

AROUND THE STATES



A Summary of Water Well
REGULATIONS
Impacting Our Industry
Provided Monthly to
WSC Members
December 1 - 31, 2011



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NEW RECORDS

Drinking Water

California Disinfectant Residuals, Disinfection Byproducts, and Disinfection Byproduct Precursors

Citation: 22 CCR, Rules in Section 60000

Official Contact: Mike McKibben

Center for Environmental Health

California Department of Public Health

P.O. Box 997377

Sacramento, CA 95899-7377

Phone: (619) 525-4023

Regulation Type: Regulation

Progress: Published

Other Links: [Notice of Proposed Rulemaking](#)

Subject: Drinking Water

Summary: The Department of Public Health has proposed rulemaking relating to disinfectants in public water systems and the Safe Drinking Water Act of 1974. This purpose of this rulemaking is to update regulations so that they are no less stringent than federal standards. This action is necessary in order for the state to maintain its primacy status.

History: Notice of Proposed Rulemaking published on Dec. 2, 2011.

Future Action: Comments due by Jan. 16, 2012.

Florida Formal Determination of Wetlands and Other Surface Waters

Citation: 40D-4.042, 40D-4.091, 40D-4.101, 40D-4.331

Official Contact: Barbara Martinez

Office of General Counsel

2379 Broad St.

Brooksville, FL 34604-6899

Phone: (352) 796-7211

Regulation Type: Regulation

Progress: Effective: 12/12/2011

Other Links: [Notice of Development of Rulemaking](#)

[Notice of Proposed Rule](#)

Subject: Drinking Water

Summary: The Southwest Florida Water Management District has adopted rulemaking to reduce the number of copies of application forms and supporting documents that must be submitted for individual environmental resource permit (ERP) applications and petitions for

formal determination of wetlands and other surface waters, and the number of copies of compliance documents required to be submitted after a permit is issued. ERP-related submittal requirements are reduced from 5 copies to 1 original and 2 copies. These amendments are part of an overall District initiative to reduce the number of copies of permit application forms, supporting documentation and compliance-related reports and documents that are required to be submitted. The overall effect of the rulemaking will be to reduce costs to the public that are associated with application submittals and compliance activity reporting to the District.

History: Notice of Development of Rulemaking published on Sep. 30, 2011. Notice of Proposed Rule published on Oct. 14, 2011. Notice of Correction published on Nov. 10, 2011. Notice of Rule Filing published on Dec. 9, 2011. Rule effective on Dec. 12, 2011.

Illinois Updates to Safe Drinking Water Act Regulations

Citation: 35 Ill. Adm. Code 611

Official Contact: John T. Therriault, Assistant Clerk

Pollution Control Board

100 West Randolph Street Suite 11-500

Chicago, Illinois 60601

Regulation Type: Regulation

Progress: Proposed

Other Links: [January 2012 Regulatory Agenda](#)

Subject: Drinking Water

Summary: The Illinois Environmental Protection Agency has reserved a rulemaking docket number to accommodate any amendments to the SDWA national primary drinking water standards, 40 CFR 141 through 143, that the United States Environmental Protection Agency (USEPA) may make in the period January 1, 2011 through July 1, 2011. Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] mandates that the Board update the Illinois SDWA regulations to reflect the USEPA amendments to the federal Safe Drinking Water Act (SDWA) primary drinking water regulations.

History: January 2012 Regulatory Agenda published on Dec. 27, 2011.

Remarks: Date agency anticipates First Notice: The Board expects to publish notice in the Illinois Register by April 6, 2012.

Illinois Updates to Safe Drinking Water Act National Primary Drinking Water Standards

Citation: 35 Ill. Adm. Code 611

Official Contact: John T. Therriault, Assistant Clerk

Pollution Control Board

100 West Randolph Street Suite 11-500

Chicago, Illinois 60601

Regulation Type: Regulation

Progress: Proposed

Other Links: [January 2012 Regulatory Agenda](#)

Subject: Drinking Water

Summary: The Illinois Environmental Protection Agency has reserved a rulemaking docket number to accommodate any amendments to the SDWA national primary drinking water standards, 40 CFR 141 through 143, that the United States Environmental Protection Agency (USEPA) may make in the period July 1, 2011 through December 31, 2011. Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] mandates that the Board update the Illinois drinking water regulations to reflect the USEPA amendments to the federal Safe Drinking Water Act (SDWA) primary drinking water regulations.

History: January 2012 Regulatory Agenda published on Dec. 27, 2011.

Remarks: Date agency anticipates First Notice: The Board expects to verify any federal actions within the next month. If amendments are required, the Board will publish notice in the Illinois Register approximately 90 days before adoption to allow time for a 45-day public comment period. If no amendment is needed, the Board will dismiss this reserved docket.

Illinois Underground Injection Control (UIC) Regulations

Citation: 35 Ill. Adm. Code 702, 704, 705, 720, 730, 738

Official Contact: John T. Therriault, Assistant Clerk

Pollution Control Board

100 West Randolph Street, Suite 11-500

Chicago, Illinois 60601

Regulation Type: Regulation

Progress: Proposed

Other Links: [Notice of Proposed Amendment](#)

Subject: Drinking Water

Summary: The Illinois Environmental Protection Agency has reserved a rulemaking docket number to accommodate any amendments to the federal UIC regulations, 40 CFR 144 through 148, during the period July 1, 2011 through December 31, 2011. Section 13(c) of the Environmental Protection Act [415 ILCS 5/13(c)] mandates that the Board update the Illinois underground injection control (UIC) regulations to reflect amendments to the United States Environmental Protection Agency (USEPA) UIC regulations.

History: January 2012 Regulatory Agenda published on Dec. 27, 2011.

Remarks: Date agency anticipates First Notice: The Board expects to verify any federal actions within the next month. If amendments are required, the Board will publish notice in the Illinois Register approximately 90 days before adoption to allow time for a 45-day public comment period. If no amendment is needed, the Board will dismiss this reserved docket.

Indiana Plugging and Abandoning Oil and Gas Wells

Citation: 312 IAC 16

Official Contact: Natural Resources Commission

Indiana Government Center North

100 North Senate Avenue, Room N501

Indianapolis, IN 46204-2200

Phone: (317) 232-4699

Fax: (317) 233-2977

Regulation Type: Regulation

Progress: Agency Adopted

Other Links: [Emergency Rule](#)

Subject: Drinking Water

Summary: The Natural Resources Commission has adopted an emergency rule which temporarily adds noncode provisions to govern the requirements for plugging and abandoning wells for oil and gas purposes.

History: Emergency Rule published on Dec. 28, 2011.

Future Action: Emergency Rule effective on Jan. 15, 2012. Emergency Rule expires on Apr. 14, 2012.

Mississippi Draft FY-2012 Intended Use Plan for the Drinking Water Systems Improvements Revolving Loan Fund

Official Contact

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Mississippi State Department of Health

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Jackson, MS 39215

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Regulation Type: Draft

Other Links: [Draft Plan](#)

[Notice of Filing](#)

Subject: Drinking Water

Summary: The Department of Health has issued and requested comments on the Draft FY-2012 Intended Use Plan which will show projects to be funded and the terms of the assistance for Drinking Water Systems Improvements Revolving Loan Fund.

History: Draft Plan published on Dec. 15, 2011.

Future Action: Hearing scheduled for, and comments due by, Jan. 20, 2012.

Montana Strip and Underground Mine Reclamation Act

Citation: Sections of ARM 17.24

Official Contact

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Regulation Type: Regulation

Progress: Published

Other Links: [Notice of Public Hearing](#)

Subject: Drinking Water

Summary: The Board of Environmental Review has proposed the amendment, adoption and repeal of regulations pertaining to definitions, format, data collection, and supplemental information, baseline information, operations plan, reclamation plan, plan for protection of the hydrologic balance, filing of application and notice, informal conference, permit renewal, transfer of permits, administrative review, general backfilling and grading requirements, blasting schedule, sedimentation ponds and other treatment facilities, permanent impoundments and flood control impoundments, ground water monitoring, surface water monitoring, redistribution and stockpiling of soil, establishment of vegetation, soil amendments, management techniques, and land use practices, monitoring, period of responsibility, vegetation measurements, general application and review requirements, disposal of underground development waste, permit requirement, renewal and transfer of permits, information and monthly reports, drill holes, bond requirements for drilling operations, notice of intent to prospect, bonding, frequency and methods of inspections; the adoption of New Rules I through V pertaining to the department's obligations regarding the applicant/ violator system, department eligibility review, questions about and challenges to ownership or control findings, information requirements for permittees, and permit requirement - short form; and the repeal of 17.24.763 pertaining to coal conservation.

History: Notice of Public Hearing published on Dec. 22, 2011.

Future Action: Hearing scheduled for Jan. 18, 2012. Comments due by Jan. 23, 2012.

New Mexico Closed-Loop Systems, Below Grade Tanks, Sumps, Drilling Fluids, Groundwater Protection

Citation: 19.15.17, 19.15.39.8(B) NMAC

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Regulation Type: Regulation

Progress: Published

Other Links: [Notice of Public Hearing](#)

Subject: Drinking Water

Summary: The Oil Conservation Commission has proposed rulemaking concerning issues that include pits, closed-loop systems, below grade tanks, drilling fluid definitions, chloride concentration in drilling waste and the distance between the waste and ground water or a flowing water course.

History: Notice of Public Hearing published on Dec. 30, 2011.

Future Action: Comments due by Jan. 13, 2012. Hearing scheduled for Jan. 23, 2012. Hearing scheduled for Jan. 24, 2012. Hearing scheduled for Jan. 25, 2012. Hearing scheduled for Jan. 26, 2012. Hearing scheduled for Jan. 27, 2012.

Oklahoma Rules of Practice and Procedure

Citation: 252:4-7-76; 252:4-7-78

Official Contact

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Regulation Type: Regulation

Progress: Published

Other Links: [Notice of Rulemaking Intent](#)

Subject: Drinking Water

Summary: The Department of Environmental Quality has proposed permanent rulemaking to include the Underground Injection Control (UIC) Class VI carbon dioxide geologic sequestration injection well permit applications in the permit process rules.

In a separate rulemaking, DEQ is seeking to amend its UIC rules to incorporate federal Class VI rules by reference. Oklahoma does not currently regulate Class VI wells. Upon adoption of the federal rules for Class VI wells, these permit applications will be processed as follows:

Class VI carbon dioxide geologic sequestration injection well permits will be processed as Tier III UIC applications. Minor modifications of Class VI injection well permits will be processed as Tier I UIC applications.

History: Notice of Rulemaking Intent published on Dec. 1, 2011.

Future Action: Comments due by Jan. 3, 2012. Hearing scheduled for Jan. 10, 2012. Hearing scheduled for Feb. 24, 2012.

Oklahoma Underground Injection Control

Citation: 252:652-1-3, 1-5, 1-6, 3-1, 5-1, 5-4, 7-4

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Regulation Type: Regulation

Progress: Published

Other Links: [Notice of Rulemaking Intent](#)

Subject: Drinking Water

Summary: The Department of Environmental Quality has proposed permanent rulemaking to incorporate by reference the federal regulations pertaining to underground injection control found in 40 CFR Parts 124 (Subpart A) and 144 through 148 revised as of July 1, 2011. The revised changes specifically include regulatory requirements for Class VI carbon dioxide geologic sequestration injection wells. The proposed rulemaking also includes additional regulations that are more stringent than the requirements of the federal rule. These additional requirements pertain to exclusionary siting criteria and plugging and abandonment of Class VI wells. The proposed rule also includes a fee for the processing of Class VI permit applications. Jurisdiction over geologic sequestration of carbon dioxide in Oklahoma is divided between DEQ and the Oklahoma Corporation Commission (OCC). OCC has jurisdiction over injections into oil reservoirs, gas reservoirs, coal-bed methane reservoirs, and mineral brine reservoirs. DEQ has jurisdiction over injections into all other reservoirs.

The proposed rulemaking also updates references to outdated rules and language.

History: Notice of Rulemaking Intent published on Dec. 1, 2011.

Future Action: Comments due by Jan. 3, 2012. Hearing scheduled for Jan. 10, 2012. Hearing scheduled for Feb. 24, 2012.

Pennsylvania Safe Drinking Water Program Fees

Official Contact

Michele Tate, Regulatory Coordinator

Department of Environmental Protection

Phone: (717) 783-8727

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Regulation Type: Regulation

Progress: Abandoned

Other Links: [Withdrawal of Proposed Rulemaking](#)

Subject: Drinking Water

Summary: The Environmental Quality Board (Board), at the direction of Chairperson Michael

L. Krancer, is withdrawing the proposed safe drinking water program fees rulemaking from further consideration. The proposed rulemaking, which was approved by the Board at the Board's November 16, 2010, meeting, proposed new and revised fees for community water systems, bottled, vended, retail and bulk water systems and public water systems to supplement State costs for administering the Commonwealth's Drinking Water Program. In subsequent review of the proposed rulemaking after Board action, it was determined that there is no compelling justification for an increase in fees that would most likely be passed on to the customers of public water systems. The rulemaking is currently being reviewed for form and legality by the Office of Attorney General; however, by the Board's formal withdrawal of the rulemaking, further action on the proposed rulemaking is suspended.

History: Withdrawal of Proposed Rulemaking published on Dec. 17, 2011.

Remarks: Editor's Note: The safe drinking water program fees rulemaking was not deposited with the Legislative Reference Bureau and was not printed in the Pennsylvania Bulletin.

Tennessee Surface Mining Reclamation

Citation: Repeal 0400-03-01, -02, -03, -04, -05, -06, -09, -11, -12; Adopt 0400-42-01, -02, -03, -04, -05, -06, -08, -09, -10, -11, -12

Official Contact

Bruce Ragon

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Regulation Type: Regulation

Progress: Published

Other Links: [Notice of Rulemaking Hearing](#)

Subject: Drinking Water

Summary: The Department of Environment and Conservation has proposed the repeal and adoption of new rules relating to the reclamation of areas disturbed by surface mining operations. New rules include requirements for operators to obtain a discharge permit from the Division of Water Pollution Control before applying for a surface mining permit.

History: Notice of Rulemaking Hearing filed on Nov. 30, 2011. Notice of Rulemaking Hearing published on Dec. 5, 2011.

Future Action: Hearing scheduled for, and comments due by, Feb. 9, 2012.

Texas Memorandum of Understanding

Citation: 16 TAC Â§3.30

Official Contact: Leslie Savage

Phone: (512) 463-7308

Regulation Type: Regulation

Progress: Published

Other Links: [Proposal](#)

Subject: Drinking Water

Summary: The Railroad Commission of Texas proposes amendments to Â§3.30, relating to Memorandum of Understanding between the Railroad Commission of Texas (RRC) and the Texas Commission on Environmental Quality (TCEQ).

The memorandum of understanding (MOU) between the TCEQ and the RRC (or Commission) was last updated substantively in August 2010. Article 2 of House Bill (HB) 2694, passed by the 82nd Texas Legislature and signed by the Governor, transferred from the TCEQ to the RRC duties relating to the protection of groundwater resources from oil and gas associated activities. Specifically, the law transfers from the TCEQ to the RRC, effective September 1, 2011, those duties pertaining to the responsibility of preparing groundwater protection advisory/recommendation letters. After the transfer, the RRC will be responsible for providing surface casing and/or groundwater protection recommendations for oil and gas activities under the jurisdiction of the RRC.

In addition, Article 2 of HB 2694 amended Texas Water Code, Â§27.046, transferring from the TCEQ to the RRC the responsibility of issuing to permit applicants for geologic storage of anthropogenic carbon dioxide a letter of determination stating that drilling and operating the anthropogenic carbon dioxide injection well for geologic storage or operating the geologic storage facility will not injure any freshwater strata in that area and that the formation or stratum to be used for the geologic storage facility is not freshwater sand.

History: Proposal published on Dec. 30, 2011.

Future Action: Comments due by Jan. 30, 2012

West Virginia Design and Construction Standards for Centralized Pits

Official Contact: Office of Oil and Gas

601 57th Street, SE

Charleston, WV 25304-2345

Phone: (304) 926-0499

Fax: (304) 926-0452

Regulation Type: Guidance

Other Links: [Guidance Document](#)

Subject: Drinking Water

Summary: The Office of Oil and Gas has published a document which contains design

standards for centralized pits utilized by natural gas production operations to store wastewaters (e.g. drilling or hydraulic fracturing fluids).

History: Guidance Document published on Dec. 30, 2011.

Right-to-Know/Prop 65

California Notice of Intent to List Methyl Isopropyl Ketone

Official Contact

Ms. Cynthia Oshita

Office of Environmental Health Hazard Assessment

P.O. Box 4010, MS-19B

Sacramento, CA 95812-4010

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Email: Cynthia.Oshita@oehha.ca.gov

Regulation Type: Notice

Other Links: [Notice](#)

Subject: Right-to-Know/Prop 65

Summary: The Office of Environmental Health Hazard Assessment intends to list the chemical Methyl isopropyl ketone as known to the State to cause reproductive toxicity under the Safe Drinking Water and Toxic Enforcement Act of 1986.

History: Notice published on Dec. 30, 2011.

Future Action: Comments due by Jan. 30, 2012.

California 60 Day Notice under Proposition 65

Citation: 27 CCR 25903

Official Contact: Monet Vela

Phone: (916) 323-2517

Regulation Type: Regulation

Progress: Effective: 12/28/2011

Other Links: [Notice of Filing with the Secretary of State](#)

Subject: Right-to-Know/Prop 65

Summary: The Office of Environmental Health Hazard Assessment has adopted rulemaking which amends existing procedures governing service of a 60 day notice under Proposition 65 by establishing an alternative procedure for serving notices on the Attorney General via electronic mail, if the Attorney General has consented to that method of service.

History: Notice of Filing with the Secretary of State published on Dec. 9, 2011. Rule effective on Dec. 28, 2011.

California Notice of Intent to List Kresoxim-Methyl and Tetraconazole

Citation: No Citation Available

Official Contact

Ms. Cynthia Oshita

Office of Environmental

Health Hazard Assessment

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Regulation Type: Notice

Other Links: [Notice](#)

Subject: Right-to-Know/Prop 65

Summary: The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment intends to list the chemicals kresoxim-methyl and tetraconazole as known to the State to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of 1986. OEHHA's determination is that the chemicals each meet the criteria for listing as known to the State to cause cancer under Proposition 65, based on findings of the U.S. EPA (U.S. EPA, 1999; U.S. EPA, 2000).

History: Notice published on Dec. 2, 2011.

Future Action: Comments due by Jan. 17, 2012.

Water Protection

Colorado Basic Standards and Methodologies for Surface Water

Citation: 5 CCR 1002-31

Official Contact

Sarah Johnson, Unit Manager

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Regulation Type: Regulation

Progress: Published

Other Links: [Notice of Rulemaking Hearing](#)

[Proposed Rule](#)

Subject: Water Protection

Summary: The Department of Public Health and Environment has proposed revisions to the Basic Standards and Methodologies for Surface Water, Regulation #31 (5 CCR 1002-31) and the adoption of a new Nutrients Management Control Regulation, Regulation #85 (to be codified at 5 CCR 1002-85).

History: Notice of Rulemaking Hearing published on Dec. 10, 2011.

Future Action: Hearing scheduled for Mar. 12, 2012.

Colorado Nutrients Management Control Regulation

Citation: 5 CCR 1002-85

Official Contact

Dave Akers, Deputy Director

Phone: (303) 692-3591

Email: dave.akers@state.co.us

Regulation Type: Regulation

Progress: Published

Other Links: [Notice of Rulemaking Hearing](#)

[Proposed Rule](#)

Subject: Water Protection

Summary: The Department of Public Health and Environment has proposed revisions to the Basic Standards and Methodologies for Surface Water, Regulation #31 (5 CCR 1002-31) and the adoption of a new Nutrients Management Control Regulation, Regulation #85 (to be codified at 5 CCR 1002-85).

History: Notice of Rulemaking Hearing published on Dec. 10, 2011.

Future Action: Hearing scheduled for Mar. 12, 2012.

Hawaii Governor Abercrombie Unveils Plan To Protect Hawaii's Water Sources

Official Contact: The Honorable Neil Abercrombie

Governor, State of Hawai'i

Executive Chambers, State Capitol

Honolulu, Hawai'i 96813

Phone: (808) 586-0034

Fax: (808) 586-0006

Regulation Type: Press Release

Other Links: [Media Release](#)

Subject: Water Protection

Summary: Governor Neil Abercrombie has announced a comprehensive action plan titled, "The Rain Follows the Forests" which is designed to save Hawai'i's forests and protect water sources.

The plan contains the following goals:

- Remove or contain damaging invasive weeds that threaten priority areas
 - Invasive weeds degrade native forests; some invasive plants also consume more water than indigenous species. For example, a forest of alien strawberry guava trees can evaporate 27 percent more water than native 'ohi'a forests.
 - Monitor and control other forest threats including fires, predators, and plant diseases
 - Restore and plant native species in priority areas and buffer areas
 - Establish benchmarks and monitor success of the on-the-ground actions
 - Educate residents and visitors about the cultural, economic, and environmental importance of conserving native forests
 - Promote consistent and informed land use decision-making that protects watershed
- These goals aim to double the amount of protected watershed areas in 10 years. It will require approximately \$ 11 mil-lion per year and would provide for over 150 new natural resource careers.

History: Media Release published on Dec. 1, 2011.

Illinois Cultural Eutrophication

Citation: 35 Ill. Adm. Code 302, 304

Official Contact

Carol Webb

Pollution Control Board

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P.O. Box 19274

Springfield, IL 62794-9274

Email: webbc@ipcb.state.il.us

Regulation Type: Regulation

Progress: Proposed

Other Links: [January 2012 Regulatory Agenda](#)

Subject: Water Protection

Summary: The Illinois Environmental Protection Agency is considering rulemaking concerning the establishment of a new narrative standard for "cultural eutrophication" to protect aquatic life from the adverse impacts of excess algae and aquatic plant growth. Measurable parameters such as dissolved oxygen will be used to identify cultural eutrophication. The proposed standard would prohibit cultural eutrophication and the presence of such would trigger a technology-based phosphorus limit on dischargers that would significantly contribute to cultural eutrophication. The technology based phosphorus limits applicable to such dischargers would be proposed by updating 35 Ill. Adm. Code 304.123. Other technology-based phosphorus effluent standards covering certain dischargers of phosphorus independent of a finding of cultural eutrophication will also be proposed for 35 Ill. Adm. Code 304.123.

History: January 2012 Regulatory Agenda published on Dec. 27, 2011.

Remarks: Date agency anticipates First Notice: An Agency submittal to the Board would commence this proceeding, and the Agency anticipates filing a proposal in the spring or summer of 2012. After filing the proposal, the Board will cause a Notice of Proposed rule to appear in the Illinois Register.

Indiana Antidegradation Standards and Implementation Procedures

Citation: Adds 327 IAC 2-1.3; Amends 327 IAC 2-1.5-6, 327 IAC 2-1.5-18, 327 IAC 5-2-11.2, 327 IAC 5-2-12.1, 327 IAC 5-3-8, 327 IAC 15-2-6; Repeals 327 IAC 2-1-2, 327 IAC 2-1.5-4, 327 IAC 5-2-11.3, 327 IAC 5-2-11.7

Official Contact: MaryAnn Stevens

Rules Development Branch, Office of Legal Counsel

Phone: (317) 232-8635

Regulation Type: Regulation

Progress: Published

Other Links: [First Notice of Comment Period](#)

[Second Notice of Comment Period](#)

[Notice of Public Hearing](#)

[Change in Notice of Public Hearing](#)

[Change in Notice of Public Hearing](#)

[Proposed Rule](#)

[Notice of Public Hearing](#)

Subject: Water Protection

Summary: The Department of Environmental Management has proposed new rules and amendments to rules concerning antidegradation standards and implementation procedures. The Clean Water Act (33 U.S.C. 1313(c)) under Section 303(c) specifies that a review of state water quality standards must be done at least every three years. Federal rules require states to develop, adopt, and retain a statewide antidegradation policy regarding water quality standards and establish procedures for its implementation. Additional requirements affecting antidegradation rules come from the Indiana General Assembly's requirements found in IC 13-18-3 enacted in the 2000 legislative session under Public Law 140-2000 (also known as SEA 431).

History: First Notice of Comment Period published on Oct. 15, 2008. Comments due by Nov. 18, 2008. Second Notice of Comment Period published on Dec. 16, 2009. Notice of Public Hearing published on Dec. 16, 2009. Comments due by Jan. 30, 2010. Change in Notice of Public Hearing published on May 25, 2011. Change in Notice of Public Hearing published on Aug. 24, 2011. Hearing held on Sep. 14, 2011. Proposed Rule published on Dec. 7, 2011. Notice of Public Hearing published on Dec. 7, 2011. Comments due by Dec. 30, 2011.

New Jersey Draft 2012 Integrated Water Quality Monitoring and Assessment Methods Document

Official Contact

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401 East State Street
Trenton, New Jersey, 08625-0420
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Regulation Type: Notice

Other Links: [Public Notice](#)

Subject: Water Protection

Summary: The Department of Environmental Protection has requested comment on the draft 2012 Integrated Water Quality Monitoring and Assessment Methods Document. The draft 2012 Methods Document includes a description of the data quality requirements and the methods to be used by the Department to evaluate water quality data and assess compliance with water quality standards and attainment of designated uses, as well as the rationale for placement of assessment units on the 2012 303(d) List.

History: Public Notice published on Dec. 5, 2011.

Future Action: Comments due by Jan. 4, 2012.

Ohio Water Quality Standards

Citation: 3745-1

Official Contact

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Regulation Type: Regulation

Progress: Published

Other Links: [Notice of Proposed Rulemaking](#)

Subject: Water Protection

Summary: The Environmental Protection Agency has proposed rulemaking relating to water quality standards. The proposed amendments include new beneficial use designations: primary headwater habitat, lake habitat, sport fishing recreation use and base aquatic life use; statewide application of human health criteria based on maximum contaminant levels for public water supply use; inclusion of updated Ohio River Valley Water Sanitation Commission Pollution Control Standards for the Ohio River mainstem; new and revised aquatic life criteria for six

chemicals; separation of antidegradation requirements for dredge and fill projects from NPDES antidegradation requirements and inclusion of nutrient design effluent limits for new and expanding sanitary wastewater dischargers.

History: Notice of Proposed Rulemaking filed on Dec. 28, 2011.

Future Action: Hearing scheduled for Feb. 1, 2012. Comments due by Feb. 24, 2012.

Ohio 401 Water Quality Certifications

Citation: 3745-32-01 through 3745-32-07, 3745-45-02

Official Contact

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Division of Surface Water

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Regulation Type: Regulation

Progress: Published

Other Links: [Notice of Proposed Rulemaking](#)

Subject: Water Protection

Summary: The Environmental Protection Agency has proposed rulemaking relating to chapters which contain the administrative and technical requirements for submitting a Section 401 water quality certification application and outdated water quality certification fees. The proposed amendments establish a state water quality permit to provide a permitting mechanism for isolated streams and lakes. New rule 3745-32-04 contains antidegradation requirements for the state water quality permit program and limited components of the isolated wetlands permit program. The antidegradation requirements are being moved from rule 3745-1-05 in an effort to clarify the requirements that apply to these programs. Other draft revisions in Chapter 3745-32 combine and enhance procedural rules that help address some historical procedural ambiguities within the program. Rule 3745-45-02 is being rescinded because certification fees are now incorporated into state law (ORC section 3745.114).

History: Notice of Proposed Rulemaking filed on Dec. 28, 2011.

Future Action: Hearing scheduled for Feb. 1, 2012. Comments due by Feb. 24, 2012.

Oklahoma Individual and Small Public On-Site Sewage Treatment Systems

Citation: 252:641-1-2, 1-3, 3-2, 3-4, 9-2, 10-2, 10-3, 15-3, Appendix C

Official Contact

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Regulation Type: Regulation

Progress: Published

Other Links: [Notice of Rulemaking Intent](#)

Subject: Water Protection

Summary: The Department of Environmental Quality has proposed permanent rulemaking for four main reasons: First is to establish water body protection areas for siting and designing on-site sewage treatment systems. Second is to require nitrogen reduction systems to be installed prior to dispersal for any on-site sewage treatment systems located within Zone 1 of a water body protection area. Third, is to prohibit any system installed within Zone 2 of a water body protection area from being designed using a soil percolation test. Fourth, any pressurized piping conveying treated sewage for reuse must be purple pipe. Finally, DEQ proposes other non-substantive changes to existing language for clarification purposes.

History: Notice of Rulemaking Intent published on Dec. 1, 2011.

Future Action: Comments due by Dec. 31, 2011. Hearing scheduled for Jan. 10, 2012. Hearing scheduled for Feb. 24, 2012.

Texas Designation of Groundwater Management Areas

Citation: 31 TAC Â§356.23

Official Contact: Water Development Board

Phone: (512) 463-8061

Regulation Type: Regulation

Progress: Published

Other Links: [Proposal](#)

Subject: Water Protection

Summary: The Texas Water Development Board has proposed an amendment to Â§356.23 in response to a request to change the boundary lines between GMA 9 and GMA 10 for portions of the Hays Trinity Groundwater Conservation District and the Trinity-Glen Rose Groundwater Conservation District.

At the same time, the TWDB proposes to make minor corrections to the seven digital files identified in Â§356.23 that collectively constitute a data set delineating the GMA boundary lines. Over time, the files become corrupt and no longer accurately reflect the boundaries of counties, districts, the GMAs, and natural features described in the files. This rulemaking will correct those errors which, though not significant individually, do affect the overall accuracy of the data and the maps generated from that data.

History: Proposal published on Dec. 30, 2011.

Future Action: Comments due by Jan. 29, 2012.

United States EPA Strategic Plan Information on Source Water Protection (Renewal)

Official Contact: Further Information: Beth Hall, Drinking Water Protection Division - Prevention Branch Office of Ground Water and Drinking Water Environmental Protection Agency 1200 Pennsylvania Ave NW Washington, DC 20460 Phone: (202) 564-3883 Fax: (202) 564-3756 Email: hall.beth@epa.gov

Regulation Type: Notice

Other Links: [Notice](#)

Subject: Water Protection

Summary: In compliance with the Paperwork Reduction Act (PRA)(44 U.S.C. 3501 et seq.), this document announces that an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval for EPA ICR No. 1816.05, OMB Control No. 2040-0197. This is a request to renew an existing approved collection. The ICR describes the nature of the information collection and its estimated burden and cost.

History: Notice issued on Dec. 27, 2011.

Remarks: Refer to notice for comment submittal instructions.

Future Action: Comments due by Jan. 26, 2012.

United States Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act; Analysis and Sampling Procedures; Notice of Data Availability

Citation: 76 FR 77742

40 CFR Part 136

EPA-HQ-OW-2010-0192; FRL-9504-2

Official Contact

Maria Gomez-Taylor

Office of Science and Technology

Office of Water (4303-T)

Environmental Protection Agency

1200 Pennsylvania Avenue NW

Washington, DC 20460

Phone: (202) 566-1005

Fax: (202) 566-1053

Email:

Gomez-taylor.maria@epa.gov

Regulation Type: Notice

Other Links: [Notice](#)

Subject: Water Protection

Summary: On September 23, 2010, EPA proposed to approve a number of new and revised test procedures (i.e., analytical methods) for measuring pollutants under the Clean Water Act. Today's notice announces the availability of new data on an analytical method for the

measurement of oil and grease that EPA described in the earlier notice but did not propose to approve it for use. This notice discusses how EPA is considering revising its proposed regulatory requirements for this method. EPA is soliciting comment only on EPA's consideration of this method.

History: Notice published on Dec. 14, 2011.

Future Action: Comments due by Feb. 13, 2012.

Water Resources

Florida Environmental Resource Permitting Application Forms and Permit Compliance Forms

Citation: 40D-1.659

Official Contact: Barbara Martinez

Office of General Counsel

2379 Broad St.

Brooksville, FL 34604-6899

Phone: (352) 796-7211

Regulation Type: Regulation

Progress: Effective: 12/12/2011

Other Links: [Notice of Proposed Rule](#)

[Notice of Change](#)

[Notice of Rule Filing](#)

Subject: Water Resources

Summary: The Southwest Florida Water Management District has adopted rulemaking to list the updated versions of several Environmental Resource Permitting application forms and permit compliance forms that are being amended by the District. Amendments are made to the forms to clarify that they may be submitted by licensed or registered professionals in addition to professional engineers, when appropriate and in accordance with applicable law.

Amendments to Chapter 40D-4, F.A.C., are also part of this rulemaking package. This rulemaking is one of the initiatives identified by the District as part of its rule review pursuant to Executive Order No. 11-72, to identify rules for amendment or repeal that are unnecessarily burdensome, no longer necessary or duplicative of statutory language.

History: Notice of Proposed Rule published on Oct. 14, 2011. Notice of Correction published on Nov. 10, 2011. Notice of Change published on Dec. 9, 2011. Notice of Rule Filing published on Dec. 9, 2011. Rule effective on Dec. 12, 2011.

Illinois Cross Reference of Laboratory Accreditation Rules

Citation: 35 Ill. Adm. Code 611

Official Contact: John Therriault, Acting Clerk

Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Regulation Type: Regulation

Progress: Proposed

Other Links: [January 2012 Regulatory Agenda](#)

Subject: Water Resources

Summary: The Illinois Environmental Protection Agency is currently developing a proposal for filing with the Board. The proposal will seek to amend the public water supplies rules found in 35 Ill. Adm. Code 611 to cross reference the Agency's own laboratory accreditation rules found at 35 Ill. Adm. Code 186. These prospective amendments to Sections 611.359, 611.611, 611.646, and 611.648 would cross-reference the laboratory accreditation rules at 35 Ill. Adm. Code 186. Currently, the existing text of Part 611 references 35 Ill. Adm. Code 183, which are joint rules of the Agency, the Illinois Department of Public Health, and the Illinois Department of Nuclear Safety. A repeal of Part 183 has been completed.

History: January 2012 Regulatory Agenda published on Dec. 27, 2011.

Remarks: Date Agency Anticipates First Notice: An Agency submittal of the rulemaking proposal is anticipated within the next six months. The Board will conduct proceedings pursuant to Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27 & 28] upon receipt of the proposal and would cause a Notice of Proposed Amendments to appear in the Illinois Register when it decides to propose amendments for First Notice.

Texas Water Loss Audits

Citation: 31 TAC Â§358.6

Official Contact: Water Development Board

Phone: (512) 463-8061

Regulation Type: Regulation

Progress: Published

Other Links: [Proposed Rule](#)

Subject: Water Resources

Summary: The Texas Water Development Board proposes an amendment to Â§358.6, regarding Water Loss Audits. In 2011, the 82nd Texas Legislature passed House Bill 3090, amending Texas Water Code Â§16.0121, which affects all entities receiving financial assistance from the TWDB. Currently, all retail public utilities that provide potable water are required to perform and submit to the TWDB a water loss audit every five years computing the utility's most recent annual system water loss. According to HB 3090, any such retail public utility that receives TWDB funding will be required to perform and submit an annual water loss audit. Entities that do not receive financial assistance from the TWDB will continue to be required to perform and file a water loss audit every five years.

History: Proposed Rule published on Dec. 9, 2011.

Future Action: Comments due by Jan. 8, 2012.

Texas General, Legal, and Fiscal Information

Citation: 31 TAC Â§363.12

Official Contact: Water Development Board

Phone: (512) 463-8061

Regulation Type: Regulation

Progress: Published

Other Links: [Proposed Rule](#)

Subject: Water Resources

Summary: The Texas Water Development Board proposes an amendment to Â§363.12, regarding General, Legal, and Fiscal Information. In 2011, the 82nd Texas Legislature passed House Bill 3090, amending Texas Water Code Â§16.0121, which affects all entities receiving financial assistance from the TWDB. Currently, all retail public utilities that provide potable water are required to perform and submit to the TWDB a water loss audit every five years computing the utility's most recent annual system water loss. According to HB 3090, any such retail public utility that receives TWDB funding will be required to perform and submit an annual water loss audit. Entities that do not receive financial assistance from the TWDB will continue to be required to perform and file a water loss audit every five years. The proposed amendment to Â§363.12 requires an applicant that is a retail public utility that provides potable water to submit its most recent water loss audit in accordance with Â§358.6 of this title (relating to Water Loss Audits), unless it has previously been submitted.

History: Proposed Rule published on Dec. 9, 2011.

Future Action: Comments due by Jan. 8, 2012.

Texas Required Water Conservation Plan

Citation: 31 TAC Â§371.34

Official Contact: Water Development Board

Phone: (512) 463-8061

Regulation Type: Regulation

Progress: Published

Other Links: [Proposed Rule](#)

Subject: Water Resources

Summary: The Texas Water Development Board proposes an amendment to Â§371.34, regarding Required Water Conservation Plan. In 2011, the 82nd Texas Legislature passed House Bill 3090, amending Texas Water Code Â§16.0121, which affects all entities receiving financial assistance from the TWDB. Currently, all retail public utilities that provide potable water are required to perform and submit to the TWDB a water loss audit every five years

computing the utility's most recent annual system water loss. According to HB 3090, any such retail public utility that receives TWDB funding will be required to perform and submit an annual water loss audit. Entities that do not receive financial assistance from the TWDB will continue to be required to perform and file a water loss audit every five years. The proposed amendment of Â§371.34 adds "and Water Loss Audit" to the title of the rule and adds a requirement that an applicant that is a retail public utility that provides potable water must submit its most recent water loss audit in accordance with Â§358.6 (relating to Water Loss Audits), unless it has previously been submitted.

History: Proposed Rule published on Dec. 9, 2011.

Future Action: Comments due by Jan. 8, 2012.

Texas Required Water Conservation Plan

Citation: 31 TAC Â§375.43

Official Contact: Water Development Board

Phone: (512) 463-8061

Regulation Type: Regulation

Progress: Published

Other Links: [Proposed Rule](#)

Subject: Water Resources

Summary: The Texas Water Development Board proposes amendments to Â§375.43, regarding Required Water Conservation Plan. In 2011, the 82nd Texas Legislature passed House Bill 3090, amending Texas Water Code Â§16.0121, which affects all entities receiving financial assistance from the TWDB. Currently, all retail public utilities that provide potable water are required to perform and submit to the TWDB a water loss audit every five years computing the utility's most recent annual system water loss. According to HB 3090, any such retail public utility that receives TWDB funding will be required to perform and submit an annual water loss audit. Entities that do not receive financial assistance from the TWDB will continue to be required to perform and file a water loss audit every five years. The proposed amendment of Â§375.43 adds "and Water Loss Audit" to the title of the rule and adds a requirement that an applicant that is a retail public utility that provides potable water must submit its most recent water loss audit in accordance with Â§358.6 (relating to Water Loss Audits), unless it has previously been submitted.

History: Proposed Rule published on Dec. 9, 2011.

Future Action: Comments due by Jan. 8, 2012.

United States Comment Request; Water Quality Standards Regulations

Citation: 76 FR 76405

FR Doc No: 2011-31401

EPA-HQ-OW-2011-0465; FRL-9500-6

Regulation Type: Notice

Other Links: [Notice](#)

Subject: Water Resources

Summary: In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 et seq.), this document announces that an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval. This is a request to renew an existing approved collection. The ICR, which is abstracted below, describes the nature of the information collection and its estimated burden and cost.

History: Notice published Dec. 7, 2011.

Future Action: Comments due by Jan. 6, 2012.

United States National Water Quality Inventory Reports (Renewal)

Citation: 76 FR 80933

Official Contact: Further Information: Alice Mayo, Assessment and Watershed Protection Division Office of Water Mail Code: 4503T, Environmental Protection Agency 1200 Pennsylvania Ave. NW Washington, DC 20460 Phone: (202) 566-1184 Fax: (202) 566-1437 Email: mayo.alice@epa.gov

Regulation Type: Notice

Other Links: [Notice](#)

Subject: Water Resources

Summary: In compliance with the Paperwork Reduction Act (PRA)(44 U.S.C. 3501 et seq.), this document announces that an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval of EPA ICR No. 1560.10, OMB Control No. 2040-0071. This is a request to renew an existing approved collection. The ICR describes the nature of the information collection and its estimated burden and cost.

History: Notice issued on Dec. 27, 2011.

Remarks: Refer to notice for comment submittal information.

Future Action: Comments due by Jan. 26, 2012.

Water Use

California Guidance for Complying with Water Diversion Measurement Requirements for Statement Holders

Official Contact: Division of Water Rights

Phone: (916) 341-5300

Regulation Type: Guidance

Other Links: [Guidance](#)

Subject: Water Use

Summary: The State Water Resources Control Board has issued the "Final Guidance for Complying with Water Diversion Measurement Requirements for Statement Holders." This document provides guidance on how to comply with the water diversion measurement requirements under the California Water Code for diverters of water who file Statements of Water Diversion and Use (Statement).

History: Guidance published on Dec. 15, 2011.

Florida Consumptive Use Permit Criteria and Conditions Relating to the Reuse of Reclaimed Water

Citation: 40C-2.101

Official Contact

Wendy Gaylord, Rules Coordinator
Office of General Counsel
St. Johns River Water Management District
4049 Reid Street
Palatka, FL 2178-2529
Phone: (386) 326-3026
Email: wgaylord@sjrwmd.com

Regulation Type: Regulation

Progress: Proposed

Other Links: [Notice of Development of Rulemaking](#)

Subject: Water Use

Summary: The St. Johns River Water Management District has proposed rulemaking that will address the development and amendment of consumptive use permit criteria and conditions relating to the reuse of reclaimed water. The purpose of the rule development is to implement the provisions of Sections 373.250(3)(c)-(d) of the Florida Statutes, which mandate rules to require that permit applicants provide written documentation from a reuse utility on the availability of reclaimed water. The effect of this process will be the development of proposed rule amendments to Chapter 40C-2, F.A.C., and the Applicant's Handbook: Consumptive Uses of Water (incorporated by reference in subsection 40C-2.101(1), F.A.C.). The amendments will ensure that each permit applicant provides written documentation from a reuse utility on the availability of reclaimed water and will specify the content of the documentation required, including enough information on the availability and costs associated with the connection to and the use of reclaimed water, to facilitate the permit applicant's evaluation of reclaimed water feasibility.

History: Notice of Development of Rulemaking published on Dec. 30, 2011.

Future Action: Workshop scheduled for Feb. 1, 2012. Workshop scheduled for Feb. 2, 2012.

Florida Consumptive Use Permits (CUPs)

Citation: FAC 40C-2.101, .331, .381, .501, .900

Official Contact

Wendy Gaylord

Rules Coordinator, Office of General Counsel

St. Johns River Water Management District

4049 Reid Street

Palatka, Florida 32177-2529

Phone: (386)326-3026

Email:

wgaylord@sjrwmd.com

Regulation Type: Regulation

Progress: Published

Other Links: [Notice of Proposed Rule](#)

[Notice of Meeting/Workshop Hearing](#)

[Notice of Change](#)

Subject: Water Use

Summary: The purposes and effects of this rulemaking are to: (1) streamline permit modifications by expanding the types of modifications to consumptive use permits (CUPs) that can be requested by letter (rather than by filling out and submitting a complete CUP application form); (2) clarify the procedures and criteria for all CUP modifications, including letter modifications, and renewals; (3) revise and update the permit limiting conditions, and allow a permit limiting condition to be waived or modified when the condition is inapplicable to the activity authorized by the CUP; (4) repeal outdated general permit conditions (by type of use) and outdated special conditions; (5) reduce the number of water use types from 23 down to seven, define the water use types, and make changes to parts of the CUP Handbook incorporated by reference in Rule 40C-2.900, F.A.C., and the CUP application form and other forms incorporated by reference in Rule 40C-2.900, F.A.C., to conform to the new water use type categories; (6) revise and update the CUP application form and update rule references to this form; (7) adopt Water Use Record (EN-50) and Water Use Reporting Verification (EN-51) forms incorporated by reference in Rule 40C-2.900, F.A.C.; (8) adopt Annual Statement of Continuing Use form incorporated by reference in Rule 40C-2.900, F.A.C., as part of rulemaking to streamline and reduce water use reporting requirements for small water users (described below); (9) define "domestic use," consistent with the statutory definition in Section 373.019(6), F.S.; (10) streamline, clarify, and update the District's rule on compliance reports for 20-year CUPs, to conform the rule to a recent statutory amendment in Section 373.236(4), F.S., that compliance reports cannot be required more than once every ten years; (11) clarify the requirements for supplemental irrigation models and expand the types of supplemental irrigations models allowed; (12) clarify rules that apply to permit transfers; (13) clarify

monitoring requirements regarding water withdrawal quantities for CUPs initially issued prior to July 23, 1991 and clarify such monitoring for CUPs initially issued on or after July 23, 1991; (14) reduce water use reporting requirements for small users (with permitted CUP allocations not exceeding 100,000 gallons per day on an annual average), who will be allowed to annually submit an "Annual Statement of Continuing Use" rather than semi-annually submitting EN-50 forms; and (15) clarify that individual and standard general CUP applicants must submit a water conservation plan in their permit application.

History: Notice of Proposed Rule published on Aug. 19, 2011. Hearing scheduled for Oct. 11, 2011. Notice of Meeting/Workshop Hearing published on Oct. 21, 2011. Hearing held on Nov. 8, 2011. Notice of Change published on Dec. 22, 2011.

New Jersey Schedule of Rates, Charges and Debt Service Assessments for the Sale of Water from the Raritan Basin System

Citation: N.J.A.C. 7:11-2.3, 2.4, 2.5, 2.6, 2.12

Official Contact: Henry S. Patterson, Executive Director

New Jersey Water Supply Authority

Attn: DEP Docket No. 14-11-12

1851 Route 31

P.O. Box 5196

Clinton, NJ 08809

Regulation Type: Regulation

Progress: Published

Other Links: [Rule Proposal](#)

Subject: Water Use

Summary: The New Jersey Water Supply Authority has proposed amendments to its Schedule of Rates, Charges and Debt Service Assessments for the Sale of Water from the Raritan Basin System (System), to cover expenses for Fiscal Year (FY) 2013, commencing July 1, 2012. The amendments to specific aspects of the rate structure proposed in this rulemaking will result in no change to the overall rate of \$ 231.00 per million gallons (MG). Final action on the rate adjustment is scheduled for the Authority's April 2, 2012 meeting.

History: Rule Proposal published on Jan. 3, 2012.

Future Action: Pre-Public Hearing Meeting scheduled for Jan. 6, 2012. Hearing scheduled for Feb. 3, 2012. Comments due by Mar. 3, 2012.

UPDATED RECORDS

Drinking Water

Colorado Public Disclosure of Hydraulic Fracturing Chemicals

Citation: 2 CCR 404-1

Official Contact: Colorado Oil and Gas Conservation Commission

1120 Lincoln Street

Denver, CO 80203

Phone: (303) 894-2100

Regulation Type: Regulation

Progress: Published

Other Links: [Report of the Commission and First Prehearing Order](#)

[Draft Statement of Basis and Purpose](#)

[Proposed Amendments](#)

[Notice of Rulemaking Hearing](#)

[Amended Report of the Commission and First Prehearing Order](#)

[Proposed Rule](#)

[Recommended Clarifications](#)

[Notice of Continued Rulemaking Meeting](#)

[Amended Notice of Continued Rulemaking Meeting](#)

[Final Modified Staff Proposal](#)

Subject: Drinking Water

Summary: The Oil and Gas Conservation Commission has proposed rulemaking relating to public disclosure of hydraulic fracturing chemicals. The Commission Staff believes the new rules and amendments will significantly increase the transparency of hydraulic fracturing operations. The proposed rules require service companies and vendors to disclose all known chemicals in hydraulic fracturing fluids to operators and require operators to disclose such chemicals to the public via the website [FracFocus.org](#) or, with respect to an operator's trade secrets, directly to the Commission or health professionals. [FracFocus.org](#) is a hydraulic fracturing chemical registry website created by the Ground Water Protection Council and the Interstate Oil and Gas Compact Commission. The new rules and amendments reflect staff discussions with those intergovernmental organizations, as well as other states, industry associations, individual operators, and conservation groups. Although states have taken different approaches to disclosure, and the industry and conservation groups disagree on several issues, the Commission believes the proposed new rules and amendments strike a responsible balance.

History: Report of the Commission and First Prehearing Order published on Oct. 25, 2011.

Proposed Amendments published on Nov. 1, 2011. Amended Report of the Commission and First Prehearing Order published on Nov. 7, 2011. Notice of Rulemaking Hearing published on Nov. 7, 2011. Proposed Rule published on Nov. 10, 2011. Applications for party status must be filed by Nov. 17, 2011. Comments due by Nov. 23, 2011. Recommended Clarifications published on Dec. 2, 2011. Rulemaking Hearing held on Dec. 5, 2011. Notice of Continued Rulemaking Meeting published on Dec. 6, 2011. Amended Notice of Continued Rulemaking Meeting published on Dec. 9, 2011. Final Modified Staff Proposal published on Dec. 13, 2011. Meeting held on Dec. 13, 2011.

Remarks: The meeting which was originally scheduled for Dec. 12, 2011 has been rescheduled for Dec. 13, 2011. See the Amended Notice of Continued Rulemaking Meeting for more information.

Future Action: Rulemaking expires Jun. 10, 2012.

Florida Delegation of Authority

Citation: 40D-1.002

Official Contact: Barbara Martinez

Sr. Admin. Assistant

SWFWMD

2379 Broad St.

Brooksville, FL 34604-6899

Phone: (352) 796-7211

Regulation Type: Regulation

Progress: Effective: 12/4/2011

Other Links: [Notice of Development of Rulemaking](#)

[Notice of Proposed Rule](#)

[Notice of Change](#)

[Notice of Rule Filing](#)

[Final Rule](#)

Subject: Drinking Water

Summary: The Southwest Florida Water Management District has adopted rulemaking to incorporate by reference an Amendment to the Well Construction Permitting Agreement Between the Southwest Florida Water Management District and Marion County Health Department, which Amendment extends the Agreement for another 5 years. Since 2006, the Southwest Florida Water Management District (District) has delegated authority to the Marion County Health Department (MCHD) to administer the water well construction permitting program in that portion of Marion County situated within the District. This rulemaking will incorporate by reference an Amendment to the Agreement to continue such delegation for another five years through September 2016. Under the Agreement, MCHD will continue to review applications and issue water well construction permits, monitor and inspect well

construction activities, undertake compliance and enforcement actions when appropriate and report activities to the District.

History: Notice of Development of Rulemaking published on Sept. 16, 2011. Notice of Proposed Rule published Sept. 23, 2011. Notice of Change published on Oct. 14, 2011. Comments due by Oct. 14, 2011. Notice of Rule Filing published on Dec. 2, 2011. Rule effective on Dec. 4, 2011.

Florida Environmental Resource Permitting Amendments

Citation: 40D-1.607; 40D-1.659

Official Contact: Barbara Martinez

2379 Broad St.

Brooksville, FL 34606-6899

Phone: (352) 796-7211, Ext. 4660

Regulation Type: Regulation

Progress: Effective: 12/29/2011

Other Links: [Notice of Rulemaking Development](#)

[Notice of Proposed Rule](#)

[Notice of Rule Filing](#)

Subject: Drinking Water

Summary: The Southwest Florida Water Management District has adopted rulemaking to eliminate the \$91 fee for transferring an Environmental Resource Permit upon a change in property ownership, list the updated permit transfer form which is revised to eliminate any reference to a fee, and clarify the fee for permit applications that are resubmitted after being withdrawn or denied. The effect is to reduce costs to the public associated with such permit transfers and application resubmittals.

History: Notice of Rulemaking Development published on Oct. 7, 2011. Notice of Proposed Rule published on Oct. 14, 2011. Notice of Rule Filing published on Dec. 22, 2011. Rule effective on Dec. 29, 2011.

Florida Extension of Well Construction Permits

Citation: 40D-3.321; 40D-3.502; 40D-3.517

Official Contact: Barbara Martinez

2379 Broad St.

Brooksville, FL 34606-6899

Phone: (352) 796-7211

Regulation Type: Regulation

Progress: Effective: 12/12/2011

Other Links: [Notice of Rulemaking Development](#)

[Notice of Proposed Rule](#)

[Notice of Rule Filing](#)

Subject: Drinking Water

Summary: The Southwest Florida Water Management District has adopted rulemaking to allow all well construction permits to be extended up to 1 year and eliminate outdated provisions, in an effort to reduce regulatory burdens, remove outdated rule provisions and help streamline permitting requirements. This rulemaking is one of the initiatives identified by the District as part of its rule review in response to Executive Order No. 11-72, to identify rules for amendment or repeal that are unnecessarily burdensome, no longer necessary or duplicative of statutory language.

History: Notice of Rulemaking Development published on Oct. 7, 2011. Notice of Proposed Rule published on Oct. 14, 2011. Notice of Rule Filing published on Dec. 9, 2011. Rule effective on Dec. 12, 2011.

Florida Environmental Resource Permitting Amendments

Citation: 40D-4.091; 40D-4.351

Official Contact: Barbara Martinez

2379 Broad St.

Brooksville, FL 34606-6899

Phone: (352) 796-7211, Ext. 4660

Regulation Type: Regulation

Progress: Effective: 12/29/2011

Other Links: [Notice of Rulemaking Development](#)

[Notice of Proposed Rule](#)

[Notice of Correction](#)

[Notice of Rule Filing](#)

Subject: Drinking Water

Summary: The Southwest Florida Water Management District has adopted a revised Notification and Request for Transfer of Environmental Resource Permit form, which is revised to eliminate reference to any fee, and to allow transfer of the permit to a new owner upon notification from either the permittee or new property owner. The effect is to reduce costs and eliminate an unnecessary burden related to the transfer of Environmental Resource Permits when there is a change in property ownership on which the permitted system is located.

History: Notice of Rulemaking Development published on Oct. 7, 2011. Notice of Proposed Rule published on Oct. 14, 2011. Notice of Correction published on Nov. 10, 2011. Notice of Rule Filing published on Dec. 22, 2011. Rule effective on Dec. 29, 2011.

Florida Modification of Permits

Citation: 40D-4.331

Official Contact: Barbara Martinez

Office of General Counsel

2379 Broad St.

Brooksville, FL 34604-6899

Phone: (352) 796-7211

Regulation Type: Regulation

Progress: Effective: 12/12/2011

Other Links: [Notice of Development of Rulemaking](#)

[Notice of Proposed Rule](#)

[Notice of Correction](#)

[Notice of Change](#)

[Notice of Change](#)

[Notice of Rule Filing](#)

Subject: Drinking Water

Summary: The Southwest Florida Water Management District has adopted rulemaking to allow for the reauthorization and extension of expired Environmental Resource Permits (ERPs) for up to 5 years. This is a rulemaking initiative identified by the District as part of its rule review pursuant to Executive Order No. 11-72 to reduce unnecessary burdens, eliminate outdated rule language and delete language duplicative of statutes. The purpose and effect of this rulemaking is to allow for the reauthorization and extension of expired Environmental Resource Permits (ERPs) for up to 5 years. This is a rulemaking initiative identified by the District as part of its rule review pursuant to Executive Order No. 11-72 to reduce unnecessary burdens, eliminate outdated rule language and delete language duplicative of statutes.

History: Notice of Development of Rulemaking published on Oct. 7, 2011. Notice of Proposed Rule published on Oct. 14, 2011. Notice of Correction published on Oct. 28, 2011. Notice of Change published on Dec. 9, 2011. Notice of Rule Filing published on Dec. 9, 2011. Rule effective on Dec. 12, 2011.

Indiana Water Well Drillers Licensing

Citation: 312 IAC 13

Official Contact

Mark Basch

Section Head, Water Rights/Use

Division of Water

Department of Natural Resources

Indiana Government Center South

402 West Washington Street, Room W264

Indianapolis, IN 46204

Phone: (317) 232-0154

Email: mbasch@dnr.in.gov

Regulation Type: Regulation

Progress: Finally Adopted

Other Links: [Notice of Intent to Adopt a Rule](#)

[Proposed Rule](#)

[Notice of Public Hearing](#)

[Economic Impact Statement](#)

[Publisher's Receipt for Filed Document](#)

Subject: Drinking Water

Summary: The Natural Resources Commission has adopted amendments to 312 IAC 13, which governs water well drillers, to provide for the licensing of water well pump installers and continuing education for pump installers and water well drillers. Assists with the implementation of P.L.84-2010. Adds definitions. Clarifies language and makes technical corrections.

History: Notice of Intent to Adopt a Rule published on Jun. 15, 2011. Proposed Rule and Notice of Public Hearing published on Sept. 14, 2011. Hearing held on Oct. 14, 2011. Publisher's Receipt for Filed Document published on Dec. 20, 2011.

Future Action: Rule effective on Jan. 19, 2012.

New York High-Volume Hydraulic Fracturing

Citation: 6 NYCRR Addition of Parts 52, 560 and Subpart 750-3; amendment of Parts 190, 550-555; and Subpart 750-1

Official Contact

Eugene Leff

Deputy Commissioner

Department of Environmental Conservation

625 Broadway

Albany, New York 12233-6510

Phone: (518) 402-8044

Email: public@gw.dec.state.ny.us

Regulation Type: Regulation

Progress: Published

Other Links: [Notice of Proposed Rulemaking](#)

[Notice of Extension of Comment Period](#)

Subject: Drinking Water

Summary: The Department of Environmental Conservation has proposed rulemaking which will modify the existing regulations and promulgate new regulations related to the use of high-volume hydraulic fracturing (HVHF) to facilitate production of natural gas from wells permitted by the Department. Also included in the proposed rules are updates to the Department's oil and gas and State Pollutant Discharge Elimination System (SPDES) regulations.

History: Notice of Proposed Rulemaking published on Sept. 28, 2011. Hearing held on Nov. 16, 2011. Hearing held on Nov. 17, 2011. Hearing held on Nov. 29, 2011. Hearing held on Nov. 30, 2011. Comments due by Dec. 12, 2011. Notice of Extension of Comment Period published on Dec. 14, 2011.

Future Action: Comment deadline extended to Jan. 11, 2012.

South Dakota Replacement of Oil and Gas Conservation Regulations

Citation: 74:10; 74:12

Official Contact: Minerals and Mining Program

Department of Environment and Natural Resources

Joe Foss Building, 523 East Capitol Avenue

Pierre, South Dakota 57501

Phone: (605) 773-4201

Regulation Type: Regulation

Progress: Finally Adopted

Other Links: [Notice of Proposed Rules](#)

[Notice of Filing with the Secretary of State](#)

Subject: Drinking Water

Summary: Department of Environment and Natural Resources has adopted rulemaking which replaces the existing oil and gas conservation Article 74:10 with Article 74:12 which will give a clearer, simpler format that includes allowing approval of aquifer exemptions under the notice of recommendation process and allowing administrative approval of commingling oil from separate pools, completing producing wells in multiple zones, dissolving abandoned oil and gas fields, and drilling wells without a blowout preventer; expediting regulatory approval under the notice of recommendation process by allowing an operator to set a hearing date for cases that may or may not require a contested case hearing, excluding a duplicative requirement for monthly reporting of water production, an unnecessary requirement for annual submission of pipeline maps, duplicative requirements pertaining to directional wells and pits that are hazardous to birds or other species, an outdated rule pertaining to production of carbon dioxide and steam, and an unnecessary requirement for annual inspections of all oil and gas wells.

History: Rule filed in the Legislative Research Council on Oct. 17, 2011. Notice of Proposed Rules published on Oct. 24, 2011. Comments due by Nov. 9, 2011. Hearing held on Nov. 16, 2011. Notice of Filing with the Secretary of State published on Dec. 27, 2011.

Future Action: Rule effective on Jan. 12, 2012.

Texas Hydraulic Fracturing Chemical Disclosure Requirements

Citation: 16 TAC Â§3.29

Official Contact: Leslie Savage

Phone: (512) 463-7308

Regulation Type: Regulation

Progress: Finally Adopted

Other Links: [Proposed Rule](#)

[Adoption Approved at Conference](#)

[Adoption](#)

Subject: Drinking Water

Summary: The Railroad Commission of Texas (Commission) has adopted new section 3.29, relating to Hydraulic Fracturing Chemical Disclosure Requirements.

History: Proposed Rule published Sept. 9, 2011. Hearing held on Oct. 5, 2011. Comments due by Oct. 11, 2011. Adoption Approved at Conference on Dec. 13, 2011. Adoption published on Dec. 30, 2011.

Future Action: Rule effective on Jan. 2, 2012.

State Water Plans

Kansas State Water Plan Addition

Official Contact: Katie Ingels

KWO communications director

Phone: (785) 296-3185

Regulation Type: Notice

Other Links: [Notice of Hearing](#)

[Notice of Hearing](#)

Subject: State Water Plans

Summary: The Kansas Water Authority will conduct a public hearing at 1 p.m. Thursday, December 15, in the Kansas Water Office's conference room, 901 S. Kansas Ave., Topeka, on a proposed addition to the State Water Plan, the Marais des Cygnes Basin section, Volume III of the Reservoir Roadmap, Basin Priority Issues, Watershed Restoration and Protection, and Water Supply Management and Conservation.

History: Notice of Hearing published on Dec. 1, 2011. Notice of Hearing published on Dec. 8, 2011. Hearing held on Dec. 15, 2011. Comment due by Dec. 28, 2011.

Water Protection

Colorado Classifications and Numeric Standards for Arkansas River Basin

Citation: 5 CCR 1002-32

Official Contact

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Unit Manager

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Regulation Type: Regulation

Progress: Finally Adopted

Other Links: [Notice of Rulemaking Hearing](#)

[Proposed Rule](#)

[Permanent Rule](#)

Subject: Water Protection

Summary: The Department of Public Health and Environment has permanently adopted revisions to classifications and water quality standards for lower Arkansas segment 2a in the Classifications and Numeric Standards for Arkansas River Basin, Regulation #32 (5 CCR 1002-32), which were adopted on an emergency basis on June 13, 2011.

History: Notice of Rulemaking Hearing published on Jul. 20, 2011. Hearing held on Nov. 14, 2011. Permanent Rules Adopted published on Dec. 10, 2011.

Future Action: Rule effective on Jan. 1, 2012.

Idaho Water Quality Standards

Citation: 58.01.02

Official Contact

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Regulation Type: Regulation

Progress: Agency Adopted

Other Links: [Proposed Rule](#)

[Adoption of Pending Rule](#)

Subject: Water Protection

Summary: The Department of Environmental Quality has adopted amendments to 58.01.02 to make the language on implementation of antidegradation procedures in Idaho's water quality standards complete and consistent with changes in state law brought about by the 2011 Legislature's passage of HB153. DEQ has revised the Water Quality Standards, IDAPA 58.01.02, with respect to antidegradation implementation, for consistency with HB153.

History: Proposed Rule published on Jul. 6, 2011. Comments due by Aug. 5, 2011. Meeting held on Nov. 9, 2011. Meeting held on Nov. 10, 2011. Adoption of Pending Rule published on Dec. 7, 2011.

Remarks: EFFECTIVE DATE: This rule has been adopted by the Board of Environmental

Quality (Board) and is now pending review by the 2012 Idaho State Legislature for final approval. The pending rule will become final and effective immediately upon the adjournment sine die of the Second Regular Session of the Sixty-first Idaho Legislature unless prior to that date the rule is rejected in whole or in part by concurrent resolution in accordance with Idaho Code Sections 67-5224 and 67-5291.

Missouri Proposed 2012 303(d) List and 2014 Listing Methodology Document

Official Contact

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Regulation Type: Notice

Other Links: [Public Notice](#)

[Proposed 2014 Listing Methodology Document](#)

[Proposed 2012 303\(d\) List](#)

Subject: Water Protection

Summary: The Department of Natural Resources has published a draft of Missouri's 2012 303(d) List and a draft of the 2014 Listing Methodology Document. Section 303(d) of the federal Clean Water Act requires that each state identify certain waters that are not meeting water quality standards. Water quality standards protect such beneficial uses of water as whole body contact (such as swimming), maintaining fish and other aquatic life, and providing drinking water for people, livestock and wildlife. The 303(d) list helps state and federal agencies keep track of waters that have impairment.

History: Public Notice issued on Nov. 29, 2011. Meeting held on Dec. 13, 2011.

Remarks: There was an error in the 303d public notice emailed on Monday, Nov. 28, 2011. The first public meeting will be at the DNR Elm Street Offices in Jefferson City, 1730 E. Elm Street, not the Lewis and Clark State Office Building. If you have any questions please contact John Ford at (573) 751-7024.

Future Action: Meeting scheduled for Feb. 10, 2012. Hearing scheduled for Mar. 7, 2012. Comments due by Mar. 15, 2012.

Virginia Waterworks Regulations

Citation: Amend 12VAC5-590-10, -340, -350, -370, -380, -410, -420, -440, -460, -500, -530, -540, -545, -550; Add 12VAC5-590-379, -421, -425

Official Contact

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Regulation Type: Regulation

Progress: Effective: 12/7/2011

Other Links: [Final Regulation](#)

Subject: Water Protection

Summary: The Department of Health has adopted amendments to waterworks regulations. The amendments provide for (i) periodic sanitary surveys of groundwater source waterworks that require the evaluation of eight critical elements and the identification of significant deficiencies; (ii) source water monitoring to test for the presence of E. coli; (iii) required corrective actions for any waterworks with a significant deficiency or source water E. coli contamination; and (iv) compliance monitoring to ensure that treatment technology installed to treat drinking water achieves at least 99.99% inactivation or removal of viruses.

History: Filed October 14, 2011. Final Regulation published on Nov. 7, 2011. Regulation effective on Dec. 7, 2011.

Remarks: REGISTRAR'S NOTICE: The following regulatory action is exempt from the Administrative Process Act in accordance with Â§ 2.2-4006 A 4 c of the Code of Virginia, which excludes regulations that are necessary to meet the requirements of federal law or regulations, provided such regulations do not differ materially from those required by federal law or regulation. The State Board of Health will receive, consider, and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Water Resources

Florida Definition for "Clearing" and Removal of Confusing Language

Citation: 40B-4.1020, 40B-4.3030

Official Contact: Robin Lamm
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Regulation Type: Regulation

Progress: Published

Other Links: [Notice of Development of Rulemaking](#)
[Notice of Proposed Rule](#)

Subject: Water Resources

Summary: The Suwannee River Water Management District has proposed rules to adopt a definition for the term “clearing” and remove confusing language to be consistent with recently adopted language, which will allow for better comprehension of the rules within part III of this chapter by the public and District staff.

History: Notice of Development of Rulemaking published on Nov. 18, 2011. Notice of Proposed Rule published on Dec. 9, 2011.

Iowa Incorporation of Federal Drinking Water Rules

Citation: 567 IAC 40, 41, 42, 43, 83

Official Contact

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Regulation Type: Regulation

Progress: Finally Adopted

Other Links: [Notice of Intended Action](#)

[Adopted and Filed](#)

Subject: Water Resources

Summary: The Environmental Protection Commission has adopted amendments to regulations which pertain to drinking water. In January 2006, the U.S. Environmental Protection Agency (EPA) promulgated two new significant federal rules pertaining to drinking water: the Stage 2 Disinfectants and Disinfection Byproducts Rule (Stage 2 DBPR) and the Long-Term 2 Enhanced Surface Water Treatment Rule (LT2 ESWTR). In addition, other changes, primarily in analytical methods, were made between January 2004 and March 2007 to existing federal drinking water rules. States are expected to incorporate these federal rule provisions into state program rules in order to maintain primacy in the drinking water program. These amendments will accomplish that end.

History: Notice of Intended Action published on Sep. 7, 2011. Hearing scheduled Sep. 28, 2011. Comments due by Sep. 29, 2011. Adopted and Filed published on Dec. 14, 2011.

Future Action: Rule effective on Jan. 18, 2012.

Texas Drinking Water State Revolving Fund

Citation: 31 TAC §§371.14, .21, .40-.42, .50, .51

Official Contact: Texas Water Development Board

Phone: (512) 463-8061

Regulation Type: Regulation

Progress: Finally Adopted

Other Links: [Notice of Proposed Rule](#)

[Adoption](#)

Subject: Water Resources

Summary: The Texas Water Development Board (TWDB) adopts amendments to Chapter 371, Drinking Water State Revolving Fund: Subchapter B, Financial Assistance, Â§371.14, regarding Lending Rates; Subchapter C, Intended Use Plan, Â§371.21, regarding Rating Process; and Subchapter E, Environmental Reviews and Determinations, Â§371.40, regarding Definitions, Â§371.41, regarding Environmental Review Process, Â§371.42, regarding Types of Environmental Determinations: Categorical Exclusions, Â§371.50, regarding Use of Environmental Determinations Prepared by Other Entities, and new Â§371.51, regarding Emergency Relief Project Procedures without changes to the proposed text as published in the November 4, 2011, issue of the Texas Register (36 TexReg 7483).

History: Notice of Proposed Rule published on Nov. 4, 2011. Comments due by Dec. 4, 2011. Adoption published on Dec. 30, 2011.

Future Action: Rules effective on Jan. 9, 2012.

Texas Clean Water State Revolving Fund

Citation: 31 TAC Â§375.2, .15, .52, .70, .204

Official Contact: Texas Water Development Board

Phone: (512) 463-8061

Regulation Type: Regulation

Progress: Finally Adopted

Other Links: [Notice of Proposed Rule](#)

[Adoption](#)

Subject: Water Resources

Summary: The Texas Water Development Board (TWDB) adopts amendments to Chapter 375, Clean Water State Revolving Fund: Subchapter A, General Program Requirements, Â§375.2, regarding Entities and Activities Eligible for Assistance; Subchapter B, Financial Assistance, Â§375.15, regarding Lending Rates; Subchapter E, Environmental Reviews and Determinations, Division 1, State Projects, Â§375.52, regarding Types of Environmental Determinations: Categorical Exclusions; Division 2, Federal Projects, Â§375.62, regarding Types of Environmental Determinations: Categorical Exclusions and Â§375.70, regarding Use of Environmental Determinations Prepared by Other Entities; and Subchapter I, Nonpoint Source Pollution Linked Deposits Program, Â§375.204, regarding Project Certifications without changes to the proposed text as published in the November 4, 2011, issue of the Texas Register

(36 TexReg 7486).

History: Notice of Proposed Rule published on Nov. 4, 2011. Comments due by Dec. 4, 2011. Adoption published on Dec. 30, 2011.

Future Action: Rules effective on Jan. 9, 2012.

Water Use

Florida Publications Incorporated by Reference; Content of Application

Citation: 40D-2.091; 40D-2.101

Official Contact: Barbara Martinez, Sr. Administrative Assistant

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Regulation Type: Regulation

Progress: Effective: 12/12/2011

Other Links: [Notice of Development of Rulemaking](#)

[Notice of Proposed Rule](#)

[Notice of Correction](#)

[Notice of Rule Filing](#)

Subject: Water Use

Summary: The Southwest Florida Water Management District has adopted rulemaking to incorporate by reference an updated version of the District's Water Use Information Manual Part B, Basis of Review (WUP BOR) and revised Water Use Permit application forms, both of which are being revised consistent with a District initiative to reduce the number of copies of application forms, supporting materials and compliance reports that are required to be submitted to the District.

History: Notice of Development of Rulemaking published on Sept. 30, 2011. Notice of Proposed Rule published on Oct. 14, 2011. Notice of Correction published on Nov. 10, 2011. Notice of Rule Filing published on Dec. 9, 2011. Rule effective on Dec. 12, 2011.

Florida General Permit for Site Conditions Assessment; Conditions for Issuance of General Permits

Citation: 40D-40.044; 40D-40.302

Official Contact: Barbara Martinez, Sr. Administrative Assistant

Office of General Counsel

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Phone: (352) 796-7211, extension 4660

Regulation Type: Regulation

Progress: Effective: 12/12/2011

Other Links: [Notice of Development of Rulemaking](#)

[Notice of Proposed Rule](#)

[Notice of Correction](#)

[Notice of Rule Filing](#)

Subject: Water Use

Summary: The purpose and effect of this rulemaking is to reduce the number of site conditions assessment permit application copies that are required to be submitted from 5 copies to 1 original and 2 copies. The application form is also revised accordingly. These amendments are part of a larger District rulemaking initiative to reduce the number of copies of permit application forms, supporting materials and compliance-related reports and documents that are required to be submitted. The overall purpose and effect of this initiative is to reduce costs to the public that are associated with the submittal of permit applications and the reporting of permit compliance activities to the District.

History: Notice of Development of Rulemaking published on Sept. 30, 2011. Notice of Proposed Rule published on Oct. 14, 2011. Notice of Correction published on Nov. 10, 2011. Notice of Rule Filing published on Dec. 9, 2011. Rule effective on Dec. 12, 2011.

Florida Deleting Obsolete Forms, Documents, and Terms

Citation: 40E-1.5095, .603, .6058, .607, .615, .659

Official Contact

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South Florida Water Management District

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Regulation Type: Regulation

Progress: Effective: 12/15/2011

Other Links: [Notice of Rulemaking Development](#)

[Notice of Proposed Rule](#)

[Notice of Change](#)

[Notice of Rule Filing](#)

Subject: Water Use

Summary: The South Florida Water Management District has adopted rulemaking relative to deleting obsolete forms, documents, and terms. The rulemaking seeks to amend the

District's rules to: 1) delete obsolete forms and other documents incorporated by reference; 2) update rules for consistency with statutory amendments; and 3) delete "general" from "standard general permits".

History: Notice of Rulemaking Development published on Sep. 24, 2010. Notice of Proposed Rule published on Sep. 9, 2011. Comments due by Sep. 30, 2011. Hearing held on Oct. 13, 2011. Notice of Change published on Oct. 28, 2011. Notice of Rule Filing published on Dec. 9, 2011. Rule effective on Dec. 15, 2011.

Florida Amending the District's Rules and Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District

Citation: 40E-4.011, .021, .041, .0415, .042, .051, .091, .101, .201, .301, .302, .303, .305, .321, .331, .361, .381

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Regulation Type: Regulation

Progress: Effective: 12/15/2011

Other Links: [Notice of Rulemaking Development](#)

[Notice of Proposed Rule](#)

[Notice of Rule Filing](#)

Subject: Water Use

Summary: The South Florida Water Management District has adopted rulemaking relative to amending existing rules. The rulemaking seeks to amend the District's rules and Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District to: 1) delete obsolete forms and other documents incorporated by reference; 2) correct citations; 3) add "subparagraph" or "paragraph" before rule references; 4) update rules for consistency with statutory amendments; 5) correct reference to exhibit on Form 1318; 6) update process for submitting forms and other documents to the District; 7) repeal rules that are unnecessary because they are duplicative of rules set forth in the District's general rules; 8) replace illegible maps in the Florida Administrative Code and renumber Figures for consistency; 9) update rule references from surface water management to environmental resource permitting; 10) delete unnecessary rule titles following rule numbers within text; 11) update rules incorporating materials by reference to conform to the Department of State's rule regarding materials incorporated by reference; and 12) delete "general" from

"standard general permits"; and 13) delete general condition paragraph 40E-4.381(1)(r), F.A.C., as redundant.

History: Notice of Rulemaking Development published on Sep. 24, 2010. Notice of Proposed Rule published on Sep. 9, 2011. Comments due on Sep. 30, 2011. Hearing held on Oct. 13, 2011. Notice of Rule Filing published on Dec. 9, 2011. Rule effective on Dec. 15, 2011.

Florida Amending Rules to Delete Duplicative Language

Citation: 40E-40.010, .011, .031, .041, .042, .051, .091, .141, .302, .321, .331, .341, .381, .391

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Regulation Type: Regulation

Progress: Effective: 12/1/2011

Other Links: [Notice of Rulemaking Development](#)

[Notice of Proposed Rulemaking](#)

Subject: Water Use

Summary: The South Florida Water Management District has adopted rulemaking in order to: 1) correct the District's rules to delete "general" from standard permits pursuant to Section 373.118(1), F.S.; 2) update incorporation language pursuant to Section 120.55(1)(a)4., F.S., and Rule 1B-30.005, F.A.C.; 3) include hyperlinks to materials incorporated by reference pursuant to Section 30.005, F.A.C.; 4) update titles of directors; 5) delete reference to repealed rule; and 6) delete outdated language.

History: Notice of Rulemaking Development published on Sep. 24, 2010. Notice of Proposed Rulemaking published on Sep. 9, 2011. Comments due by Sep. 30, 2011. Hearing held on Oct. 13, 2011. Final Rules filed on Nov. 10, 2011. Rules effective on Dec. 1, 2011.

Kansas Water Flex Accounts

Citation: K.A.R. 5-16-1; K.A.R. 5-16-3; K.A.R. 5-16-5

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Regulation Type: Regulation

Progress: Effective: 12/16/2011

Other Links: [Notice of Hearing](#)

[Permanent Administrative Regulation](#)

Subject: Water Use

Summary: The Department of Agriculture, Division of Water Resources, has adopted amendments to update references, remove inconsistent language, and synchronize the years considered to calculate the quantity of water available in the flex account with the years stated in the amended statute.

The amendments also include an adjustment in the calculation for applications that request the flex account to begin in the same year the application is filed.

History: Notice of Hearing published Sept. 8, 2011. Hearing held on, and comments due by, Nov. 9, 2011. Permanent Administrative Regulation published on Dec. 1, 2011. Amendments effective on Dec. 16, 2011.

New York Water Withdrawal Permit, Reporting and Registration Program

Citation: Repeal of 6 NYCRR 601 and 675; Addition of 601; Amendment of 621.4

Official Contact

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Regulation Type: Regulation

Progress: Published

Other Links: [Notice of Proposed Rule Making](#)

[Press Release](#)

Subject: Water Use

Summary: The Department of Environmental Conservation has proposed the repeal, addition and amendment of rules concerning water withdrawal permits and the reporting and registration program. The purpose of this rulemaking is to implement amendments to Environmental Conservation Law (ECL) article 15, title 15, key provisions of ECL article 15 title 16, 6 NYCRR 675 and ECL article 15 title 33.

History: Notice of Proposed Rule Making published on Nov. 23, 2011. Press Release published on Dec. 2, 2011. Meeting held on Dec. 6, 2011. Meeting held on Dec. 8, 2011. Meeting held on Dec. 12, 2011.

Remarks: The 45-day comment period indicated in the Notice of Proposed Rule Making has been expanded to 60 days. The Department will also hold three public information meetings on the draft regulations.

Future Action: Comment deadline extended to Jan. 22, 2012. Bottom of Form.