

Regulatory Updates
Compiled for the Pine Chemicals Association
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UPCOMING CONFERENCES

--NSC Spring Safety Conference & Expo, 5/17-19/2023, Indianapolis IN

--ASSP Safety Conference and Expo, 6/5-7/2023, San Antonio TX and Online

--NSC Safety Conference & Expo, 10/23-25/2023, New Orleans LA

SAFETY

OSHA Announces Preliminary Top 10 Most Cited Standards for Fiscal 2022 – All of the violations on this year’s list also appeared on the previous year’s list, although there was a good deal of shifting up or down the rankings. Here’s the list. Click [here](#) for Safety and Health Magazine’s analysis. (SafetyandHealthMagazine.com, Kevin Druley, 11/27/2022.)

1. Fall Protection–General Requirements (1926.501). Ranked at # 1 in 2021.
2. Hazard Communication (1910.1200). Ranked at # 5 in 2021.
3. Respiratory Protection (1910.134). Ranked at # 2 in 2021.
4. Ladders (1926.1053). Ranked at # 3 in 2021.
5. Scaffolding (1926.451). Ranked at # 4 in 2021.
6. Lockout/Tagout (1910.147). Ranked at # 6 in 2021.
7. Forklifts and Powered Industrial Trucks (1910.178). Ranked at # 9 in 2021.
8. Fall Protection–Training Requirements (1926.503). Ranked at # 7 in 2021.
9. Personal Protective & Lifesaving Equipment. Eye and Face Protection (1926.102). Ranked at # 8 in 2021.
10. Machine Guarding (1910.212). Ranked at # 10 in 2021.

Webinar Opportunity – Understanding OSHA’s Electronic Recordkeeping

Requirements - Click [here](#) to read more and to register for this one-hour seminar on December 6. Several times are offered, and a recording of the presentation will be available to those who register.

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ENVIRONMENT

EPA Rule Defines Parent Company for TRI Reporting – “A Final Rule published on October 21 codifies the definition of “parent company” for the purpose of Toxics Release Inventory (TRI) reporting required under the Emergency Planning and Community Right-to-Know Act (EPCRA). Sometimes referred to as “SARA 313” or “Form R,” TRI reporting is due by July 1 every year from facilities that manufacture, import, process, or use large volumes of covered chemicals. As part of that report, facilities must identify their parent company (40 CFR 372.85(b)(8)). Given the variety and complexity of ownership scenarios for different facilities, reporting the parent company was a point of confusion for many sites required to submit TRI reporting. This [Final Rule](#) provides clarity about how to identify a parent company for facilities owned by corporate subsidiaries, facilities with multiple owners or foreign owners, and facilities that are publicly owned. The Rule also more closely aligns the definition of parent company for TRI reporting with other EPA reporting programs like TSCA CDR and Greenhouse Gas reporting under the Clean Air Act (GHGRP). Beginning with reports due July 1, 2024, the Final Rule also requires reporting of a facility’s highest-level foreign parent company when applicable.” (Lion Technology, Inc., Roger Marks, 10/24/2022.)

Where is the RCRA Generator Improvements Rule in Effect? – “As of November 7, 2022, thirty-nine (39) states have adopted the RCRA Generator Improvements Rule. The following states have now incorporated part or all of the RCRA Generator Improvements into their state hazardous waste regulations: Alabama, Alaska, Arizona, Arkansas, Colorado, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Montana, Nevada, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. Add Puerto Rico, American Samoa, the Northern Mariana Islands, and Federal Tribal territories, all of which use the Federal RCRA regulations, to that list. The number of states to adopt overhauled hazardous waste management regulations from US EPA’s Generator Improvements Rule has held steady at 39 since our May 2022 update.” To view the states on a [map](#) and to read the full article, click [here](#). (Lion Technology, Inc., Roger Marks, 11/7/2022.)

Final Rule Alert: Updated NAICS Codes for TRI Reporting – “US EPA published [a Final Rule on November 28](#) to update the list of NAICS codes that facilities must use when submitting Toxics Release Inventory (TRI) reporting required under the Emergency Planning and Community Right-to-Know Act (EPCRA). Every five years, the list of NAICS codes is updated by the Office of Management and Budget (OMB). A US EPA rulemaking to revise the ‘Toxic Chemical Release Reporting’ regulations in 40 CFR Part 372 typically follows. Facilities that submit TRI reporting must use the updated codes for reports due July 1, 2023.” Read the full article [here](#). (Lion Technology, Inc., Roger Marks, 11/28/2022.)

Send your suggestions and comments to joel@pinechemicals.org

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