

Regulatory Updates
Compiled for the Pine Chemicals Association
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UPCOMING CONFERENCES

-ASSP Conference and Expo, Orlando FL, July 22-24, 2025

-National Safety Council Safety Congress and Expo, Denver CO, September 12-18, 2025

-PCA International Conference, U.S. Location TBA, September 21-23, 2025

SAFETY

Can an Employer Refuse an OSHA Inspection? - “A US District Court recently affirmed OSHA’s authority to enter workplaces for the purpose of conducting inspections and investigations, and ruled that OSHA may select workplaces for inspection at random *or* by using some types of ‘relevant statistics.’ The [court's decision](#) came in response to a New Jersey employer who challenged OSHA's legal authority for conducting an inspection. Staff at the site refused entry to the OSHA officer, and the officer ultimately left the facility without performing the inspection.” Read the full story [here](#). (Lion Technology, Inc., 3/31/2025.)

Heat Injury Illness and Prevention Updates, State and Federal - “On March 13, 2025, the New Mexico Environment Department’s (NMED) Occupational Health and Safety Bureau petitioned the state’s Environmental Improvement Board to adopt a [proposed rule](#) to address occupational heat hazards, particularly where the heat index equals or exceeds 80°F. . . . Meanwhile, federal OSHA had published its own [Notice of Proposed Rulemaking](#) for heat injury illness and prevention in August 2024, and the public comment period closed in [January 2025](#). The Department of Labor under this second Trump administration has not released a regulatory agenda, and it has not indicated whether it intends to proceed with promulgation of the federal rule. . . . Nonetheless, as of the date of this post, the DOL’s public rulemaking hearing on this proposed rule is still scheduled to begin on June 16, 2025.” Read the full article [here](#). (OSHA Defense Report, Hema Steele and Beeta Lashkari, 4/2/2025.)

NFPA 660: New Scheme to Manage Combustible Dust – “The National Fire Protection Association (NFPA) has changed the way industries manage combustible dust and particulate solid hazards by replacing six separate combustible dust standards with one consolidated and streamlined scheme. Effective December 6, 2024, NFPA 660: Standard for Combustible Dusts and Particulate Solids is intended to eliminate variability across previous standards, providing industries with clearer and more consistent guidelines to managing combustible dust hazards.” The OSHA Defense Report presented a [webinar](#), on this topic. Read the full article [here](#). (OSHA Defense Report, Beeta Lashkari and Valerie Butera, 4/22/2025.)

ENVIRONMENT

Supreme Court Limits EPA's Power Over NPDES Water Permits - “In a much-anticipated decision, the U.S. Supreme Court significantly narrowed the EPA's authority under the Clean Water Act (CWA) to impose so-called "end-result" requirements in NPDES permits. These "end-result" requirements "do not spell out what a permittee must do or refrain from doing" but instead hold dischargers accountable for the condition of receiving waters, not just the nature of their discharges. . . This decision may help municipalities, utilities, and industrial dischargers push back against vague or open-ended permit language that creates legal exposure without clear standards. It also reinforces the need for regulators to define specific, enforceable permit conditions rather than shifting the burden of water quality outcomes onto dischargers.” Read the full article [here](#). (Lexology, Dickinson Wright, 4/9/2025.)

Are Solar Panels Hazardous Waste and Potential Regulatory Relief – “While most solar panels have been installed in the last decade, some have been in use for much longer. If you have any solar panels nearing the end of their useful life, you may find yourself wondering: are my solar panels hazardous waste? According to US DOE and EPA, solar panels have a lifespan of about 30–35 years and, due to varying levels of metals like lead and cadmium, must be treated on a case-by-case basis when it comes to their disposal. . . US EPA is working on a Federal RCRA rulemaking to add solar panels to the list of Universal Waste in 40 CFR Part 273. US EPA is scheduled to propose a rule that will provide a ‘clear, practical system for handling discarded solar panels.’ . . US EPA stated that the [proposed rule](#), planned for June 2025, will [also] include universal waste standards for lithium batteries. [New Jersey](#), [North Carolina](#), and [Washington](#) have all taken actions that affect solar panel waste.” Read the full article [here](#). (Lion Technology, Inc., 4/28/2025.)

Help Sheet - What’s My RCRA Generator Status? – Click [here](#) for a copy of this help sheet, courtesy of Lion Technology, Inc.

Send your suggestions and comments to ehs@pinechemicals.org

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