



U.S. Environmental Protection Agency
 Final Plan for Periodic Retrospective Reviews of Existing Regulations
Progress Report, January 2012

EPA Plan #	Agency / Sub-Agency	RIN / OMB Control Number	Title of Initiative / Rule / ICR	Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments	Notes
2.1.1 and 2.1.11(a)	EPA/OAR	RIN 2060-AQ86	Gasoline and diesel regulations: reducing reporting and recordkeeping. Vehicle regulations: harmonizing criteria air pollutant requirements with CARB	As part of the Tier 3 vehicle and fuel standards rule, EPA intends to review existing gasoline and diesel regulations that apply to fuel producers, ethanol blenders, fuel distributors, and others for areas where recordkeeping and reporting obligations can be modified to reduce burden. In regard to vehicle regulations, EPA plans to assess and take comment on opportunities to harmonize testing and compliance requirements with CARB's vehicle emission standards. This review is expected to be done in conjunction with the rulemaking on the next set of vehicle and fuel standards, known as Tier 3 motor vehicle emission and fuel standards, informed by public comments received during the public outreach process.	EPA expects to propose the Tier 3 rule in March 2012.	EPA will propose a number of amendments to the fuels program regulations in 40 CFR part 80. With regard to regulatory streamlining, the majority of these items involve clarifying vague or inconsistent language, removal or updating of outdated provisions, and decreasing the frequency and/or volume of reporting burden where data is either no longer needed or is redundant in light of other EPA fuels programs. In general, we believe that these changes would reduce burden on industry with no expected adverse environmental impact. In addition, EPA will request comments on potential areas in the fuel regulations that may benefit from a more comprehensive streamlining effort. The Tier 3 rule will also harmonize federal vehicle criteria pollutant emission standards with CARB's LEV III standards, allowing the auto manufacturers to more efficiently produce on fleet of vehicles that will meet all the standards. This is directly responsive to the auto manufacturers input during the regulatory review comment process.	The Tier 3 proposal is undergoing internal review. A Small Business Advocacy Review Panel to obtain advice and recommendations of representatives of the small entities potentially subject to the rule's requirements was completed on October 3, 2011.	40 CFR Part 80 - Regulation of Fuels and Fuel Additives Subpart D - Reformulated Gasoline (80.40 through 80.89) Subpart E - Anti-Dumping (Conventional Gasoline) (80.90 through 80.124) Subpart H - Gasoline Sulfur (80.180 through 80.415) Subpart J - Gasoline Toxics (MSAT1) (80.800 - 80.1045) Subpart L - Gasoline Benzene (MSAT2) (80.1200 - 80.1363)
2.1.2(a.)	EPA/OAR	RIN 2060-AP66	Equipment and leak detection and repair: reducing burden	EPA intends to reduce burden on industry and streamline leak detection and repair (LDAR) by using an optical gas imaging instrument to find leaks.	EPA expects to propose Alternative Work Practices for Leak Detection and Repair, Amendments after 2.1.2(b) is finalized.	Using the optical gas imaging instrument will reduce monitoring time since the instrument can image multiple pieces of equipment simultaneously from a distance, which also removes the need to designate equipment as unsafe-to-monitor or difficult-to-monitor.		
2.1.2(b.)	EPA/OAR	RIN 2060-AR00	Equipment and leak detection and repair: reducing burden	EPA intends to reduce burden by developing and consolidating state-of-the-art uniform standards for controlling equipment leaks that will then become applicable when they are reference in other regulatory actions.	EPA expects to propose the Uniform Standards for Equipment Leaks and Ancillary Systems in March 2012.	Significant burden reduction in the reporting requirements will be achieved by referencing the Equipment Leaks Uniform Standard due to consistency of monitoring, recordkeeping, and reporting requirements for equipment leaks in the chemical and refining industries. We estimate that each refinery and chemical facility will save \$11,330/year and \$946, respectively. The uniform standard also contains provisions for use of an optical gas imaging instrument to detect leaks, where permissible.	The proposed rule is under development.	

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2.1.3	EPA/OECA and EPA/OW		Regulatory certainty for farmers: working with the U.S. Department of Agriculture (USDA) and states	EPA is working with USDA and state governments to explore flexible, voluntary approaches for farmers to achieve water quality improvements.	EPA intends to continue to work with Chesapeake Bay States to build programs with interested States. We plan to continue to work with Regions to explore interest in other States.	Anticipated benefits include increased adoption of best management practices BMPs that reduce runoff of excess nutrients and sediment.	In October, EPA met with Chesapeake Bay State Agriculture and Environment Directors. In November, EPA met with Bay state officials and key stakeholder groups. An anticipated outcome is that one or more of these states adopt certainty programs that encourage more farmers to adopt BMPs to reduce runoff of excess nutrients and sediment. In January, EPA signed an agreement with Minnesota on "Engaging in a State and Federal Partnership in Support of the Minnesota Agricultural Water Quality Certification Program."	
2.1.4	EPA/OCSP		Modern science and technology methods in the chemical regulation arena: reducing whole animal testing, reducing costs and burdens and improving efficiencies	EPA seeks ways to more efficiently assess the health and environmental hazards, as well as the exposure potential, of chemicals while reducing costs and burdens. A new work plan would develop new science-based approaches like computational toxicology tools to prioritize chemicals for risk assessment/management purposes and to develop tools that allow the agency to base these risk management decisions on sufficient, credible data.	EPA intends to apply Tox 21 methods to prioritize certain chemicals by the end of 2012.	The initial benefits will be to decrease the time it takes to collect the necessary information to make decisions from years to months. The cost savings will initially be on the time and thus costs in generating and reviewing data for both industry and EPA.	For the endocrine disrupter program, EPA published the EDSP21 plan summary in November 2011. The summary sets forth a timeline for integrating high speed methods (known as Tox 21 methods) into the EDSP program. EPA anticipates that it will be able to apply these methods to prioritize certain chemicals in 2012. Development of a methodology for validating these Tox 21 methods will take place in 2012 and peer review of these validation methods is expected in 2013. EPA also established a stakeholder workgroup in 2011 under the Pesticide Program Dialogue Committee. That workgroup is addressing communication and transition issues as EPA phases in these new test methods into its pesticide registration and review programs.	http://www.epa.gov/endo/pubs/regsaspects/index.htm
2.1.5 and 2.1.7	EPA/OCSP	RIN 2070-AJ75	Electronic online reporting of health and safety data under TSCA, FIFRA and FFDC: reducing burden and improving efficiencies. Quick changes to some TSCA reporting requirements; reducing burden.	EPA is exploring transitioning from paper-based reporting to electronic reporting for industries regulated under TSCA, FIFRA, and FFDC. Online electronic reporting can reduce burden and costs for regulated entities. The changes to TSCA reporting requirements are intended to reduce reporting burdens and to clarify reporting requirements. Considerations include the submission of an electronic copy in the place of 6 paper copies, the additional requirement of including "Robust Summaries" of test results with test data, and the use of the Inventory Update Reporting Form to format submission of preliminary assessment information.	EPA expects to issue a proposal related to Electronic reporting under TSCA March 2012. With regard to electronic reporting under FIFRA & FFDC, on October 14, 2011, EPA implemented an electronic submission option that covers all significant aspects of the pesticides registration and review processes. EPA provided detailed guidance and a downloadable tool to facilitate electronic submission via CD/DVD of registration applications and responses to registration review and endocrine disruptor screening program orders.	Online electronic reporting can reduce burden and costs for the regulated entities by eliminating the costs associated with printing and mailing reports to EPA, many of which are required in multiple copies, completing the forms through loop-up features and error checks, and maintaining paper records. It can also increase efficiencies in terms of record retrieval and information sharing within the company. At the same time, it can improve EPA's efficiency in reviewing the submissions, in particular the length scientific studies. The regulated community has indicated that these savings could be substantial, but there may be an initial offset from burden related to initial registration into the system that will be used for the online reporting portal.	EPA expects to issue the proposal by spring 2012.	Includes components of 2.1.7.

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2.1.6	EPA/OSWER		National Priorities List rules: improving transparency	EPA will improve transparency in the NPL listing process by considering ways for states, local govts, and tribes to have meaningful input to listing decisions.	EPA intends to address this programmatic concern through the ongoing Integrated Cleanup Initiative from the third quarter of fiscal year 2011 through the fourth quarter of FY 2012.		This activity is extended into the fourth quarter of 2012 due to the additional time needed to complete guidance for use of model governors' letter considering essential input from states. EPA has worked with the Association of State and Territorial Solid Waste Management Officials, Site Evaluation Focus Group to identify best practices and guidance suggestions for improving transparency and effectiveness of the site assessment and listing process. A draft model letter has been piloted that described the rationale for listing and encourages state input on listing and other options. The guidance will address transparency and how the letter is to be used given the diverse relationships among the many states' site assessment programs. A similar letter and guidance will be developed for tribes when sites are on tribal lands in accordance with EPA's May 2011 Policy on Consultation and Coordination with Indian Tribes. Guidance is also under development for additional community engagement during Superfund site assessment activities.	
2.1.7	EPA/OCSPP		Quick Changes to some TSCA reporting requirements: reducing burden	The burden reducing aspects have been merged with 2.1.5 and will be discussed as part of that entry in future reports.				
2.1.8	EPA/OW	RIN 2040-AF25	National Pollutant Discharge Elimination System (NPDES): coordinating permit requirements and removing outdated requirements	EPA intends to review the regulations that apply to the issuance of NPDES permits, which are the wastewater permits that facility operators must obtain before they discharge pollutants to any water of the United States. EPA intends to revise or repeal outdated or ineffective regulatory requirements for wastewater facilities.	EPA expects to propose modifications to NPDES permit regulations by April 2012.	EPA estimates that public notice of draft permits in newspapers for NPDES major facilities, sewage sludge facilities and general permits currently costs approximately \$1.6 million per year (this excludes the costs of preparing the content of the NPDES public notice, and the costs of the other methods to provide notice besides newspaper publication, such as direct mailing). Any savings from EPA's planned rule, however, are likely to be less than this amount. The new rule would allow, but not require states and the Federal Government to use electronic public notice instead of newspaper publication. Some states would continue to publish at least some notifications in newspapers. In addition, there would be offsetting costs to provide electronic notice, and EPA does not currently have estimates of those costs.		

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2.1.9	EPA/OW		National primary drinking water regulations - Long Term 2 Enhanced Surface Water Treatment: evaluating approaches that may maintain, or provide greater, public health protection	EPA intends to evaluate effective and practical approaches that may maintain, or provide greater protection of, the water treated by public water systems and stored prior to distribution to consumers. EPA plans to conduct this review expeditiously to protect public health while considering innovations and flexibility.	The review process for LT2-will be completed in conjunction with the 6-year review process, no later than March 2016.		EPA held a stakeholder meetings on LT2 on December 7, 2011 on methods-related items and plans to hold a stakeholder meeting in spring 2012 on uncovered resevoirs and possibly other issues. EPA expects to issue a Federal Register notice with more information for future meetings.	The National Primary Drinking Water Regulations: Long Term 2 Enhanced Surface Water Treatment Rule RIN 2040--AD37 was promulgated, January 5, 2006.
2.1.10 and 2.2.3	EPA/OW		Combined Sewer Overflows (CSOs) and integrated planning for other municipal wastewater and stormwater sources, including sanitary sewer overflows (SSOs) and publicly owned treatment works (POTWs) infrastructure clean water investments	When EPA requested public comments on how we should meet the Executive Order 13563, several commentors raised concerns that EPA, states and municipalities often focus on Clean Water Act requirements applicable to municipalities, including requirements for CSOs, SSOs and other wet weather discharges, individually, assessing and implementing the best alternative to solve one problem at a time without adequate consideration of the entire water quality challenge facing a community. This review is included in the Plan so that EPA can gather additional information on how to better promote green infrastructure, to promote more cost-effective remedies to CSO, SSO and other wet weather violations and to identify additional approaches that balance competing CWA requirements and allows municipalities to develop a comprehensive plan that addresses CSOs, SSOs, stormwater and other municipal CWA requirements in a way that focuses their resources on the most pressing public health and environmental protection issues first.	EPA initiated this review by meeting with the U.S. Conference of Mayors twice in 2011 to discuss CSO issues and an integrated planning approach to address municipal wastewater (CSOs, SSOs and POTWs) and stormwater sources. The integrated municipal planning approach supports a framework that municipalities can use to identify priorities for their infrastructure investments to meet their Clean Water Act requirements in a more cost-effective manner. The integrated municipal planning approach encourages the consideration and use of various innovative approaches, such as green infrastructure to reduce CSO, POTW and stormwater discharges, that may be more sustainable. EPA will hold five additional workshops in January and February of 2012 to gain additional stakeholder input on the integrated planning approach. The meetings will be announced in a Federal Register Notice that should be published the week of January 9, 2012.	This effort will encourage municipalities to develop and implement plans that will help them meet their water quality objectives in the most cost-effective way. It will allow municipalities to take advantage of some innovative practices, such as green infrastructure, that can be used to address several issues, such as CSOs, SSOs, and stormwater discharges. Green infrastructure offers municipalities other benefits as well, such as making their communities more liveable, reducing the urban heat island effect, and saving energy.	On October 27, 2011, EPA Assistant Administrators Nancy Stoner and Cynthia Giles signed the memorandum "Achieving Water Quality Through Integrated Municipal Stormwater and Wastewater Plans". The memo was issued to the EPA Regions to assure the EPA works with states and communities to get the most effective as well as cost-effective approaches for meeting shared objectives of clean water that protects public health and the environment. In the memo, EPA committed to hold meetings with states and local governments, utilities and environmental groups to obtain their feedback on a draft integrated planning approach framework to help EPA, work with state and local governments toward cost effective decisions. In addition, EPA participated in a workshop of other stakeholder to discuss CSO issues and the integrated municipal planning approach. The workshop was held on December 13, 2011 and organized by NACWA. Stakeholders included NGOs representing municipal public works officials, elected officials, environmental advocacy groups and State NPDES agencies.	
2.1.11(a)	EPA/OAR	RIN 2060-AQ86	Vehicle regulations: harmonizing requirements	This review is of the same regulation discussed in 2.1 and will only be discussed in future reports as 2.1				

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2.1.11(b)	EPA/OAR	RIN 2060-AQ54	Vehicle Regulations: harmonizing requirements for GHG and Fuel Economy Standards	EPA and NHTSA have proposed a joint rulemaking to propose greenhouse gas (GHG) and Corporate Average Fuel Economy (CAFE) standards for model years 2017-2025 light-duty vehicles. Harmonizing compliance could include streamlining reporting and credit trading systems and updating testing protocols to meet the needs of all three agencies. As part of this process, EPA and DOT are taking comment on opportunities to further harmonize compliance requirements of the two agencies. This was recommended by an auto industry representative during the public comment process for this Plan.	EPA expects to issue a final rule in August 2012.	The rulemaking is directly responsive to requests from the auto industry to harmonize DOT's fuel economy standards, EPA's greenhouse gas standards and CARB's greenhouse gas standards. This will allow the auto manufacturers to more efficiently produce one vehicle fleet to meet the requirements of the "National Program".	The GHG Vehicle standards proposal was published on December 1, 2011.	http://www.epa.gov/otaq/climate/regulations.htm
2.1.12(a.)	EPA/OAR	RIN 2060-AQ41	Multiple air pollutants: coordinating emission reduction regulations and using innovative technologies	EPA intends to explore ways to reduce emissions of multiple air pollutants through the use of technologies and practices that achieve multiple benefits, such as controlling hazardous air pollutant emissions while also controlling particulate matter and its precursor pollutants. An early example of this approach is a rule amending pollution-control requirements for the pulp and paper industry.	EPA expects to issue a final rule in July 2012.	Market analysis found that the proposal is likely to induce minimal changes in the average national price of paper and paperboard products. The control costs for the proposed rule amendments are estimated to be approximately \$4.1M per year with associated emission reductions of approximately 4,100 tons per year of HAP. Total industry costs (repeat testing/monitoring and incremental reporting/recordkeeping requirements in addition to controls) are estimated to be approximately \$2.1M per year.	In December 2011 EPA proposed National Emission Standards for Hazardous Air Pollutants From the Pulp and Paper Industry.	http://www.epa.gov/ttn/atw/pulp/pulppg.html

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2.1.12(b.)	EPA/OAR	RIN 2060-AR02	Multiple air pollutants: coordinating emission reduction regulations and using innovative technologies	<p>EPA intends to explore ways to reduce emissions of multiple air pollutants through the use of technologies and practices that achieve multiple benefits, such as controlling hazardous air pollutant emissions while also controlling particulate matter and its precursor pollutants. The first rule to use this approach is a consolidated rule for the chemical industry. This first action addresses significant unregulated hazardous air pollutant (HAP) emissions, the vacatur of the startup, shutdown and malfunction provisions and other necessary changes to the standards. The nine source categories include:</p> <ul style="list-style-type: none"> • Group IV Polymers and Resins <ul style="list-style-type: none"> o Acrylic-Butadiene-Styrene Production o Methyl Methacrylate-Acrylonitrile-Butadiene-Styrene Production o Methyl Methacrylate-Butadiene-Styrene Production o Nitrile Resins Production o Polyethylene Terephthalate Production o Polystyrene Production o Styrene-Acrylonitrile Production • Pesticide Active Ingredient Production • Polyether Polyols Production 	EPA expects to finalize the Risk and Technology Review for these 9 source categories in 2012.	Significant burden reduction in the recordkeeping and reporting requirements will be achieved by referencing a set of uniform standards, issued under item 2.1.2(b) in this Plan, which provide a consistent set of monitoring, recordkeeping, and reporting requirements for common emission points common in the chemical industry. We estimate that each chemical manufacturing facility will save \$8,685/year from this aspect of the rule. Savings arising from other aspects of the multiple-pollutant approach will be calculated as the chemical-industry rule is developed.		
2.1.13	EPA/OAR	RIN 2060-AO60	New Source Performance Standards (NSPS) reviews and revisions under the CAA: setting priorities to ensure updates to outdated technologies	This review is included in the Plan to ensure that EPA prioritizes NSPS reviews to focus on those that, in keeping with EO 13563, promote innovative technologies while upholding EPA's mission to protect human health and the environment.	EPA issued an advanced notice of proposed rulemaking in October 2011.	This strategy will reduce the resource burden to the government and stakeholders by eliminating the need for costly and time consuming reviews of certain standards, which are not expected to result in any environmental benefits.		76 FR 65653 http://federalregister.gov/a/2011-27441
2.1.14	EPA/OAR		CAA Title V Permit programs: simplifying and clarifying requirements	EPA is reviewing the Title V implementation process to determine whether changes can be made to simplify and clarify the process for industry, the public, and government resources.	EPA expects to be able to identify options for future improvements by the end of 2012.	EPA believes the improvements will reduce burden on the public, the permitting agencies and the permittees. This action should realize a benefit of \$200 to \$300 per permit revision when fully implemented.	EPA began the review process to implement this recommendation during the fall of 2011. EPA is reviewing the Title V implementation process to identify areas for improvement and is developing options for possible improvements to include in a potential future action.	

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2.1.15	EPA/OP		Innovative technology: seeking to spur new markets and utilize technology	EPA intends to assess technology during retrospective reviews and new rulemakings to help encourage development of innovative technologies that reduce costs. EPA also plans to update monitoring and testing protocols to allow the use of new methods and technologies, where feasible. Support for the newly formed regional water technology innovation cluster will continue.	EPA expects to complete the pilot(s) in 2012.	This action is not designed to reduce costs or information burdens; its desired outcome is to stimulate the incorporation of the most up to date technology in regulatory programs. The "definitive" results from these pilots are not known; however, EPA hopes to explore the potential for expanding alternative technologies and processes in the market that will offer new possibilities for reducing environmental and health impacts.	The first of two pilots is under way. Discussions to identify second pilot are under way and pilot will be identified by the end of January 2012.	
2.1.16	EPA/OP		The costs of regulations: improving cost estimates	The goals of the Retrospective Cost Study are to evaluate whether ex-ante costs and ex-post costs of regulations differ substantially and, if so, to explore the reasons causing the divergence. If systematic biases in ex ante cost estimates are detected, we hope to identify the source of the biases and determine if there are defensible means of correcting for them in our cost estimation methodology.	An SAB-EEAC Meeting to discuss the Phase 1 report will be held on April 19 and 20, 2012.	The ultimate goals of this effort are to improve our ex-ante cost modeling and to inform future revisions to EPA's Guidelines for Preparing Economic Analyses.	An internal review draft of the Phase 1 rules was completed in December 2011.	
2.2.1	EPA/OAR	RIN 2060-AQ97	Vehicle fuel vapor recovery systems: eliminating redundancy	EPA intends to seek burden reductions for gas stations by eliminating regulatory requirements that call for the use of redundant technology.	EPA intends to issue a final rule in June 2012.	EPA estimates the long-term cost savings associated with this rule to be approximately \$87 million per year (2010\$).	EPA is reviewing comments received on the proposal during the public comment period and working to develop a final rule.	
2.2.2	EPA/OAR	RIN 2060-AP06	New Source Performance Standards (NSPS) under the CAA for grain elevators, amendments: updating outmoded requirements and relieving burden	The NSPS for Grain Elevators was promulgated in 1978 with the latest amendments made in 1984. Since that time there have been a number of changes in the technology used for storing and loading/unloading grain at elevators. The rule has seen increased activity of late, due to the increase in ethanol production that has led to bumper crops of corn being grown, which, in turn, has led to a need for increased grain storage. For these reasons a review and potential change in certain definitions is necessary to ensure the appropriate standards are being applied consistently throughout the industry.	EPA expects to issue a proposed rulemaking by December 2012.	The industry will realize some benefits in regulatory certainty moving forward as the current regulation is being interpreted differently across the country. EPA is revising the standards in response to industry requests for EPA to clarify the standards as they relate to temporary grain storage.	A draft proposed rule is undergoing internal review.	
2.2.3	EPA/OW	RIN 2040-AD02	Sanitary Sewer Overflow (SSO) and peak flow wet weather discharges: clarifying permitting requirements	The SSO review has been folded into the CSO/integrated wet weather planning review and will be discussed as part of 2.1.10 in future reports.				
2.2.4	EPA/OSWER	RIN 2050-AG20	E-Manifest: reducing burden	This rule would establish legal and policy framework for collecting hazardous waste shipment data electronically, thereby replacing the current, burdensome paper manifest system that requires 6-copy forms to be completed, carried and signed manually.	The next step for this action is internal review, which must occur within one year of enactment of legislation authorizing establishment of national system funded by user fees or other funding.	National system could result in annual savings to hazardous waste handlers and states ranging between \$77 million and \$209 million, depending on final system design selected and widespread adoption of e-Manifest by user community.	Technical assistance has been provided to Congress on both a Senate Bill (S.710) and a similar Administration Bill. Finalization of rule in next year is contingent upon enactment of legislation in early calendar year 2012.	

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2.2.5	EPA/OSWER		Electronic hazardous waste Site ID form: reducing burden	EPA is exploring ways to reduce burden for hazardous waste generators, transporters, and permitted waste	EPA estimates that an electronic site ID form could be implemented within a year after the decision is made to move forward.	Electronically submitting Site ID forms would: 1) save in mailing costs; 2) enable better data quality as the data would be entered by the facility itself; 3) increase efficiency of the notification process as the facility could easily submit updates of past submissions (rather than repeatedly filling out the form again and again); and 4) enable states and EPA to receive the updated data faster.	The Site ID proof of concept has recently been deployed to our test server. Select state partners are working with us to analyze both the functional requirements as well as the technical architecture and digital signature components. EPA plans to have testing completed and feedback received in the third quarter of 2012 and will determine next steps based on the findings.	
2.2.6	EPA/OW		Consumer confidence reports for primary drinking water regulations: providing for the open exchange of information	This action is included in the Plan so that EPA can explore ways to promote greater transparency and public participation in protecting the Nation's drinking water.	EPA estimates that a retrospective review of the CCR will be completed by the end of 2013.	EPA estimates a cost savings of approximately \$1,000,000 (2010\$) per year, based on the anticipated reduction in postage and paper costs for systems serving $\geq 10,000$ customers.	In FY 2012, EPA began review of the CCR, including an internal comparison of the statute and CCR rule language and formation of an EPA workgroup. EPA determined that the current rule language will allow for an alternative delivery mechanism (e.g., electronic delivery). To gather information from stakeholders, a Listening Session is scheduled for February 2012. The web-based dialogue will allow for states, utilities, and consumers to provide additional feedback on alternative delivery and on other issues. EPA plans to release a draft alternative delivery guidance in late summer 2012, and conduct an in-person meeting in fall 2012 to obtain feedback from states, utilities and consumers on the draft guidance, and then release the final guidance in early 2013.	National Primary Drinking Water Regulations: Consumer Confidence Reports, RIN 2040-AC99, was promulgated on August 19, 1998.
2.2.7	EPA/OW		Reporting requirements under Section 303(d) of the Clean Water Act (CWA) reducing burden	EPA intends to explore ways to reduce the burden on state governments when reporting on the quality of the Nation's water bodies.	EPA intends to work with the public and states to identify alternative approaches for reducing the burden associated with water quality reporting requirements and to evaluate the impact of changing this reporting cycle under either or both CWA Sections 303(d) and 305(b). EPA plans to complete this review by June 2012.		In late 2011, EPA identified interested participants to work on this effort, which include states, regions, and ACWA, and EPA convened two calls. Bi-weekly calls have also been scheduled from January to March.	CWA Section 303(d) and 305(b) and 40 CFR 130.7 and 40 CFR 130.8
2.2.8	EPA/OCSP		Export notification for chemicals and pesticides: reducing burden and improving efficiencies	EPA plans to evaluate options to reduce regulatory burden on pesticide exporters and foreign countries monitoring these exports, as industry suggests that these requirements do not appear to provide comparable benefits to public health or the environment.	EPA is currently developing a workplan with a timeline for completing this effort within 12 months.		EPA is conducting an internal review of the statutory mandates, regulatory language, and public comments to develop a workplan.	
2.2.9	EPA/OW		Water quality trading: improving approaches	EPA intends to review the 2003 Water Quality Trading Policy to determine whether revisions could help increase adoption of market-based approaches, in which trading is a leading example, to increase the implementation of cost-effective pollutant reductions.	EPA intends to begin this process with a workshop or other forum to be held in 2012.			

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2.2.10	EPA/OW	RIN 2040-AF16	Water quality standard regulations: simplifying and clarifying requirements	EPA intends to review water quality standard (WQS) regulations to identify ways to improve the Agency's effectiveness in helping restore and maintain the Nation's waters and to simplify standards.	EPA intends to propose a targeted set of revisions to the WQS regulation in March 2012, and a final rulemaking in November 2012.	States, tribes, stakeholders, and the public will benefit from the clarifications of the WQS regulations by ensuring better utilization of available WQS tools (variances & designated use change) that allow states and tribes the flexibility to implement their WQS in an efficient manner while providing transparency and open public participation. Although associated with potential administrative burden and costs in some areas, the proposal has the potential to partially offset these costs by reducing regulatory uncertainty and consequently increasing overall program efficiency. This proposal also has the potential to reduce opportunities for mandatory duty lawsuits that deplete EPA resources. Furthermore, more efficient and effective implementation of state and tribal WQS has the potential to provide a variety of economic benefits associated with cleaner water including the availability of clean, safe, and affordable drinking water, water of adequate quality for agricultural and industrial use, and water quality that supports the commercial fishing industry and higher property values. Nonmarket benefits of the proposal include the protection and improvement of public health and greater recreational opportunities.	Pending E.O. 12866 review. More information can be found on www.reginfo.gov .	

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2.2.11	EPA/OAR		State Implementation Plan (SIP) process: reducing burden	EPA intends to reduce hard copies, ensure that certain hearings are held only when needed, minimize the number of expensive newspaper advertisements providing public notice, and explore the potential for certain regulatory changes to be made with less process. These actions should help to simplify the SIP development process, and are expected to conserve state and federal resources, in some cases with an ongoing cost savings. To the extent that final decisions on SIPs are made more quickly as a result of the process improvements, they are expected to provide greater certainty to stakeholders and to the general public.	The timeframes for these milestones will be determined at a later date.	The improvements to the SIP development process will result in a noticeable cost and burden reduction for states. EPA Regions 3 and 5 estimate that such changes will result in approximately \$165,000 to \$180,000 per year in cost savings to their states.	EPA issued two memos related to this actio. The memo "Guidelines for Preparing Letters Submitting State Implementation Plans (SIPs) to EPA and for Preparing Public Notices for SIPs" (11/22/11) was signed by OAR and Region 7 and distributed to states. The letter prepared by a state for submitting a SIP revision has a considerable impact on how quickly a SIP revision may be assigned and determined complete or incomplete, as well as on its approvability and the speed at which EPA can commence the rulemaking process. Similarly, public notices of SIP revisions published by states must include certain content in order to ensure that EPA can approve the SIP revision when it is formally submitted. This memo provides guidance for states regarding the content of SIP submittal letters and public notices of SIP revisions. See Notes for description of the second memo.	The memo "Options and Efficiency Tools for EPA Action on State Implementation Plan (SIP) Submittals" (10/31/11) was also signed by OAR and Region 7 and distributed to states. Full approval of state SIP submittals may not always be appropriate due to legal, technical, or policy considerations and other options may be available to move the process forward pending full approvability. This memo highlights the viable avenues for EPA Federal Register action on SIPs along with the pros and cons associated with each, and identifies additional tools for increased efficiency in the SIP process.
2.2.12	EPA/OW	RIN 2040-AF15	National primary drinking water regulations for lead and copper: simplifying and clarifying assumptions	Efforts to revise the Lead and Copper Rule (LCR) have been ongoing but this review is part of the Plan because, in addition to improving public health protection, EPA intends to seek ways to simplify and clarify requirements imposed on drinking water systems to maintain safe levels of lead and copper in drinking water.	EPA currently expects to issue a proposed rulemaking in October 2012.		Federalism and Tribal consultations were conducted in November and December 2011 and consultation with the National Drinking Water Advisory Council was conducted in July 2011.	The 1991 National Primary Drinking Water Regulations for Lead and Copper RIN 2010-AB51, has been previously reviewed and revised in 2000 RIN 2140-AC27, and 2007 RIN 2040-AE83
2.2.13	EPA/OSWER	RIN 2050-AF08	Adjusting threshold planning quantities (TPQs) for solids in solution: reducing burden and relying on scientific objectivity	EPA is considering revising the manner by which the regulated community would apply the threshold planning quantities (TPQs) for those extremely hazardous substances (EHSs) that are non-reactive solid chemicals in solution. This would allow facilities reporting EHSs for the first time to have larger quantities on-site and not be subject to the reporting requirements.	EPA expects to issue a final rulemaking in August 2012.	If finalized this rule would allow facilities to have larger amounts of EHS solids in solution on site than before without being subject to certain emergency planning requirements. In addition, it is expected that the proposed changes will allow state and local emergency planners can better focus limited resources on amounts of chemicals that will potentially cause the greatest harm and to spend fewer resources on those that pose less harm when released.		http://www.epa.gov/osweroe1/content/epcra/#ame

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2.2.14	EPA/OCSP		Integrated pesticide registration reviews: reducing burden and improving efficiencies	EPA is reviewing the pesticide registration process, as well as other FIFRA requirements.	Near-term examples of chemical bundling include initiating registration reviews for the neonicotinoid insecticides and sulfonylurea herbicides in the next 12-18 months. To enhance label clarity and potentially reduce regulatory burdens on industry by refining data requirements to support pesticide reevaluations, OPP also plans to bring "SMART meetings" (so named under the reregistration program) into the process on the front end of reviews within the next 12 months. "SMART meetings" ensure that EPA and all interested stakeholders begin communicating early in the process to ensure the accuracy of information about pesticide use. Current pesticide use and usage information is vital to the Agency in updating and refining human and ecological exposure and risk assessments during registration review.	Bundling chemicals for Registration Reviews combines efforts and results in cost savings for industry, public, and EPA. In addition, recent post Preliminary Work Plan experience indicates that enhanced label clarity can ultimately reduce or eliminate certain data requirements in select cases, which could reduce cost and burden for industry to generate the data and administratively for EPA.	This fall, EPA discussed reintroducing "SMART meetings" and gained support from a variety of stakeholders and advisory committees, such as the Pesticide Program Dialogue Committee. EPA will pilot different approaches to figure out how to conduct these meetings in the most efficient and effective manner. Registration reviews to be initiated in FY 2012 have been scheduled, and will begin with the opening of a docket pursuant to the established registration review procedures.	
2.2.15	EPA/OCSP	RIN 2070-AJ20	Certification of pesticide applicators: eliminating uncertainties and improving efficiencies	A review of EPA's regulations on certification and training of pesticide applicators will help clarify requirements and modify potentially redundant or restrictive requirements.	EPA intends to propose improvements to these regulations in October 2012.	Savings may result from streamlining activities which could reduce the burden on the regulated community by promoting better coordination among the state, federal, and tribal partnerships; clarifying requirements; and modifying the regulation.		
2.2.16	EPA/OSWER		Polychlorinated biphenyls (PCB) reforms: improving efficiencies and effectiveness	EPA intends to examine existing PCB guidance and regulations to harmonize regulatory requirements related to harmful PCB uses and to PCB cleanup. The disposal and cleanup requirements for PCB-contaminated building material depend on whether the material is classified as PCB bulk product waste or PCB remediation waste. The Agency intends to issue a Federal Register notice that solicits comment on guidance that reinterprets the definition of PCB bulk product waste. EPA believes that this proposed reinterpretation would allow for accelerated cleanups of PCB-contaminated building material by providing a more straightforward path for disposal pursuant to the regulations. Speeding up removal and disposal of the PCB-contaminated material is critical for reducing exposure potential, such as in schools or other locations where such PCB-contaminated building materials are currently in place.	EPA expects to issue a Federal Register notice in Winter 2012.	Increased number and speed of cleanups of PCB caulk and PCB paint contamination		

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2.2.17(a.)	EPA/OSWER		Hazardous waste requirements for retail products: clarifying and making the program more effective	EPA intended to review its regulations to determine whether to issue guidance in the short term concerning certain pharmaceutical containers. One of the top priorities identified through further conversations with retailers was clarity on how to manage containers such as pill bottles that once contained a p-listed pharmaceutical hazardous waste since the containers usually have some sort of residue. Under the RCRA regulations these containers are NOT considered empty unless they are triple rinsed. EPA committed to investigate whether guidance in this area was feasible and appropriate.	On Nov. 4, 2011, EPA completed this action - ORCR Office Director signed and sent out guidance.	The guidance on how to manage containers that contain residues from pharmaceuticals that were p-listed hazardous waste when discarded provides regulated entities with various options on how to approach the management of these containers. We anticipate that some generators, who were becoming large quantity generators due to counting the residue and container weight towards their generator status, will be able to maintain a lower generator status by managing their containers according to the memo, resulting in costs savings associated with paperwork and training.	EPA decided that guidance was needed to provide clarity and national voice on how to manage these containers that once held p-listed hazardous waste pharmaceuticals. States had taken a wide variety of approaches and stakeholders beyond retailers were asking for assistance on this issue. After talking with various stakeholders including Walmart and gathering limited available data on the p-listed pharmaceutical residues inside these containers, EPA issued a guidance memorandum on November 4, 2011.	The signed guidance completes this portion of the review. The guidance is available on RCRAOnline at: http://yosemite.epa.gov/osw/rcra.nsf/0c994248c239947e85256d090071175f/57b21f2fe33735128525795f00610f0f?OpenDocument .
2.2.17(b.)	EPA/OSWER	RIN 2050-AG39	Hazardous waste requirements for retail products: clarifying and making the program more effective	EPA intends to review the data and information in our possession about pharmaceutical products that may become wastes to address these issues as part of a rulemaking on pharmaceutical waste management.	EPA expects to publish a proposed rulemaking in March 2013.	Savings estimates are not available at this time. It is too early in the process of the proposed rulemaking on pharmaceutical waste management to determine savings in costs and information collection burdens. A benefit of the rule will be to ensure these pharmaceutical hazardous wastes are managed and disposed of safely.	EPA is researching pharmaceutical waste concerns and develop proposed rule provision options for senior management.	
2.2.17(c.)	EPA/OSWER		Hazardous waste requirements for retail products: clarifying and making the program more effective	EPA intends to analyze relevant information to identify what the issues of concern are for retailers, what materials may be affected, what the scope of the problem is, and what options may exist for addressing the issues.	No target date has been set.	It is not possible to calculate savings and benefits until the agency has identified specific actions to be taken.		This process has already been initiated. EPA conducted 4 listening sessions with both commenters on the retrospective review, Walmart and Home Depot, and with the Retail Industry Leaders Association and the Council on Safe Transportation of Hazardous Articles (COSTHA). RCRA program staff are attending a COSTHA meeting in January on reverse logistics of retail materials. Also in January, RCRA program staff plan to visit local retail stores to see how they are currently handling their wastes.

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2.2.18	EPA/OW	RIN 2040-AF29	National Primary Drinking Water Regulations: Group Regulation of Carcinogenic Volatile Organic Compounds (VOCs)	EPA intends to coordinate drinking water regulatory requirements and regulate more cost-effectively by addressing contaminants as groups.	EPA expects to issue a proposed rulemaking in October 2013.			This action may revise drinking water standards for up to 8 VOCs. The standards for the 8 regulated VOCs were promulgated in phases. Phase I: July 8, 1987(Vol 52, No. 130) includes: TCE, 1,2-dichloroethane, vinyl chloride, benzene, carbon tetrachloride. Phase II&IIB: January 20, 1991(Vol 56, No 20) & July 1, 1991(Vol 52, No 126) includes: PCE and 1,2-dichloropropane. Phase V: July 17, 1992(Vol 57, No 138) includes: dichloromethane. There were no RINs published for these original rules.
2.2.19	EPA/OP		Section 610 reviews: coordinating requirements	To the extent practicable, EPA will coordinate Section 610 reviews with other statutorily or Presidentially mandated retrospective reviews.	The next specific Section 610 reviews are not due until early 2013. This item in the plan will remain ongoing as rules come up for review.	Each specific Section 610 review that can be coordinated with another review requirement will save Agency resources and reduce burden on the public responding to and commenting on reviews.		