

Regulatory Updates
Compiled for the Pine Chemicals Association
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UPCOMING CONFERENCES

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

-PCA International Conference, San Diego CA, September 21-23, 2025

SAFETY

What to Do When It's Too Hot for PPE? - “[In June], hundreds of places across the Midwest and the East Coast in the US broke daily heat records. Many tied previous records, too. Record-breaking temperatures make PPE cumbersome for workers—especially those that wear full body PPE like full-body suits, goggles, and masks.” Heat Stress Recommendations from NIOSH include personal cooling systems, training, hierarchy of controls, acclimatization, hydration, and rest. Read the full article [here](#). It’s good content to include in our best practice on this topic. (Lion Technology, Inc., 7/3/2025.)

OSHA Expands Penalty Reduction Program for Small Employers - “Employers with up to 25 employees may now be eligible for greater penalty reductions (up to 70%) after being cited by OSHA for health and safety violations. The previous cut-off for a ‘small’ business eligible for the maximum reduction was 10 employees. The change comes from the US Department of Labor, who updated the [OSHA penalty and debt collection procedures](#) ‘in an effort to minimize the burden on small businesses and increase prompt hazard abatement.’ The Department of Labor announced the policy update in a [press release](#) on July 14, 2025.” Read the full article [here](#). (Lion Technology, Inc., 7/16/2025.)

Don’t Get Caught Off Guard: OSHA Renews Its Machine Safety (Amputations)

National Emphasis Program - Note that while chemical manufacturing isn’t specifically listed in this NEP, we should keep up our emphasis on machine guarding as well as lockout programs. “OSHA [announced](#) that it is renewing its [National Emphasis Program \(NEP\) to Address Amputations in Manufacturing](#). The renewed NEP will replace the previous version which expired on June 27 and will remain in place for five years, through June 26, 2030. . . Amputations, in OSHA’s view, continue to be one of the most devastating and preventable workplace injuries. Indeed, both lockout/tagout (LOTO) and machine guarding, which are generally recognized as related to amputation hazards, are consistently among OSHA’s most ten frequently cited standards. As part of the updated NEP, OSHA focused on manufacturing North American Industry Code System (NAICS) codes with:

- high inspection numbers related to LOTO and machine guarding
- fifty or more amputations per year for calendar years 2019-2022 according to Bureau of Labor Statistics data
- twenty-five or more employer-reported amputations for calendar years 2019-2023

The renewal includes an updated list of NAICS codes.” (OSHA Defense Report, Aaron R. Gelb and Ashley D. Mitchell, 7/22/2025.)

Webinar - Top 5 Construction Industry OSHA Citations - “Join [representatives from Conn Maciel Carey, LLC on August 13, 2025 at 1:00 pm ET] for a focused discussion on OSHA’s enforcement trends and the underlying issues that drive these top citations. Our panel of experienced OSHA attorneys will break down the most common compliance failures and share practical strategies to help you identify risks, strengthen your safety program, and avoid costly

violations. Whether you're a contractor, safety manager, or general counsel, this webinar will provide the insights and tools you need to proactively address OSHA's most cited hazards and keep your workforce safe and your projects on track. . . [Click here to register.](#)" (Conn Maciel Carey LLC, 7/31/2025.)

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Three Reasons VSQGs MAY Use a Hazardous Waste Manifest - “Provided that the [Very Small Quantity Generator (VSQG) of hazardous waste] meets all the conditions for exemption listed in 40 CFR 262.14, the generator is not required to use a Uniform Hazardous Waste Manifest to ship hazardous waste offsite for treatment, recycling, or disposal. There are, however, three reasons that a VSQG will use a manifest to ship hazardous waste. In two of the three scenarios below, the receiving facility must enter the data into EPA's electronic manifest system.

1. Voluntary use.

The VSQG may elect to use the manifest when it's not required to facilitate their own internal tracking. It's not uncommon for destination facilities to request this practice as well. When the Manifest is used voluntarily (i.e., it's not required by Federal or State law), it should not be submitted to the electronic Manifest (e-Manifest) system.

2. It's required by State RCRA program.

Many states require hazardous waste shipments from a VSQG to be accompanied by the Manifest. Manifests required by a State must be entered into the e-Manifest system.

3. To ship waste managed under the rules for "episodic generation."

In states that have adopted Federal relief for hazardous waste generated during events like spills or lab clean-outs, the VSQG is required to use a Manifest to ship the episodic waste off-site. These manifests must be entered into the e-Manifest system as well."

Read the full article [here](#). (Lion Technology, Inc., Roseanne Bottone, originally posted on 10/3/2022, reposted on 7/14/2025.)

EPA Extends Postponement of Effective Date of Certain Provisions of TCE Risk Management Rule

- “On June 23, 2025, the U.S. Environmental Protection Agency (EPA) extended the postponement of the effective date of certain regulatory provisions of its December 17, 2024, final risk management rule for trichloroethylene (TCE) until August 19, 2025. [90 Fed. Reg. 26453](#). As reported in our April 15, 2025, [blog item](#), after EPA issued the final rule in December 2024, it received multiple petitions for an administrative stay of the effective date. EPA denied the requests, and the companies submitted renewed petitions to stay the effective date of the rule, or, in the alternative, for an administrative stay of certain workplace conditions. As reported in our January 30, 2025, [blog item](#), 13 petitions for review of the final rule were filed in various federal appellate courts. On January 13, 2025, the Fifth Circuit Court of Appeals granted a petitioner's motion to stay temporarily the rule's effective date. The petitions were then consolidated and transferred to the Third Circuit Court of Appeals. The Third Circuit issued a January 16, 2025, order leaving the temporary stay of the effective date in place pending briefing on whether the temporary stay of the effective date should remain in effect. EPA states in the June 23, 2025, notice that, in light of the fact that the pending litigation is still ongoing and for the same reasons as set forth in the April 2, 2025, notice, it ‘has determined that justice requires a 60-day extension of the postponement of the effective date (i.e., until August 19, 2025)’ of the conditions for each of the Toxic Substances

Control Act (TSCA) Section 6(g) exemptions. EPA notes that the postponement will temporarily preserve the status quo while the Third Circuit litigation is pending and that nothing has materially changed since the April 2025 notice that would affect EPA's analysis of whether justice requires a stay of these provisions." (Lexology, Bergeson & Campbell PC - Lynn L. Bergeson and Carla N. Hutton, 7/9/2025.)

Send your suggestions and comments to ehs@pinechemicals.org

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