EPA Publishes Technical Guidance for Assessing Environmental Justice in Regulatory Analysis

The Environmental Protection Agency published an 81-page technical guidance for the assessment of environmental justice in regulatory analysis, along with a notice announcing the actions that EPA is undertaking to promote environmental justice in the permit application process. These actions are prompted by Executive Order 12898, which instructs regulatory agencies to “make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities.” EPA looks to increase public participation in the permitting process from “overburdened” communities who suffer disproportionately from risks posed by certain environmental hazards. “This notice describes actions that EPA regional offices are taking when issuing EPA permits to promote greater participation in the permitting process by communities that have historically been underrepresented in that process. This notice also describes promising practices for permit applicants that are designed to encourage and assist permit applicants to reach out to neighboring communities when applying for permits that may affect communities’ quality of life, including their health and environment.” Comments on the guidance are due on July 8th.
Bloomberg

Regulators ‘Fine Tuning’ Bank Capital Rules, Wall Street Journal
5/10/13

Fed Chairman Bernanke says central bank working to increase financial system monitoring, Washington Post

Regulators seize banks in North Carolina, Georgia; brings this year’s US bank failures to 12, Washington Post

NTEU wins election to represent Consumer Financial Protection Bureau employees, Washington Post

Obama’s Calorie Display Rules Delayed by Grocer Blowback, Bloomberg

SEC’s Gallagher Wants the Fed Back in its Regulatory Box, Bloomberg

SEC Money-Fund Rule Said to Make Riskiest Float Value, Bloomberg

5/13/13

Credit-rating agencies poised to avoid overhaul, Washington Post

Big grocers have big problems with Obamacare’s calorie labels, Washington Post

SEC chair agrees with calls for U.S. stock market review: official, Reuters

Donations, lobbying by high-speed traders on the rise -report, Reuters

OMB nominee promises 'efficient and effective' government, The Hill

GOP pushes new SEC head on JOBS Act regulations, The Hill

5/14/13

Report for banks finds they pose more risk than commodity traders, Reuters

Businesses fear being blindsided by regs, The Hill

SEC nears decision on requiring businesses to disclose donations, The Hill

Drunk-Driving Limit Should Be Lowered to .05, NTSB Says, Bloomberg

Ratings Shopping Revived in Asset-Backed Rebound: Credit Markets, Bloomberg

Regulators seize small bank in Arizona; brings this year’s US bank failures to 13, Washington Post

Warren asks regulators to justify not taking Wall Street to trial, The Hill

Government report finds regulations have spiked under Obama, The Hill

Ex-SEC's Campos on Regulation of Credit Ratings, Bloomberg TV

CFTC Said to Review Wall Street Banks for Off-Exchange Trades, Bloomberg

5/15/13

Estimate of U.S. Health Law Expansion Cut to 25 Million, Bloomberg

Sebelius Health Law Fundraising Probed by Republicans, Bloomberg

New Regulations Impact on Community Banks, Bloomberg TV

How many pages of regulations for ‘Obamacare’?, Washington Post

Commodity Trader Failure Seen as Limited Economic Risk in Study, Bloomberg

Fed’s Gibson Sees Need for Consistent Laws to Close Banks, Bloomberg

Senators move ahead with bill to federally oversee large compounding pharmacies, Washington Post

Beverage group rips 'ludicrous' call from NTSB for lowered blood alcohol limit, The Hill

Feds ease rules for 'smart pills' that track patients from their stomachs, The Hill
**Rulemaking**

**Food and Drug Administration**

**FDA Proposes Premarket Notification Requirements for Tanning Beds**

The Food and Drug Administration published a [proposed rule](#) that would reclassify ultraviolet (UV) lamps used in tanning beds as class II (special controls) products subject to premarket notification. “FDA is proposing this reclassification on its own initiative based on new information.” According to FDA’s proposed rule, UV lamps pose the following risks to users: burns to the skin and eyes, skin aging, photosensitivity, and skin cancer. Currently, UV lamps that are used for dermatological disorders are classified as class II products subject to premarket notification, but UV lamps used for tanning are classified as class I products subject only to general controls. FDA is proposing reclassification of UV lamps used for tanning “because general controls alone are insufficient to provide reasonable assurance of safety and effectiveness, and there is sufficient information to establish special controls to provide such assurance. FDA is not proposing to classify these devices in class III at this time because special controls can provide a reasonable assurance of safety and effectiveness.” This reclassification requires that these products meet performance specifications, contain certain safety features, are mechanically safe, are biocompatible, and are labeled to discourage use by populations more susceptible to skin cancer. [Comments](#) are due on August 7th.

**Environmental Protection Agency**

**EPA Seeks Comment on Lead-Based Hazards for Public and Commercial Building Renovations, Repair**

The Environmental Protection Agency published a [proposed rule](#) concerning renovation, repair, and painting activities in public and commercial buildings. “EPA is in the process of determining whether these activities create lead-based paint hazards, and, for those that do, developing certification, training, and work practice requirements as directed by the Toxic Substances Control Act (TSCA).” In 2008, EPA published a final rule covering renovation, repair, and painting activities in pre-1978 housing and child-occupied facilities, defined in the rule as a subset of public and commercial buildings in which young children spend a significant amount of time. The current proposed rule is in response to lawsuits claiming that EPA failed to adequately address renovation activities in public and commercial buildings, or determine that these activities do not create lead-based paint hazards, is July 1, 2015. If EPA publishes a proposed rule in the Federal Register, EPA agrees to take final action on or before the date 18 months after the proposed rule has published.” [Comments](#) are due on July 12th.

**Consumer Financial Protection Bureau**

**CFPB Proposes Delaying Effective Date of Prohibition on Financing Credit Insurance Premiums**

The Consumer Financial Protection Bureau published a [proposed rule](#) temporarily delaying the effective date of a Regulation Z “prohibition on creditors financing credit insurance premiums in connection with certain consumer credit transactions secured by a dwelling.” Temporarily delaying this prohibition allows the Bureau to clarify the scope of the rule and its applicability to “transactions other than those in which a lump-sum premium is added to the loan amount at closing.” “In light of the interpretive questions that have arisen since publication of the Final Rule, the Bureau intends to publish a new proposal to seek further notice and comment on the provision in June 2013. In that proposal, among other things, the Bureau plans to (1) seek public comment, including from industry stakeholders and consumers, regarding the applicability of the prohibition to transactions in which credit insurance premiums are charged periodically; and (2) propose a new effective date for § 1026.36(i), under which the provision would take effect some time after finalization of that proposal.” [Comments](#) are due on May 25th.

**Department of Energy**

**DOE Announces Working Group Meeting to Undertake Negotiated Rulemaking for HVAC Energy Rule**

The Department of Energy published a [proposed rule](#) announcing an open meeting of the Commercial Heating, Ventilation, and Air-conditioning (HVAC), Water Heating (WH), and Refrigeration Certification Working Group (Commercial Certification Group). The purpose of the May 14th and 15th meeting is to undertake a negotiated rulemaking on proposed certification and compliance requirements for commercial HVAC, WH, and refrigeration equipment.
Agencies

Environmental Protection Agency
EPA Announces Workshop To Review Initial Draft Materials for Nitrogen Oxides NAAQS
The Environmental Protection Agency published a notice announcing the Agency’s intent to evaluate preliminary draft materials that will inform the development of the NOX Integrated Science Assessment (ISA) for health effects as a part of the review of the National Ambient Air Quality Standards (NAAQS) for nitrogen dioxide. “The purpose of the workshop is to obtain review of the scientific content of preliminary draft materials that will inform the development of the draft health effects ISA. Workshop sessions will include review and discussion of preliminary draft materials on the atmospheric chemistry of and human exposure to NOX as well as health effects evidence from in vivo and in vitro animal toxicology, human clinical, and epidemiology studies. In addition, roundtable discussions will help identify key studies or concepts within each discipline to assist EPA in integrating relevant literature within and across disciplines.”

Export-Import Bank
Ex-Im Bank Receives Application for $100+ Million to Support Boeing Exports to South Korea
The Export-Import Bank published a notice announcing the receipt of an application for a long-term loan or financial guarantee in excess of $100 million to support the export of commercial Boeing aircraft to South Korea. These exports would be used to facilitate long-haul passenger service from South Korea to other countries. Comments are due on June 3rd.

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