

**Regulatory Updates**  
**Compiled for the Pine Chemicals Association**  
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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**

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## ENVIRONMENT

### **The Never-Ending Rule: EPA and Army Corps of Engineers Propose Narrowing the Post-Sackett Definition of ‘Waters of the United States’**

- “On November 17, 2025, the U.S. Environmental Protection Agency (EPA) and the Army Corps of Engineers (the Corps) announced a [proposed rule](#) to revise the definition of “waters of the United States” (WOTUS) by excluding several types of waters from the definition of WOTUS in their respective regulations (40 C.F.R. § 120.2 and 33 C.F.R. § 328.3). This is the sixth proposed change to the WOTUS definition during the past decade. Previous changes to the definition of WOTUS have been the subject of litigation in recent years, and additional litigation challenging these latest proposed revisions may be filed once the proposed rule is finalized. These proposed revisions, if implemented and upheld on appeal, would narrow the applicability of the Clean Water Act. The proposed rule was published in the November 20, 2025 edition of the Federal Register.” Read the full article [here](#). (Lexology, Greenberg Traurig - Courtney M. Shephard, et al., 11/20/2025.)

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

- “On November 14, 2025, the U.S. Environmental Protection Agency (EPA) further postponed the effective date of the Toxic Substances Control Act (TSCA) Section 6(g) exemption requirements in the final risk management rule for trichloroethylene (TCE) until February 17, 2026. [90 Fed. Reg. 51027](#). According to EPA’s November 13, 2025, [press release](#), ‘[t]his will ensure that the timing of EPA’s administrative stay aligns with the court’s timeframe for this action.’ EPA’s December 17, 2024, final rule prohibits all uses of TCE, most of which were prohibited by September 15, 2025, including TCE manufacturing and processing for most commercial uses and all consumer products. EPA has received multiple petitions for review of the final rule. EPA notes that it previously delayed the effective date of the requirements imposed on each of the TSCA Section 6(g) exemptions in the final TCE rule until November 17, 2025, and is now further postponing the effective date of these requirements until February 17, 2026.” (Lexology, Bergeson and Campbell PC - Lynn L. Bergeson and Carla N. Hutton, 11/17/2025.)

### **EPA Publishes Proposed and Direct Final Rules to Conform EPCRA Hazardous Chemical Inventory Reporting Requirements to 2024 OSHA HCS**

- “On November 17, 2025, EPA published proposed and direct final rules to conform the Emergency Planning and Community Right-to-Know Act (EPCRA) hazardous chemical inventory reporting regulations to the U.S. Occupational Safety and Health Administration’s (OSHA) Hazard Communication Standard (HCS) amendments of 2012 and 2024. [90 Fed. Reg. 51266](#) and [90 Fed. Reg. 51187](#). EPA notes that EPCRA and its regulations rely on OSHA’s HCS for the definition of a hazardous chemical and for the categories of health and physical hazards that must be reported under the hazardous chemical inventory regulations. The rules would conform the terminology used and information that must be reported on the hazardous chemical inventory forms to the HCS amendments, improving first responder and community safety, reducing discrepancies and confusion, preventing interpretation burdens on facilities when using (material) safety data

sheets to complete annual hazardous chemical inventory reports, and improving clarity. EPA intends to implement the proposed amendments as a direct final rule without a prior proposed rule. If EPA receives no adverse comment, it will not take further action on the proposed rule. Comments on the proposed rule are due December 17, 2025. EPA notes that comments on the information collection provisions of the proposed rule under the PRA must be received by OMB on or before December 17, 2025. The final rule will be effective January 16, 2026, unless EPA receives adverse comment by December 17, 2025.” (Lexology, Bergeson and Campbell PC, 11/17/2025.)

### **EPA Will Publish Final Rule Extending Compliance Dates for Laboratories Using Methylene Chloride**

- “The U.S. Environmental Protection Agency (EPA) [announced](#) on November 10, 2025, that it will publish a [final rule](#) extending the compliance date for laboratories using methylene chloride to ensure long-term compliance with the requirements of the May 2024 final risk management rule. According to EPA, the final rule will extend the Workplace Chemical Protection Program (WCPP) compliance dates for non-federal laboratories by an additional 18 months, aligning them with the dates required for federal laboratories and their contractors in the May 2024 final rule. EPA states that it received comments on the May 2025 proposed rule from various laboratories that use methylene chloride. Most commenters supported extending the WCPP compliance timeframes for non-federal laboratories. EPA notes that many of these laboratories, ‘which use methylene chloride in small quantities and somewhat infrequently, expressed challenges in completing the May 2024 methylene chloride rule’s requirements across potentially hundreds of laboratories within the short timelines prescribed in the 2024 rule.’ The final rule will extend the following compliance dates for non-federal laboratories:

- For establishing regulated areas and ensuring compliance with the Existing Chemical Exposure Limit (ECEL): from August 1, 2025, to February 8, 2027.
- For ensuring the methods of compliance as well as developing and implementing an exposure control plan: from October 30, 2025, to May 10, 2027.

More information on EPA’s 2024 final risk management rule is available in our May 17, 2024, [memorandum](#).” (Lexology, Bergeson and Campbell PC - Lynn L. Bergeson and Carla N. Hutton, 11/10/2025.)

## **DOT**

**Video Related to Signing HazMat Shipping Papers** - “Most hazardous materials shipments, including shipments of hazardous waste, must be accompanied by a shipping paper. And when you sign shipping papers, you put your name and your organization's name on the line. Watch this 5-minute [video](#) to see why training to sign shipping papers is so important, what kind of training is required, and the cost of noncompliance.” (Lion Technology, Inc., 11/14/2025.)

*Send your suggestions and comments to [ehs@pinechemicals.org](mailto:ehs@pinechemicals.org)*