

Regulatory Updates
Compiled for the Pine Chemicals Association
November 4, 2025

Table of Contents

SAFETY

Page 2 - [A Deeper Look into OSHA's Ten Most Cited Violations](#)

Page 2 - [A New Constitutional Reckoning for Agency Adjudication](#)

ENVIRONMENT

Page 3 - [Hazardous Waste Rules to Watch in 2026](#)

Page 3 - [Comments on Final Risk Management Rule for Carbon Tetrachloride Are Due November 10, 2025](#)

Page 4 - [EPA Reconsiders Greenhouse Gas Reporting Program](#)

UPCOMING CONFERENCES

PCA Spring Meeting, Palm Coast FL, 4/21-23/2026

2026 ASSP Conference, Anaheim CA, 6/15-17/2026

2026 NSC Conference and Expo, Indianapolis IN, 9/14-16/2026

PCA International Conference, Lisbon, Portugal, 9/20-22/2026

SAFETY

A Deeper Look into OSHA’s Ten Most Cited Violations - “OSHA’s Ten Most Cited Standards list is just one tool employers can use to identify which health and safety hazards may require more attention in 2026. This guide to OSHA’s ‘Top 10’ takes it a step further by pointing out the specific regulations that employers frequently overlook and the effects those missteps have on employee health and safety. Get the guide [here](#).” (Lion Technology, Inc., 10/10/2025.)

A New Constitutional Reckoning for Agency Adjudication - “The Supreme Court’s decision in *SEC v. Jarkesy* (2024) and the Fifth Circuit’s ruling in *SpaceX v. NLRB* (2025) together mark the most significant challenge in decades to the modern administrative state. Both decisions question how—and by whom—federal agencies may prosecute and adjudicate enforcement actions. Although neither case arose under OSHA or the Department of Labor (DOL), their reasoning reaches squarely into the heart of OSHA’s whistleblower program, which relies on Administrative Law Judges (ALJs) in DOL’s Office of Administrative Law Judges (OALJ) and Administrative Review Board (ARB) to decide retaliation claims. For employers, these rulings signal not an enforcement surge, but a structural shift that could fundamentally alter how whistleblower cases are handled and appealed.” Read the full article [here](#). (OSHA Defense Report, 10/9/2025.)

Top of the
Document

ENVIRONMENT

Hazardous Waste Rules to Watch in 2026 - “While a US Federal government shutdown remains effect as of Tuesday morning, November 4, US EPA plans to advance several hazardous waste rulemakings once Congress agrees to a budget. Upcoming RCRA regulations impacting hazardous waste generators and transporters include an official sunset date for the use of paper hazardous waste manifests, the addition of new universal wastes to the program in 40 CFR Part 273, and a rule (proposed last year) to list nine per- and polyfluorylalkyl substance (PFAS) as ‘hazardous constituents’ under RCRA.

“Sunset on Paper Hazardous Waste Manifests - EPA plans to establish a timeline to phase out the use of paper hazardous waste manifests in favor of electronic manifests (e-Manifests). Since launching the e-Manifest program in 2018, EPA has established fees and taken other steps to incentivize the use of electronic manifests for all stakeholders. EPA has long said that wide adoption of e-Manifests is needed to fully realize the benefits and efficiencies of the system. . .

“New Universal Wastes - EPA will propose adding solar panels to the universal waste regulations, providing a straightforward method facilities can follow to handle discarded solar panels and promote recycling. EPA also plans to propose universal waste standards specifically tailored to lithium batteries. . .

“Listing of PFOA, PFOS, PFBS, and GenX as RCRA Hazardous Constituents - In February 2024, EPA proposed adding nine per-and polyfluoroalkyl substances (PFAS) to the list of ‘hazardous constituents’ under the RCRA program: PFOA, PFOS, PFBS, HFPO-DA (GenX), PFNA, PFHxS, PFDA, PFHxA, and PFBA. Listing a substance as a ‘hazardous constituent’ under RCRA is a step toward regulation as a hazardous waste. To list a waste as a hazardous waste in the regulations, EPA must show that the waste contains a hazardous constituent. . . For more details, see the [February 2024 proposed rule](#). EPA may or may not move forward with the rule that was proposed last year. The agency may re-open the comment period on this rule before deciding how to proceed. In the case of a separate rule concerning water quality standards for a handful of the same PFAS chemicals - PFOA, PFOS, PFNA, PFHxS, and GenX - EPA eliminated proposed limits on PFBS, PFXX, and GenX, but [maintained strict limits for PFOA and PFOS](#).” Read the full article [here](#). (Lion Technology, Inc., 11/3/2025.)

Comments on Final Risk Management Rule for Carbon Tetrachloride Are Due

November 10, 2025 - “The U.S. Environmental Protection Agency (EPA) [announced](#) on October 9, 2025, that it is beginning a 30-day comment period on its 2024 final risk management rule for carbon tetrachloride (CTC). [90 Fed. Reg. 48203](#). As reported in our January 13, 2025, [memorandum](#), EPA published the final rule on December 11, 2024. After the final rule was published, several legal challenges were filed and then consolidated in the U.S. Court of Appeals for the Eighth Circuit. EPA states that it ‘has since determined that the CTC final rule should be reconsidered through further rulemaking.’ EPA will consider comments

received to help inform next steps in this reconsideration. Comments are due November 10, 2025.

“EPA invites public comment on all aspects of the final rule, ‘including but not limited to any existing or anticipated implementation issues associated with the final rule requirements, experiences with the CTC final rule since it went into effect, and whether the agency should consider additional or alternative measures or approaches to address the unreasonable risk presented by CTC under the conditions of use.’ EPA notes that it is specifically interested in additional information on the Existing Chemical Exposure Limit (ECEL) of 0.03 parts per million (ppm) as an eight-hour time weighted average (TWA) promulgated in the CTC final rule as part of the Workplace Chemical Protection Program (WCPP), including feasibility of exposure monitoring and whether the use of a different exposure limit would be more appropriate to inform risk management.” (Lexology, Bergeson and Campbell PC - Lynn L. Bergeson and Carla N. Hutton, 10/15/2025.)

EPA Reconsiders Greenhouse Gas Reporting Program - Although this subject was covered in last month’s issue, here is a more detailed analysis of the proposed change. “On September 12, 2025, the United States Environmental Protection Agency (EPA) proposed to effectively put an end to the Greenhouse Gas Reporting Program (GHGRP), which currently requires certain industrial facilities in the U.S. to measure and report greenhouse gas (GHG) emissions to EPA (the Proposal). The proposal would remove reporting obligations for all but one source category in the current rule (petroleum and natural gas systems). This alert explains the Proposal and comments on its potential effect on certain affected industries. . .

“The Proposal seeks to completely eliminate reporting obligations for 46 of the 47 industries required to report under the GHGRP (referred to as source categories). The Proposal does not remove those obligations for most petroleum and natural gas systems, as the data collected from those systems under the GHGRP are necessary to calculate the waste emissions charge enacted in 2022 as part of the Inflation Reduction Act. However, because the collection of the waste emissions charge was postponed until 2034 by the One Big Beautiful Bill Act, the Proposal suspends the reporting requirements for affected systems until that time.

“The Proposal points back to the express terms of Section 114 of the CAA as the legal basis for the repeal of the GHGRP. As previously discussed, Section 114 authorizes EPA to require “The practical effect of the repeal of the GHGRP is expected to be fairly limited for most industries. The Proposal notes that \$256 million of the total \$303 million annual cost of the program are concentrated in the petroleum and natural gas industries. For all other industries subject to the program, the total annual cost of the program is only approximately \$50 million. When that figure is spread across all of the companies required to report, the total annual cost of the program appears to be fairly modest for most of the regulated industries. Arguably, larger companies are less likely to be affected by the Proposal. Those companies often collect and disclose GHG emissions data for reasons unrelated to U.S. federal law. . .

“The EPA is collecting comments on the Proposal until November 3, 2025. For more information on the Proposal and instructions on how to comment, please see EPA's [fact sheet](#).

If adopted, the final language of the Proposal would take effect 60 days after its publication in the Federal Register. The Proposal states that, if implemented, 2024 would be the final reporting year, meaning affected entities would not need to submit 2025 data in 2026. The Proposal may face legal challenges. Potential challengers include environmental advocacy groups, states, and local governments or tribes that rely on GHGRP data for policymaking and enforcement. Litigation may focus on EPA's interpretation of its authority under the CAA (particularly Section 114) or the consistency of the Proposal with the CAA's statutory purposes. Plaintiffs may also seek to stay implementation of the rule once finalized, pending judicial review.” Read the full article here. It’s quite informative. (Lexology, White & Case LLP - Peter C. Trimarchi, et al., 10/9/2025.)

Send your suggestions and comments to ehs@pinechemicals.org

Top of the Document
