

September 2006 Update on 76 Priority Manufacturing Regulatory Reform Nominations

In OMB's 2004 draft Report to Congress on the Costs and Benefits of Federal Regulations, we asked the public to suggest specific reforms to regulations, guidance documents or paperwork requirements that would improve manufacturing regulation. In response to the solicitation, OMB received 189 nominations. OMB and the agencies evaluated the nominations, and in March, 2005, OMB issued the Regulatory Reform of the U.S. Manufacturing Sector Report. In this report, we determined that 76 of the 189 nominations should be priorities, and also identified milestones and deadlines. The last update we provided on these reforms was in our final 2005 Report to Congress on the Costs and Benefits of Federal Regulation, issued in December, 2005, where we reported on the progress agencies had made on the reforms during fiscal year 2005.

On July, 13, 2006, acting OIRA administrator Steven D. Aitken testified on the manufacturing regulatory reform process before the House Subcommittee on Regulatory Reform and Oversight of the Committee on Small Business. In that testimony, OMB reported that agencies had completed 36 of the 76 reform items, and we highlighted a few examples of successful deregulatory reforms. During the hearing, Subcommittee Chairman W. Todd Akin asked that OMB submit within 30 days an update on the status of all 76 items. On August 14, 2006, OMB provided the Subcommittee with the requested update.

OMB continues to work closely with the regulatory agencies responsible for each of these reforms, and the agencies continue to make progress. The chart below provides a further item-by-item update of the status of the regulatory reforms. The chart indicates that 39 of the 76 reform items are now complete as of the end of August, 2006.

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#	Reform Name	Nominator	Agency	Promised Action	Date	STATUS
4	Coastal Zone Management Act Federal Consistency Regulations	National Association of Manufacturers (9)	DOC NOAA	Final Rule	Anytime 2005	Complete. Final rule published on January 5, 2006 (71 FR 787)
6	North American Free Trade Agreement (NAFTA) Certificates of Origin	Motor & Equipment Manufacturers Association (41); Recreational Vehicle Industry Association (25)	DHS and Treasury	Report to OMB	May-05	Complete. Report submitted to OMB in May 2005. The report summarized NAFTA activities and other electronic facilitation of Certificates of Origin. The report also noted that Rules of Origin are part of a trilateral agreement between U.S., Canada, and Mexico & cannot be changed unilaterally by the U.S. The USG has undertaken many initiatives to simplify NAFTA requirements. The United States Trade Representative (USTR) is leading an initiative to further simplify NAFTA requirements under the Strategy for Peace and Prosperity, a cooperative effort of the Governments of the U.S., Canada, and Mexico.
7	Maritime Security	American Shipbuilding Association (44)	DHS Coast Guard	Report to OMB	May-05	Complete. Report submitted to OMB in May, 2005. The report noted that Department of Defense (DOD) security plan requirements may not be sufficient for the purposes of the Maritime Transportation Security Act (MTSA) regulations for shipyards, because DOD plans generally do not cover non-DOD work at a facility. The report also noted, however, that the Coast Guard will consider waiving MTSA requirements in cases where the DOD plan is found to be equivalent to a plan required under MTSA. The Navy and the Coast Guard will continue to work together to ensure that effective security measures are in place for protecting shipyards that do not impose unnecessary or duplicative burdens on the affected Federal and private sector parties.

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#	Reform Name	Nominator	Agency	Promised Action	Date	STATUS
12	Motor Vehicle Brakes	National Association of Manufacturers (9); National Marine Manufacturers Association (38)	DOT FMCSA	Proposed Rule	Sep-05	Complete. Proposed rule published on October 7, 2005 (70 FR 58657)
12	Motor Vehicle Brakes	National Association of Manufacturers (9); National Marine Manufacturers Association (38)	DOT FMCSA	Final Rule	Sep-06	In progress
14	Hours of Service	SBA Office of Advocacy (39)	DOT FMCSA	Final Rule	Aug-05	Complete: Final rule published on August 25, 2005 (70 FR 49977)
16	Lighting & Reflective Devices	National Association of Manufacturers (9); Motor & Equipment Manufacturers Association (41)	DOT NHTSA	Proposed Rule	Dec-05	Complete: Proposed rule published on December 30, 2005 (70 FR 77453)

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#	Reform Name	Nominator	Agency	Promised Action	Date	STATUS
16	Lighting & Reflective Devices	National Association of Manufacturers (9); Motor & Equipment Manufacturers Association (41)	DOT NHTSA	Final Rule	Oct-07	In progress
18	Occupant Ejection Safety Standard	Public Citizen (2)	DOT NHTSA	Proposed Rule	Dec-06	Complete: Side impact proposal published on May 17, 2004 (69 FR 27989). Door retention proposal published on December 15, 2004 (69 FR 75020)
18	Occupant Ejection Safety Standard	Public Citizen (2)	DOT NHTSA	Final Rule	Anytime 2007	In progress
22	Vehicle Compatibility Standard	Public Citizen (2)	DOT NHTSA	Report to OMB	Jun-05	Complete: Report submitted to OMB in June 2005. The report summarized current and projected future NHTSA research into vehicle compatibility.
26	EEO-1	U.S. Chamber of Commerce (19)	EEOC	Final Notice	Jun-05	Complete: Final EEO-1 report posted on January 27, 2006, and is available at http://www.eeoc.gov/eeo1/index.html .
28	Document AP-42: "Coke Production" Emission Factors	American Coke and Coal Chemicals Institute (3)	EPA	Model software	Jun-05	Complete: Software modeled by September 30, 2005.

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28	Document AP-42: "Coke Production" Emission Factors	American Coke and Coal Chemicals Institute (3)	EPA	Revise EF development process	Sep-05	Complete: Emission factor development process revised by September 30, 2005.
28	Document AP-42: "Coke Production" Emission Factors	American Coke and Coal Chemicals Institute (3)	EPA	Report on EF uncertainty assessment	Sep-05	Overdue. Report on emission factors uncertainty is expected in early Fall 2006.
30	Document AP-42: Science and Site-Specific Conditions	National Association of Manufacturers (9)	EPA	Model software	Jun-05	Complete: Software modeled by September 30, 2005.
30	Document AP-42: Science and Site-Specific Conditions	National Association of Manufacturers (9)	EPA	Revise EF development process	Sep-05	Complete: Emission factor development process revised by September 30, 2005.
30	Document AP-42: Science and Site-Specific Conditions	National Association of Manufacturers (9)	EPA	Report on EF uncertainty assessment	Sep-05	Overdue. Report on emission factors uncertainty is expected in early Fall 2006.
33	Clean Up Standards for PCBs	Motor and Equipment Manufacturers Association (41)	EPA	Report to OMB	Sep-05	Complete: EPA conducted an internal review in the first half of 2005. Stakeholder consultations occurred in May and June of 2005. EPA submitted a plan to OMB in September 2005 detailing the issue and outlining next steps. Currently OMB and EPA are discussing the details of the plan and information that has been submitted by stakeholders.

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34	Common Company Identification Number in EPA Databases	Deere & Company (1)	EPA	Ensure Underground Injections and Institutional Controls database utilizes the Facility Registration System identification number	Sep-05	Complete: EPA completed study to ensure that the Underground Injections and Institutional Controls database utilizes the Facility Registration System identification number by September, 2005.
34	Common Company Identification Number in EPA Databases	Deere & Company (1)	EPA	Work with remaining States as the States are ready to accept the common unique identification number	Anytime 2006	Complete: EPA is working with the States as they are ready to accept the unique Facility Registration System identification number. This is an ongoing project initiated in December, 2005. EPA continues to work with states to develop a common framework for information sharing.
35	ECHO Website	American Iron and Steel Institute (34)	EPA	Improve text explanations	Jun-05	Complete: EPA has improved the ECHO text explanations in order to guard against misinterpretation. This task was completed in June, 2005.
36	Electronic Formats for Agency Forms	National Association of Manufacturers (9)	EPA	Identify what existing regulatory form formats are currently available	Jul-05	Complete: EPA has identified what existing regulatory form formats are currently available in July, 2005.

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#	Reform Name	Nominator	Agency	Promised Action	Date	STATUS
36	Electronic Formats for Agency Forms	National Association of Manufacturers (9)	EPA	Determine if it is reasonable to assume most regulated entities have access to needed software	Oct-05	Complete: see final entry for #36 below
36	Electronic Formats for Agency Forms	National Association of Manufacturers (9)	EPA	Determine value and cost of offering form in additional format	Dec-05	Complete: see final entry for #36 below
36	Electronic Formats for Agency Forms	National Association of Manufacturers (9)	EPA	For those forms where conversion to other formats is warranted, make form available in new format	Feb-06	Complete: EPA determined that the best solution for a common format is to make public use forms available in Portable Document Format (PDF), which is non-proprietary and widely-used. Of the 197 forms EPA determined were being used to collect information from the public, 96% are currently being made available to the public in PDF. EPA determined that it was not necessary to offer the remaining forms in electronic format, because hardcopy is the more appropriate means for these collections. These forms include such things as forms that are mailed to EPA along with physical samples, and forms used by Agency interviewers. EPA continues to work with states and other stakeholders to ease the burden of electronic reporting through initiatives such as EPA's central data exchange and SBA's e-government.

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38	Expand the Comparable Fuels Exclusion (CFE) under RCRA	National Association of Manufacturers (9); American Chemistry Council (31)	EPA	Discuss and Receive input from stakeholders	Jan-06	Complete: EPA discussed and received input on this nomination from stakeholders in December, 2005.
38	Expand the Comparable Fuels Exclusion (CFE) under RCRA	National Association of Manufacturers (9); American Chemistry Council (31)	EPA	Proposed Rule	Sep-06	In progress
38	Expand the Comparable Fuels Exclusion (CFE) under RCRA	National Association of Manufacturers (9); American Chemistry Council (31)	EPA	Final Rule	Nov-07	Awaiting issuance of proposed rule.
39	Export Notification Requirements	National Association of Manufacturers (9); American Chemistry Council (31)	EPA	Proposed Rule	Jan-06	Complete: Proposed rule published on February 9, 2006 (71 FR 6733) EPA expects to issue a final rule by the end of 2006.

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#	Reform Name	Nominator	Agency	Promised Action	Date	STATUS
42	Hazardous Waste Rules Should Be Amended to Encourage Recycling (Definition of Solid Waste)	National Association of Manufacturers (9); American Petroleum Institute (12); Synthetic Organic Chemical Manufacturers Association (17); National Paint and Coatings Association (18); U.S. Chamber of Commerce (19); Alliance of Automobile Manufacturers (23); Specialty Graphic Imaging Association (27); American Chemistry Council (31); IPC - The Association Connecting Electronics Industries (32); SBA Office of Advocacy (39)	EPA	Final Rule or Re-proposal (which would be due in Winter of 2008)	Nov-06	In progress

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43	Lead Reporting Burdens Under the Toxic Release Inventory	National Federal of Independent Business (8); National Association of Manufacturers (9); Synthetic Organic Chemical Manufacturers Association (17); National Paint and Coatings Association (18); The Policy Group (28); IPC - The Association Connecting Electronics Industries (32); The Copper and Brass Fabricators Council (45)	EPA	Report to OMB on the status of applying the metals framework to lead and lead compounds	Sep-05	Overdue. In progress: EPA is reviewing the Framework documents in accordance with the recommendations made by the SAB and will provide a report to OMB by April 2007.
44	Maximum Achievable Control Technology (MACT) standard for Chromium Emissions	The Policy Group (28)	EPA	Final Rule	No Deadline	Complete: Final rule published on July 19, 2004 (69 FR 42885)

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#	Reform Name	Nominator	Agency	Promised Action	Date	STATUS
45	PCB Remediation Wastes	Utility Solid Waste Activities Group (7)	EPA	Internal Review and Stakeholder Consultations	May-05	Complete: EPA conducted an internal review in the first half of 2005. Stakeholder consultations occurred in May and June of 2005. EPA submitted a plan to OMB in September 2005 detailing the issue and outlining next steps. Currently OMB and EPA are discussing the details of the plan and information that has been submitted by stakeholders.
45	PCB Remediation Wastes	Utility Solid Waste Activities Group (7)	EPA	Report to OMB	Sep-05	Complete: Report submitted to OMB in September 2005.
46	Permit Use of New Technology to Monitor Leaks of Volatile Air Pollutants	National Association of Manufacturers (9); U.S. Chamber of Commerce (19)	EPA	Proposed Rule or Guidance	Mar-06	Complete: Proposed rule published on April 6, 2006 (71 FR 17401)
46	Permit Use of New Technology to Monitor Leaks of Volatile Air Pollutants	National Association of Manufacturers (9); U.S. Chamber of Commerce (19)	EPA	Final Rule or Guidance	Mar-07	In progress: Final rule is expected to be complete in Spring 2007
47	Pretreatment Streamlining Rule	The Policy Group (28); SBA Office of Advocacy (39); Motor and Equipment Manufacturers Association (41)	EPA	Final Rule	Jun-05	Complete: Final rule published on October 14, 2005 (70 FR 60133)

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#	Reform Name	Nominator	Agency	Promised Action	Date	STATUS
48	Provide More Flexibility in the Management of Wastewater Treatment Sludge to Encourage Recycling	The Policy Group (28); IPC - The Association Connecting Electronics Industries (32); SBA Office of Advocacy (39)	EPA	Proposed Rule	Dec-05	Overdue. In progress.
48	Provide More Flexibility in the Management of Wastewater Treatment Sludge to Encourage Recycling	The Policy Group (28); IPC - The Association Connecting Electronics Industries (32); SBA Office of Advocacy (39)	EPA	Final Rule	Jun-06	Overdue. In progress.
51	Remove Regulatory Disincentive to Recycle Spent Hydrotreating and Hydrorefining Catalysts	American Petroleum Institute (12)	EPA	Respond to Petition	Dec-05	Complete: EPA concluded that there is sufficient data to support a rulemaking that addresses the issues raised by the petitioner (a catalyst recycler) and the commenter. EPA is proceeding with developing this rulemaking, but has not yet set estimated dates for the proposed and final rule.

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52	Reporting and Paperwork Burden in the Toxic Release Inventory	Deere & Company (1); National Association of Manufacturers (9); American Petroleum Institute (12); National Small Business Association (24); Specialty Graphic Imaging Association (27); Society of Glass and Ceramic Decorators (33); SBA Office of Advocacy (39)	EPA	Final Rule (forms modification)	Jun-05	Complete: Final Rule published on July 12, 2005 (70 FR 39931)
52	Reporting and Paperwork Burden in the Toxic Release Inventory	See above	EPA	Proposed Rule (burden reduction)	Aug-05	Complete: Proposed rule published on October 4, 2005 (70 FR 57822)
52	Reporting and Paperwork Burden in the Toxic Release Inventory	See above	EPA	Final Rule (burden reduction)	Dec-06	In progress

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#	Reform Name	Nominator	Agency	Promised Action	Date	STATUS
54-58	Spill Prevention Control and Counter-measures (SPCC) Rule	Utility Solid Waste Activities Group (7); National Association of Manufacturers (9); Synthetic Organic Chemicals Manufacturing Association (17); National Paint and Coatings Association (18); General Electronic Company (26); American Furniture Manufacturers Association (35); SBA Office of Advocacy (39); American Public Power Association (42); Copper and Brass Fabricators Council (45)	EPA	Guidance to Inspectors	Jul-05	Complete: Guidance document released in October, 2005. The guidance is available at http://www.epa.gov/oilspill/guidance.htm

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#	Reform Name	Nominator	Agency	Promised Action	Date	STATUS
54-58	Spill Prevention Control and Counter-measures (SPCC) Rule	See above	EPA	Proposed Rule (related to NODA)	Aug-05	Complete: Proposed rule published on December 12, 2005 (70 FR 73523)
54-58	Spill Prevention Control and Counter-measures (SPCC) Rule	See above	EPA	Final Rule (related to NODA)	Feb-06	Overdue. In progress.
54-58	Spill Prevention Control and Counter-measures (SPCC) Rule	See above	EPA	Proposed Rule for Regulatory Modifications	Jun-06	Overdue. In progress.
54-58	Spill Prevention Control and Counter-measures (SPCC) Rule	See above	EPA	Final Rule for Regulatory Modifications	Jun-07	Awaiting issuance of proposed rule.
59	Water Permit Rules (mass-based standards, direct dischargers)	National Association of Manufacturers (9); American Chemistry Council (31)	EPA	Review as part of biennial plan	Aug-05	Complete: Published the 2006 Effluent Guidelines Program [304(m)] plan in August, 2005. The plan is available at http://www.epa.gov/waterscience/guide/plan.html . The final plan is expected in Fall 2006.
61	Annual Reporting of Pesticide Information	National Association of Manufacturers (9)	EPA	Post revised policy on website	Mar-05	Complete: EPA posted their revised reporting policy in February, 2005: http://www.epa.gov/compliance/monitoring/programs/fifra/establishments.html

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68	Cooling Water Intake Structures, Phase III	American Public Power Association (42)	EPA	Final Rule	May-06	Complete: Published final rule on June 16, 2006 (71 FR 35005)
75	Electronic Filing by Manufacturing Firms	American Furniture Manufacturers Association (35)	EPA	Report to OMB	Dec-05	Complete: Report submitted to OMB in December, 2005. EPA has concluded that this action cannot be implemented at the present time. EPA will continue to monitor the situation to gauge the interest in developing common forms for use by this industry and, where applicable, promote the use of central data exchange-type networks as the basis for reporting and document management.
83	Leak-Detection and Repair Regulatory Programs	National Association of Manufacturers (9)	EPA	Proposed Rule	Mar-06	Overdue. In progress.
83	Leak-Detection and Repair Regulatory Programs	National Association of Manufacturers (9)	EPA	Final Rule	Mar-07	Awaiting issuance of proposed rule.
86	Method of Detection Limit/Minimum Level Procedure under the Clean Water Act	National Association of Manufacturers (9); Inter-Industry Analytic Group (14); Alliance of Automobile Manufacturers (23)	EPA	Complete FACA Process	Sep-06	In progress: The Federal Advisory Committee (FAC) engaged in a pilot study of alternate procedures. The pilot study is currently expected to be completed in November 2006. The FAC will complete its work in May 2007. Any needed rulemaking will follow completion of the FAC's work.

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86	Method of Detection Limit/Minimum Level Procedure under the Clean Water Act	See above	EPA	Conclude Pilot Project	Nov-06	In progress
86	Method of Detection Limit/Minimum Level Procedure under the Clean Water Act	See above	EPA	Proposed Rule	Jun-07	In progress
86	Method of Detection Limit/Minimum Level Procedure under the Clean Water Act	See above	EPA	Final Rule	Jun-08	Awaiting issuance of proposed rule.
87	Operating Permits Under the Clean Air Act	National Association of Manufacturers (9)	EPA	Final Report on whether to change Title V	Dec-05	Complete: Final report to the Clean Air Advisory Committee on Title V published in April 2006. Report is available at http://www.epa.gov/oar/caaac/titlev.html . EPA is reviewing the recommendations from the report and will determine in Fall 2006 how to move forward.

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88	Potential to Emit (PTE) Test	Deere & Company (1); Motor and Equipment Manufacturers Association (41)	EPA	Proposed Rule	Jan-06	Overdue. In progress.
88	Potential to Emit (PTE) Test	Deere & Company (1); Motor and Equipment Manufacturers Association (41)	EPA	Final Rule	Jan-07	Awaiting issuance of proposed rule.
90	Prohibit Use of Mercury in Automobile Manufacturing	American Iron and Steel Institute (34)	EPA	Conduct Preliminary Analysis	Jun-05	Complete: EPA finished its preliminary analysis in June, 2005
90	Prohibit Use of Mercury in Automobile Manufacturing	American Iron and Steel Institute (34)	EPA	Discuss Regulatory options with stakeholders	Sep-05	Complete: EPA finished its discussions with stakeholders by June, 2005
90	Prohibit Use of Mercury in Automobile Manufacturing	American Iron and Steel Institute (34)	EPA	Make determination on appropriate regulatory or voluntary approach	Nov-05	Complete: Proposed rule published on July 11, 2006 (71 FR 39035)

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92	Reduce the Inspection Frequency from Weekly to Monthly for Selected RCRA Facilities	Deere & Company (1)	EPA	Final Rule	Nov-05	Complete: Final rule published on April 4, 2006 (71 FR 16861)
97	Reportable Quantity (RQ) Threshold for Nitrogen Oxide and Dioxide at Combustion Sources	National Association of Manufacturers (9); American Chemistry Council (31)	EPA	Proposed Rule	Sep-05	Complete: Proposed rule published on October 4, 2005 (70 FR 57813)
97	Reportable Quantity (RQ) Threshold for Nitrogen Oxide and Dioxide at Combustion Sources	National Association of Manufacturers (9); American Chemistry Council (31)	EPA	Final Rule	Sep-06	In progress
101	Sulfur and Nitrogen Monitoring at Stationary Gas-Fired Turbines	National Association of Manufacturers (9)	EPA	Report to OMB on the status of discussions with Commenter to determine whether rule promulgated April 2004 addresses commenter's concerns	May-05	Complete: Report submitted to OMB in May, 2005. The report stated that the 2004 rule on sulfur and nitrogen monitoring satisfied the reform nomination. EPA subsequently checked with commenter (NAM) which agreed the 2004 rule was responsive to the reform nomination.

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#	Reform Name	Nominator	Agency	Promised Action	Date	STATUS
103	Systematic Program for Developing and Validating Analytic Methods	Inter-Industry Analytic Group (14); American Public Power Association (42)	EPA	Form a Federal Advisory Committee	Sep-06	In progress
103	Systematic Program for Developing and Validating Analytic Methods	See above	EPA	Conclude Pilot Project	Nov-06	In progress
103	Systematic Program for Developing and Validating Analytic Methods	See above	EPA	Proposed Rule	Jun-07	In progress
103	Systematic Program for Developing and Validating Analytic Methods	See above	EPA	Final Rule	Jun-08	Awaiting issuance of proposed rule.
108	Deferral of Duplicative Federal Permitting	The Policy Group (28)	EPA	Proposed Rule	Mar-05	Complete: Proposed rule published on March 25, 2005 (70 FR 15250)
108	Deferral of Duplicative Federal Permitting	The Policy Group (28)	EPA	Final Rule	Aug-05	Complete: Final rule published on December 19, 2005 (70 FR 75319)

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110	SARA Title 312, 313 Programs	American Iron and Steel Institute (34)	EPA	Final Rule (TRI forms modification)	Jun-05	Complete: Final Rule published on July 12, 2005 (70 FR 39931)
110	SARA Title 312, 313 Programs	See above	EPA	Proposed Rule (TRI burden reduction)	Aug-05	Complete: Proposed rule published on October 4, 2005 (70 FR 57822)
110	SARA Title 312, 313 Programs	See above	EPA	Final Rule (TRI burden reduction)	Dec-06	In progress
112	Vapor Recovery at Gasoline Stations	American Petroleum Institute (12)	EPA	Report to OMB on cost-effectiveness	Sep-05	Complete: Report submitted to OMB September 2005. The report examines the cost-effectiveness of maintaining Stage II control at the gasoline pump under various assumptions on the penetration of onboard recovery controls in the mobile source fleet. At current levels of penetration of onboard control, the incremental maintenance cost of Stage II control ranges from \$1300 to \$2000 per ton of reduction in Volatile Organic Carbon emissions.
116	Publicly Owned Treatment Work (POTW) removal credits	Copper and Brass Fabricators Council (45)	EPA	Internal Issue Paper	Mar-05	Complete: EPA developed an internal issue paper in March, 2005. EPA has also initiated rulemaking: an Advance Notice of Proposed Rulemaking was published on October 14, 2005 (70 FR 60199). A proposed rule is expected in Fall 2006.
117	Categorical Wastewater Sampling and Testing	Copper and Brass Fabricators Council (45)	EPA	Final Rule	Jun-05	Complete: Part of Pretreatment Streamlining final rule, published on October 14, 2005 (70 FR 60133)

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118	Definition of Volatile Organic Compound	Copper and Brass Fabricators Council (45)	EPA	Advance Notice of Proposed Rulemaking (ANPRM)	May-05	Complete: On September 13, 2005 (70 FR 54046), EPA issued guidance, as an alternative to issuing an ANPRM, on State implementation plans designed to meet the national ambient air quality standard for ozone. This guidance summarizes recent scientific findings, provides examples of innovative applications of reactivity information in the development of Volatile Organic Compound (VOC) control measures, and clarifies the relationship between innovative reactivity-based policies and EPA's current definition of VOC.
119	Thermal Treatment of Hazardous Waste Guidance	Copper and Brass Fabricators Council (45)	EPA	Report to OMB	Feb-06	Complete: Report submitted to OMB in February 2006. The report reviewed the risks and benefits of the reform nomination.
121	Do Not Fax Rule	National Federal of Independent Business (8); National Association of Manufacturers (9); U.S. Chamber of Commerce (19); National Small Business Association (24); SBA Office of Advocacy (39)	FCC	Resolution of petition for reconsideration of rulemaking. July 2005 is the effective date for the final rule	Jul-05	Complete: Proposed rule published on December 19, 2005 (70 FR 75102)

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122	Broadband	Heritage Foundation (5)	FCC	Resolution of Rule following Supreme Court decision	Jul-05	Complete: Final rule published on October 17, 2005 (70 FR 60222)
125	HIPAA	Motor & Equipment Manufacturers Association (41)	HHS CMS	Proposed Rule	Dec-05	Overdue. In progress.
125	HIPAA	Motor & Equipment Manufacturers Association (41)	HHS CMS	Final Rule	Dec-06	Awaiting issuance of proposed rule.

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134 135 136 137 139 141 142 143 144	FMLA	FMLA Technical Corrections Coalition (4); Heritage Foundation (5); National Federation of Independent Business (8); National Association of Manufacturers (9); U.S. Chamber of Commerce (19); American Furniture Manufacturers Association (35); Motor & Equipment Manufacturers Association (41); Society for Human Resource Management (46)	DOL ESA	Proposed Rule	Anytime 2005	Overdue. DOL is continuing its systematic study, including review of court decisions, on regulations issued under the authority of the Family Medical and Leave Act. DOL will finish analyzing this information and report to OMB on its plans in January 2007.
145	Permanent Labor Certification	U.S. Chamber of Commerce (19)	DOL	Final Rule	No Deadline; rule already issued	Complete: Final rule published on December 27, 2004 (69 FR 77325)

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151	Annual Training Requirements for Separate Standards	American Furniture Manufacturers Association (35)	DOL OSHA	Report to OMB	May-05	Complete: Report submitted to OMB in May, 2005. The report noted that OSHA does not require separate training programs for each standard that requires training. The report also noted that OSHA has sought to avoid duplication of EPA's training requirements on subjects where both agencies have jurisdiction. OSHA plans to revise and update its publication, Training Requirements in OSHA Standards and Training Guidelines, to clarify training requirements, and will add training consideration to its Standards Improvement Project Phase III.
152	Coke Oven Emissions	American Coke and Coal Chemicals Institute (3); American Iron and Steel Institute (34)	DOL OSHA	Final Rule	No Deadline; rule already issued	Complete: Final rule published on January 5, 2005 (70 FR 1111)
153	Flammable Liquids	National Association of Manufacturers (9); National Marine Manufacturers Association (38)	DOL OSHA	Rulemaking	No Deadline	In progress: OSHA has undertaken a major project to review and update as necessary all of its standards that are based on national consensus standards. The flammable liquids standard will be considered during this process.
155	Hazard Communication Training	National Association of Manufacturers (9)	DOL OSHA	Final Guidance	Anytime 2005	Overdue. In progress.

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156	Hazard Communication Material Safety Data Sheets	Deere & Company (1); National Association of Manufacturers (9); American Furniture Manufacturers Association (35)	DOL OSHA	Proposed Guidance	Anytime 2005	Overdue. In progress.
156	Hazard Communication Material Safety Data Sheets	See above	DOL OSHA	Final Guidance	Feb-06	Overdue. In progress.
157	Hexavalent Chromium	The Policy Group (28); SBA Office of Advocacy (39)	DOL OSHA	Final Rule	Jan-06	Complete: Final rule published on February 28, 2006 (70 FR 10100)
159	Sling Standard	U.S. Chamber of Commerce (19); Associated Wire Rope Fabricators (42)	DOL OSHA	Guidance, with rulemaking considered at a later date	Feb-06	Overdue. In progress.

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#	Reform Name	Nominator	Agency	Promised Action	Date	STATUS
160	Guardrails Around Stacks of Steel	American Iron and Steel Institute (34)	DOL OSHA	Report to OMB	May-05	Complete: Report submitted to OMB in May, 2005. This report noted that OSHA is currently conducting a rulemaking on its Walking and Working Surfaces standard, and will consider the guardrail requirement as part of that rulemaking. It also stated that the agency had contacted the commenter to discuss OSHA's plans and that the commenter supported addressing the issue in the Walking and Working Surfaces rulemaking. OSHA plans to publish this proposed rule in April, 2007.
169	Walking and Working Surfaces	Copper and Brass Fabricators Council (45)	DOL OSHA	Report to OMB	May-05	Complete: Report submitted to OMB in May, 2005. This report noted that OSHA is currently conducting a rulemaking on its Walking and Working Surfaces standard, and will consider the allowance of ship stairs in certain circumstances as part of that rulemaking. It also stated that the agency had contacted the commenter and that the commenter supported including a flexible policy for ship stairs in the final rule. OSHA plans to publish this proposed rule in April, 2007.
175	Duty Drawback	National Association of Manufacturers (9)	Treasury Customs	Incorporate drawback simplification into the ACE project	No Deadline	Customs is working with the trade to streamline and simplify drawback as part of the Automated Commercial Environment (ACE) project. As of July, 2006, forty-four land border ports are now using ACE. More information on ACE is available at http://www.cbp.gov/xp/cgov/toolbox/about/modernization/
178	Election to Expense Certain Depreciable Business Assets	SBA Office of Advocacy (39)	Treasury IRS	Support legislation making the \$100,000 expensing limit permanent	No Deadline	Complete: On May 17, 2006, the President signed into law the Tax Increase Prevention and Reconciliation Act of 2005. The Act extends through 2009 the ability of small businesses to expense up to \$100,000 (indexed for inflation) of investments in depreciable assets under section 179 of the Internal Revenue Code. The Administration continues to support making the \$100,000 expensing limit permanent.

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#	Reform Name	Nominator	Agency	Promised Action	Date	STATUS
188	Ready to Eat Meat Establishments to Control for Listeria	National Association of Manufacturers (9); SBA Office of Advocacy (39); William Russell & Associates, Inc. (30)	USDA FSIS	Final Rule	Jun-05	Overdue. In progress.