIOSH</b>	National Institute for Occupational Safety and Health
<b>ALJ</b>	Administrative Law Judge	<b>NMVOc</b>	Non-Methane Volatile Organic Compound
<b>APCD</b>	Air Pollution Control District	<b>NORA</b>	National Occupational Research Agenda
<b>ANPRM</b>	Advance Notice of Proposed Rulemaking	<b>NOx</b>	Nitrogen Oxides
<b>API</b>	American Petroleum Institute	<b>NPRM</b>	Notice of Proposed Rulemaking
<b>BACT</b>	Best Available Control Technology	<b>NSPS</b>	New Source Performance Standards
<b>BCT</b>	Best Conventional Pollutant Control Technology	<b>NSR</b>	New Source Review
<b>BMP</b>	Best Management Practices	<b>NTSB</b>	National Transportation Safety Board
<b>BPT</b>	Best Practicable Control Technology Currently Available	<b>ONRR</b>	Office of Natural Resources Revenue
<b>BSEE</b>	Bureau of Safety and Environmental Enforcement	<b>OPA-90</b>	Oil Pollution Act of 1990
<b>CAA</b>	Clean Air Act	<b>OSHA</b>	Occupational Safety and Health Administration
<b>CARB</b>	California Air Resources Board	<b>OTR</b>	Office of the U.S. Trade Representative
<b>CBP</b>	U. S. Customs and Border Protection (DHS)	<b>PEL</b>	Permissible Exposure Limit
<b>CDL</b>	Commercial Driver's License	<b>PHMSA</b>	Pipeline and Hazardous Materials Safety Administration
<b>CEQ</b>	Council on Environmental Quality	<b>P.L.</b>	Public Law
<b>CFCs</b>	Chlorofluorocarbons	<b>PM</b>	Particulate Matter
<b>CFR</b>	Code of Federal Regulations	<b>ppm</b>	Parts per million
<b>COA</b>	Corresponding Onshore Area	<b>PSD</b>	Prevention of Significant Deterioration
<b>CSB</b>	Chemical Safety Board	<b>RCC</b>	Rescue Coordination Center
<b>CWA</b>	Clean Water Act	<b>RFA</b>	Regulatory Flexibility Act
<b>CZMA</b>	Coastal Zone Management Act	<b>RIA</b>	Regulatory Impact Analysis
<b>DEIS</b>	Draft Environmental Impact Statement	<b>RIN</b>	Regulation Identifier Number
<b>DHS</b>	Department of Homeland Security	<b>RQ</b>	Reportable Quantity
<b>DOE</b>	Department of Energy	<b>RSPA</b>	Research and Special Programs Administration (DOT) – now PHMSA
<b>DOL</b>	Department of Labor	<b>SAMHSA</b>	Substance Abuse and Mental Health Services Administration
<b>DOT</b>	Department of Transportation	<b>SBF</b>	Synthetic-Based Drilling Fluid
<b>EIS</b>	Environmental Impact Statement	<b>SBREFA</b>	Small Business Regulatory Enforcement Fairness Act
<b>EO</b>	Executive Order	<b>SIP</b>	State Implementation Plan
<b>EPA</b>	Environmental Protection Agency	<b>SNPRM</b>	Supplemental Notice of Proposed Rulemaking
<b>EPCRA</b>	Emergency Planning and Community Right-to-Know Act	<b>SOx</b>	Sulfur Oxides
<b>FAA</b>	Federal Aviation Administration	<b>SSI</b>	Sensitive Security Information
<b>FCC</b>	Federal Communications Commission	<b>TRI</b>	Toxics Release Inventory
<b>FDA</b>	Food and Drug Administration	<b>TSA</b>	Transportation Security Administration
<b>FEMA</b>	Federal Emergency Management Agency	<b>TWIC</b>	Transportation Worker Identification Credential
<b>FLSA</b>	Fair Labor Standards Act	<b>U.S.C.</b>	The United States Code
<b>FR</b>	The <i>Federal Register</i>	<b>USCIS</b>	U.S. Citizenship and Immigration Services
<b>FRA</b>	Federal Railroad Administration	<b>VOC</b>	Volatile Organic Compound
<b>FPSO</b>	Floating Production Storage and Offloading Unit		
<b>FMCSA</b>	Federal Motor Carrier Safety Administration		
<b>FTA</b>	Federal Transit Administration		
<b>FWPCA</b>	Fresh Water Pollution Control Act		
<b>HAPs</b>	Hazardous Air Pollutants		
<b>HCFCs</b>	Hydrochlorofluorocarbons		
<b>HHS</b>	Department of Health and Human Services		
<b>HME</b>	Hazardous Materials Endorsement (to a CDL)		
<b>HMR</b>	Hazardous Materials Regulations		
<b>IADC</b>	International Association of Drilling Contractors		
<b>ICAO</b>	International Civil Aviation Organization		
<b>ICE</b>	U. S. Immigration and Customs Enforcement		
<b>ILO</b>	International Labor Office		
<b>IPAA</b>	Independent Petroleum Association of America		
<b>ISO</b>	International Organization for Standardization		
<b>HDE</b>	Heavy Duty Engine		
<b>LAER</b>	Lowest Achievable Emission Rate		
<b>MACT</b>	Maximum Achievable Control Technology		
<b>MRO</b>	Medical Review Officer		
<b>MPA</b>	Marine Protected Area		
<b>MSHA</b>	Mine Safety and Health Administration		
<b>NAAQS</b>	National Ambient Air Quality Standards		
<b>NMFS</b>	National Marine Fisheries Service		
<b>NWA</b>	National Wildlife Area		

## **U.S. Federal Regulatory Actions Impacting Onshore Drilling Contractors**

This document reflects regulatory actions announced in the *Federal Register* or other sources through 30 June 2012. The dates given for anticipated regulatory actions are based on information in the most recent Semi-Annual Unified Agenda, or information obtained through contact with the agency.

*Every effort has been made to assure the accuracy and reliability of the information presented in this publication. However, the author and IADC make no representation, warranty, or guarantee in connection with this publication and hereby expressly disclaim any liability or responsibility for loss or damage resulting from its use or for the violation of any regulation that this publication may mention or with which this publication may conflict.*

Access to copies of the *Federal Register* from 2 January 1994 onward is available from the Federal Register [Main Page](#). Hyperlinks to referenced regulatory and other documents are provided where they are known.

The public may identify rulemaking proposals that are open for public comment, and may submit comments on those rulemaking proposals via the “[Regulations.gov](#)” website.

To report errors in this document, provide comments, or for further information, please contact [Joe Hurt](#) or [Paul Breaux](#).

“ ● ” This symbol denotes information added or significantly modified since the previous edition.

**Entries in red indicate regulations entering into force which may require immediate action on the part of drilling contractors to assure compliance.**

### **Department of Homeland Security (DHS)**

#### **Health & Human Services (HHS)**

- **Taking Open-Circuit Self-Contained Breathing Apparatus Remaining Service-Life Indicator Performance Requirements.** (CDC-2012-0009 / NIOSH-258) (RIN 0920-AA38; 42 CFR 84) On 25 June 2012 ([77 FR 37862](#)) HHS issued an NPRM that proposes to update the respirator certification standards for open-circuit SCBA remaining service-life indicators. Their intent is to allow greater latitude in the setting of the indicator to ensure that the alarm more effectively meets the different worker protection needs of different work operations. This revision sets the default service life at 25% of rated service and also allows a higher setting, adjusted by the manufacturer at the request of the purchaser. Comment due date: 24 August 2012. The most recent Unified Agenda indicated that a **final action is planned for March 2013.**

## **Department of Justice (DOJ)**

### **Drug Enforcement Administration (DEA)**

**Inclusion of Non-Serious Offense Identification Records (FBI-111P).** (RIN 1110-AA25; 28 CFR 20) On 5 September 2006 (71 FR 52302) published a **NPRM** to amend the FBI regulations defining offenses that may serve as the basis for maintaining fingerprints and criminal history record information (CHRI) in its criminal history record information systems. The revised regulation will permit the retention and exchange of fingerprints and CHRI relating to non-serious offenses (NSO) when provided by the submitting jurisdiction for retention by the FBI. Such NSO information is currently maintained only at the State and local levels. The change allows for the more uniform collection of CHRI at the Federal level. Comments were due by 6 November 2006. The most recent Unified Agenda indicated that a **final action is planned for July 2013**.

## **Department of Labor (DOL)**

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

- **Updating OSHA Standards Based on National Consensus Standards - Personal Protection Equipment. (OSHA-2011-0184)** (RIN 1218-AC65; 29 CFR 1910, 1915, 1917, 1918 and 1926) This planned rulemaking, which is a multi-year project, will incorporate the latest PPE consensus standard for the general, construction, and maritime industries. No FR entry has been published to date with the exception of a notice describing the project in November 2004 (69 FR 68283). On 16 November 2012 ([77 FR 68717](#)) OSHA **withdrew the NRPM and confirmed the effective date of 20 September 2012 for the direct final rule (77 FR 68684)**.

**Occupational Injury and Illness Recording and Reporting Requirements- NAICS Update and Reporting Revisions. (OSHA-2010-0019).** (RIN 1218-AC50; 29 CFR 1904) On 22 June 2011 ([76 FR 36414](#)) OSHA issued a **Proposed Rule**, which proposes to update its Injury and Illness Recording and Reporting regulation. On 28 September 2011 ([76 FR 59952](#)) OSHA reopened the comment period on this proposed rulemaking due to a request from the National Automobile Dealers Association. New Comment due date: 30 October 2011. The most recent Unified Agenda indicated that comments **should be analyzed by May 2013**.

**NOTE:** [On 12 September IADC submitted [comments](#) regarding this proposed policy change]

**Occupational Injury Illness Recording and Reporting Requirements. (OSHA-2009-0044)** (RIN 1218-AC45; 29 CFR 1904) On 29 January 2010 ([75 FR 4728](#)) OSHA issued a **Proposed Rule** (with an announcement of public meeting) to revise its Occupational Injury and Illness Recording and Reporting (Recordkeeping) regulation to restore the column to the OSHA 300 Log that employers would use to record work-related musculoskeletal disorders (MSD). On 17 May 2011 ([76 FR 28383](#)) OSHA issued a Notice of limited reopening of rulemaking record. OSHA, after numerous small business teleconferences, decided to reopen the comments period to allow, in particular, small businesses on the information issues raised during the teleconferences, which included their experiences recording work-related MSDs and how they believe that they

would be impacted by OSHA's revised recordkeeping with regards to restoring a column on the OSHA 300 log if the case is an MSD. Comment due date: 16 June 2011. The most recent Unified Agenda indicated that the **next action is "to be determined."**

**Walking Working Surfaces and Personal Fall Protection Systems (Slips, Trips and Fall Protection) (OSHA-2007-0072; No. S-029)** (RIN: 1218-AB80; 29 CFR 1910) On 10 April 1990 (55 FR 13360), OSHA proposed a rule addressing slip, trip, and fall hazards and establishing requirements for personal fall protection systems. On 24 May 2010 ([75 FR 28862](#)) OSHA issued a second **NPRM**, which proposes to revise the walking-working surfaces standards and the PPE standards in the regulations. OSHA believes that the proper use of fall protection systems can protect employees from injury and death due to falls at different elevations. The most recent Unified Agenda indicated that a **final rule is planned for August 2013.**

## **Department of Transportation (DOT)**

### **Federal Motor Carrier Safety Administration (FMCSA)**

**Hours of Service of Drivers of Commercial Motor Vehicles; Regulatory Guidance for Oilfield Exception (FMCSA-2012-0183)** (RIN not listed; 49 CFR 395) On 5 June 2012 ([77 FR 33098](#)) FMCSA issued a Notice of regulatory guidance with a request for comments. This notice announces revisions of the regulatory guidance to clarify the applicability of the "Oilfield Operations" exceptions in 49 CFR 395.1(d) to the "Hours of Service of Drivers" regulations, and requests comments on the revision. Effective date: 5 June 2012. Comment due date: 6 August 2012. On 6 August 2012 ([77 FR 46640](#)) FMCSA issue a notice of public listening sessions and an extension of the comment period. The listening sessions will be held on 17 August 2012 in Denver, Colorado, and on 21 August 2012 in Pittsburgh, Pennsylvania. **Comment due date (extended): 5 October 2012**

**Amendment to Agency Rules of Practice (FMCSA-2011-0259)** (RIN 2126-AB38; 49 CFR 386) On 13 December 2011 ([76 FR 77458](#)) FMCSA issued a **NPRM**, which proposes to amend its rules of practice in three aspects. They are:

- Clarify that paying the full proposed civil penalty in an enforcement proceedings, either in response to a Notice of Claim (NOC) or later in the proceeding, would not allow respondents to unilaterally avoid an admission of liability for the violations charged;
- Agency proposes to establish procedures for issuing out-of-service orders to motor carriers, intermodal equipment providers, brokers, and freight forwarders it determines are reincarnations of other entities with a history of failings to comply with statutory or regulatory requirements. The procedures would provide for an administrative review before the out-of-service order takes effect; and
- Agency proposes procedures for consolidating Agency records of reincarnated companies with their predecessor entities.

Comment due date: 12 January 2012. On 26 April 2012 ([77 FR 24863](#)) FMCSA issued a **Final Rule. Effective date: 29 May 2012**

- **Commercial Driver's License Drug and Alcohol Clearinghouse.** (RIN 2126-AB18; 49 CFR 382) This rulemaking would create a central database for verified positive controlled substances

and alcohol test results for commercial driver's license (CDL) holders and refusals by such drivers to submit to testing. This rulemaking would require employers of CDL holders and service agents to report positive test results and refusals to test into the database. Prospective employers, acting on an application for a CDL driver position with the applicant's written consent to access the database, would query the database to determine if any specific information about the driver applicant is in the database before allowing the applicant to be hired and to drive CMVs. This rulemaking is intended to increase highway safety by ensuring CDL holders, who have tested positive or have refused to submit to testing, have completed the U.S. DOT's return-to-duty process before driving CMVs in interstate or intrastate commerce. It is also intended to ensure that employers are meeting their drug and alcohol testing responsibilities. The most recent Unified Agenda indicated that a **NPRM is planned for April 2013.**

**Harmonizing Schedule I Drug Requirements (FMCSA-2011-0073)** (RIN 2126-AB35; 49 CFR 382 and 391) On 8 July 2011 FMCSA ([76 FR 40306](#)) issued a **NRPM**, which proposes to amend the physical qualifications for drivers and the instructions for the medical examination report to clarify that drivers may not use Schedule I drugs and be qualified to drive commercial motor vehicles. On 30 January 2012 ([77 FR 4479](#)) the FMCSA issued a **Final Rule**, which confirms that drivers with CDLs cannot use Schedule I drugs and the rule also harmonizes FMCSA's provisions regarding pre-employment and return-to-duty test refusals with corresponding DOT-wide provisions. It also corrects the inaccurate uses of the term "actual knowledge." Effective date: 29 February 2012

**NOTE:** 22 February 2012 ([77 FR 10391](#)) FMCSA issued a correction to the final rule, which corrected some printing errors to the Form 649-F Medical Examinations Report for Commercial Driver Fitness Determination. **Effective date: 22 February 2012**

**Electronic On-Board Recorders and Hours of Service Supporting Documents (FMCSA-2010-0167)** (RIN 2126-AB20; 49 CFR 385, 390, and 395) On 1 February 2011 ([76 FR 5537](#)) FMCSA issued a **NPRM**, which proposes to amend the regulations to require certain motor carriers operating commercial motor vehicles in interstate commerce to use electronic on-board recorders (EOBRs) to document their drivers' hours of service (HOS). On 13 February 2012 ([77 FR 7562](#)) FMCSA issued a Notice of Intent, which indicates that they plan to move forward on this rulemaking by publishing a **SNPRM**.

**Hours of Service of Drivers (FMCSA-2004-19608)** (RIN 2126-AB26; 49 CFR 385, 386, 390, and 395) On 29 December 2010 ([75 FR 82170](#)) FMCSA issued a **NPRM**, which proposes to revise the regulations for hours of service for drivers of property-carrying commercial motor vehicles (CMV). On 27 December 2011 ([76 FR 81134](#)) FMCSA issued a **Final Rule**, which revises the HOS to limit the use of the 34-hour restart provision to once every 168 hours and to require that anyone using the 34-hour restart provision have as part of the restart two periods that include 1 a.m. to 5 a.m. It also includes a provision that allows truckers to drive if they have had a break of at least 30 minutes, at a time of their choosing, sometime within the previous 8 hours. The current 11-hour driving limit remains unchanged, as does the 60- and 70- hour limits. The purpose of the rule is to limit the ability of drivers to work the max number of hours currently allowed, or close to the max, on a continuing basis to reduce the possibility of driver fatigue. Long daily and weekly hours are associated with an increased risk of crashes and with the chronic health conditions associated with lack of sleep. **Effective date: 27 February 2012**

**National Registry of Certified Medical Examiners (FMCSA-2008-0363)** (RIN 2126-AA97; 49 CFR 390 and 391) On 1 December 2008 ([73 FR 73129](#)) FMCSA issued a NPRM, which proposes to establish and maintain a National Registry of Certified Medical Examiners (NRCME) and to require that all medical examiners, who conduct medical examinations for interstate commercial motor vehicle drivers, complete certain training concerning FMCSA physical qualification standards, pass a test to verify understanding of those standards, and maintain competence by periodic training and testing. On 20 April 2012 ([77 FR 24104](#)) FMCSA issued a **Final Rule**, which established the National Registry of Certified Medical Examiners with the requirements that all medical examiners, who conduct physical examinations for interstate commercial motor vehicle (CMV) drivers, meet designated criteria to be placed on the registry. After the transition period, wherein the medical providers are required to be trained and tested, the National Registry will only accept, as valid, medical examiner certificates issued by a medical examiner that is listed on the National Registry. Effective date: 21 May 2012. **Compliance date: 21 May 2014**

**Medical Certification Requirements as Part of the Commercial Driver's License (CDL); Extension of Certificate Retention Requirements (FMCSA-1997-2210)** (RIN 2126-AB39; 49 CFR 391) On 16 November 2011 ([76 FR 70661](#)) FMCSA issued a **Final Rule**, which amends its regulations to keep them into effect until 30 January 2014, for an interstate driver to retain on their person a copy of their medical certificate. **Effective date: 15 December 2011**

**Limitations on the Issuance of Commercial Driver's Licenses with a Hazardous Materials Endorsement (FMCSA-2001-1117)** (RIN 2126-AA70; 49 CFR 383) On 29 April 2005 ([70 FR 22268](#)) FMCSA issued an **Interim Final Rule**, effective when issued, that amends the Federal Motor Carrier Safety Regulations to cross-reference the TSA's compliance date as the date when FMCSA companion requirements also become applicable. Consistent with TSA regulations, FMCSA also reduced the amount of advance notice that States must provide to drivers that a security threat assessment will be performed when they renew a hazardous materials endorsement. The most recent Unified Agenda indicated that the **next action is "to be determined."**

**Unified Registration System (FMCSA-97-2349)** (RIN 2126-AA22; 49 CFR 360, 365, 366, 368, 387 and 390) On 26 October 2011 ([76 FR 66506](#)) FMCSA issued a **SNPRM**, which responds to comments to the 2005 Unified Registration System (URS) NRPM, incorporates new proposals implementing requirements imposed by final rules published after the 2005 URS NPRM, and includes new proposals to implement certain provisions of the Safe, Accountable, Flexible, Efficient, Transportation Equity Act. The FMCSA believes the proposed URS would improve the registration process for motor carriers, property brokers, freight forwarders and other entities that register with FMCSA. Comment due date: 27 December 2011. The most recent Unified Agenda indicated that FMCSA is planning a **final rule for April 2013**.

## **Pipeline and Hazardous Materials Safety Administration (PHMSA)**



**Hazardous Materials; Miscellaneous Amendments Pertaining to DOT Specification Cylinders (RRR) (PHMSA-2011-0140)** (RIN 2137-AE80; 49 CFR 171, 172, 173, 178 and 180) On 29 May 2012 ([77 FR 31551](#)) PHMSA issued an **ANPRM**, which states that they are considering amendments to the Hazardous Materials Regulations to revise certain requirements applicable to the manufacture, use and requalification of DOT specification cylinders. Comment due date: 27 August 2012. The most recent Unified Agenda indicates that an **NPRM is planned for October 2013.**

**Hazardous Materials Regulations: Combustible Liquids (PHMSA-2009-0241).** (RIN 2137-AE52; 49 CFR 172, 173, and 176) On 5 April 2010 ([75 FR 17111](#)) PHMSA issued an **ANPRM**, which states that PHMSA is considering amendments to the Hazardous Materials Regulations as they apply to the transportation of combustible liquids. On 30 May 2012 ([77 FR 31815](#)) PHMSA has **withdrawn** the ANPRM.

### **Environmental Protection Agency (EPA)**

*Note: EPA initiatives are, where appropriate, categorized and listed in association with the source of the legislative authority for the regulatory action, e.g., Clean Air Act. EPA rulemaking dockets can be accessed at the "[regulations.gov](#)" website.*

### **Resource Conservation and Recovery Act (RCRA)**

**Hazardous Waste Management System: Modification of the Hazardous Waste Manifest System. (EPA-HQ-RCRA-2001-0032)** (RIN 2050-AG20; 40 CFR 260 thru 265, and 271) On 26 February 2008 ([73 FR 10204](#)) the EPA published a notice of availability and request for comments regarding the electronic manifest (e-Manifest) project. This project is to develop a centralized web-based information technology system for electronic manifests. Comment due date: 11 April 2008. The most recent Unified Agenda indicated that a **final action is "to be determined."**

**Modifications to RCRA Rules Associated with Solvent-Contaminated Shop Towels and Wipes (SAN 4091).** (RIN 2050-AE51; 40 CFR 261) A proposed rule was originally scheduled for November 2002. On 20 November 2003 ([68 FR 65586](#)), EPA issued a **NPRM** proposing: to conditionally exclude from the definition of hazardous waste disposable industrial wipes that are contaminated with hazardous solvents and are going to disposal and to conditionally exclude from the definition of solid waste reusable industrial shop towels and rags that are contaminated with hazardous solvents and are sent for laundering or dry cleaning. On 15 December 2009 ([74 FR 66259](#)) the EPA is extending the comment period for 60 days. Comment due date: 26 February 2010. The most recent Unified Agenda indicated that a **final action is planned for October 2013.**

### **EPA – Clean Air Act (CAA)**

**Protection of Stratospheric Ozone: Listing of Substitutes for Ozone-Depleting Substances-Fire Protection.** (RIN 2060-AQ84; 40 CFR 82) The planned final direct rulemaking, which is expected to be out in August 2011, would list as acceptable (subject to use restrictions) a substitute for ozone-depleting substances in the fire suppression and explosion protection sector under EPA's Significant New Alternatives Policy (SNAP) Program.

On 19 September 2012 (77 FR 58035) the EPA issued a Direct Final Rule, to list the three substitutes for ozone-depleting substances as stated in the NPRM. Effective date: 18 December 2012 (unless adverse comments are received on NPRM). The most recent Unified Agenda indicates that a **final action is planned for May 2013.**

- **Implementing Periodic Monitoring in Federal and State Operating Permit Programs (SAN 4699.2)** (RIN 2060-AN00; 40 CFR 70 and 71) This rule would revise the Compliance Assurance Monitoring rule (40 CFR 64) to be implemented through the operating permits rule (40 CFR part 70) to define when periodic monitoring must be created, and to include specific criteria that periodic monitoring must meet. This proposed rulemaking was **withdrawn on 2 April 2012.**

**Protection of Stratospheric Ozone; Refrigerant Recycling; Modifications to the Technician Certification Requirements under Section 608 of the Clean Air Act (SAN 4901)** (RIN: 2060-AM55; 40 CFR 82) This rule would amend the Standards for Becoming a Certifying Program for Technicians to clarify the scope of the technician certification requirements and to provide a limited exemption from certification requirements for apprentices. The most recent Unified Agenda indicated that a **NPRM is "to be determined."**

- **Protection of Stratospheric Ozone; Refrigerant Recycling; Certification of Recovery and Recovery/Recycling Equipment Intended for use with Substitute Refrigerants (SAN 4916).** (RIN: 2060-AM49; 40 CFR 82) This rule would amend the rule on refrigerant recycling equipment intended for use with Substitute Refrigerants. The most recent Unified Agenda indicated that an **NPRM is planned for April 2013.**

**National Emission Standards for Hazardous Air Pollutants: General Provisions (OAR-2004-0094).** (RIN 2060-AM75; 40 CFR 63) On 3 January 2007 ([72 FR 69](#)) EPA issued a proposed rule with amendments to the General Provisions to the NESHAP. The Spring 2011 Unified Agenda indicated that a **final action is "to be determined"** and the most recent Unified Agenda did not address this rulemaking.