

## Federal Register – October 2018

[IRS Proposed Collection; Comment Request for Form 461, 83 Federal Register 49456, October 1, 2018](#)

**NOTICE:** Proposed Form 461 calculates the limitation on business losses, and the excess business losses that will be treated as net operating loss (NOL) carried forward to subsequent taxable years. In the case of a partnership or S corporation, the provision applies at the partner or shareholder level. This form will be used by noncorporate taxpayers and will be attached to a tax return (F1040, 1040NR, 1041, 1041-QFT, 1041-N, or 990-T).

**COMMENTS DUE:** November 31, 2018

[Protection of Stratospheric Ozone: Revisions to the Refrigerant Management Program's Extension to Substitutes, 83 Federal Register 49332, October 1, 2018](#)

**PROPOSED RULE:** This proposal would relieve businesses from having to conduct leak inspections, repair leaks, and keep records for appliances containing 50 or more pounds of non-exempt substitute refrigerant. EPA is also taking comment on whether to withdraw the extension of the full set of subpart F provisions to non-exempt substitute refrigerants. EPA is not proposing any changes to the refrigerant management program as it relates to requirements for ozone-depleting refrigerants or appliances containing or using any amount of ODS.

**COMMENTS DUE:** November 15, 2018

[Nuclear Criticality Safety Standards for Nuclear Materials Outside Reactor Cores, 83 Federal Register 49956, October 3, 2018](#)

**REGULATORY GUIDE:** The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 3 to Regulatory Guide (RG) 3.71, "Nuclear Criticality Safety Standards for Nuclear Materials Outside Reactor Cores." Revision 3 endorses guidance in multiple American National Standards Institute/American Nuclear Society (ANSI/ANS)-8 standards, as well as a specific International Organization for Standardization (ISO) Standard. In addition, the scope of this guide is expanded to include packaging and transportation and certain storage facilities because many of the standards are based on broad principles that are not limited solely to fuel processing facilities.

**REVISION 3 TO RG 3.71 :** Available on October 3, 2018

[Alien Inadmissibility on Public Charge Grounds, 83 Federal Register 51114, October 10, 2018](#)

**PROPOSED RULE:** The U.S. Department of Homeland Security (DHS) proposes to prescribe how it determines whether an alien is inadmissible to the United States under section 212(a)(4) of the Immigration and Nationality Act (INA) because he or she is likely at any time to become a public charge. Aliens who seek adjustment of status or a visa, or who are applicants for admission, must establish that they are not likely at any time to become a public charge, unless Congress has expressly exempted them from this ground of inadmissibility or has otherwise permitted them to seek a waiver of inadmissibility. Moreover, DHS proposes to require all aliens seeking an extension of stay or change of status to demonstrate that they have not received, are not currently receiving, nor are likely to receive, public benefits as defined in the proposed rule.

**COMMENTS DUE:** December 10, 2018

<p><a href="#">Changes to the Claim Construction Standard for Interpreting Claims in Trial Proceedings Before the Patent Trial and Appeal Board, 83 Federal Register 51340, October 11, 2018</a></p>	<p><b>FINAL RULE:</b> The USPTO is replacing the broadest reasonable interpretation (“BRI”) standard such that claims shall now be construed using the same claim construction standard that is used to construe the claim in a civil action in federal district court. This rule reflects that the PTAB in an AIA proceeding will apply the same standard applied in federal courts to construe patent claims.</p> <p><b>EFFECTIVE DATE:</b> November 13, 2018</p>
<p><a href="#">NIH DERT Extramural Grantee Data Collection (NIEHS), 83 Federal Register 51470, October 11, 2018</a></p>	<p><b>NOTICE:</b> NIEHS is converting ICR OMB #0925-0657 to a Common Form to add the Environmental Protection Agency (EPA). In order to make informed management decisions about its research programs and to demonstrate the outputs, outcomes and impacts of its research programs NIEHS will collect, analyze and report on data from extramural grantees who are currently receiving funding or who have received funding in the past. Information gained from this primary data collection will be used in conjunction with data from grantee progress reports and presentations at grantee meetings to inform internal programs and new funding initiatives.</p> <p><b>COMMENTS DUE:</b> Within 30 days of publication</p>
<p><a href="#">Draft Guideline: Infection Control in Healthcare Personnel: Infrastructure and Routine Practices for Occupational Infection Prevention and Control Services, 83 Federal Register 51957, October 15, 2018</a></p>	<p><b>NOTICE:</b> The CDC announces the opening of a docket to obtain comment on the Draft Guideline: Infection Control in Healthcare Personnel: Infrastructure and Routine Practices for Occupational Infection Prevention and Control Services (Draft Guideline). The updated recommendations in the Draft Guideline are intended to facilitate the provision of occupational infection prevention and control services to healthcare personnel and to prevent transmission of infections between healthcare personnel and others. Link to pdf with Draft Guidelines:</p> <p><a href="https://www.regulations.gov/document?D=CDC-2018-0090-0002">https://www.regulations.gov/document?D=CDC-2018-0090-0002</a></p> <p><b>COMMENTS DUE:</b> December 14, 2018</p>
<p><a href="#">Streamlining the Administration of DART Royalty Accounts and Electronic Royalty Payment Processes, 83 Federal Register 51840, October 15, 2018</a></p>	<p><b>FINAL RULE:</b> The U.S. Copyright Office is establishing a rule to codify its procedures for closing royalty payments accounts under section 1005 of the Copyright Act, and is amending its regulations governing online payment procedures for statutory licensing statements of account to no longer require that payments for these accounts be made in a single lump sum. These changes are intended to improve the efficiency of the Copyright Office's Licensing Division operations.</p> <p><b>EFFECTIVE DATE:</b> November 14, 2018</p>
<p><a href="#">Negotiated Rulemaking Committee; Negotiator Nominations and Schedule of Committee Meetings- Accreditation and Innovation, 83 Federal Register 51906, October 15, 2018</a></p>	<p><b>NOTICE:</b> ED intends to establish one negotiated rulemaking committee to prepare proposed regulations for the Federal Student Aid programs authorized under title IV of the Higher Education Act of 1965, as amended (HEA). The committee will include representatives of organizations or groups with interests that are significantly affected by the subject matter of the proposed regulations. We request nominations for individual negotiators who represent key stakeholder constituencies for the issues to be negotiated to serve on the committee, and we set a schedule for committee meetings.</p> <p><b>NOMINATIONS DUE:</b> November 15, 2018</p>

<p><a href="#">Filing of Schedules by Rights Owners and Contact Information by Transmitting Entities Relating to Pre-1972 Sound Recordings, 83 Federal Register 52150, October 16, 2018</a></p>	<p><b>INTERIM RULE:</b> The U.S. Copyright Office is issuing interim regulations pursuant to the Classics Protection and Access Act, Title II of the recently enacted Orrin G. Hatch-Bob Goodlatte Music Modernization Act. These regulations pertain to the filing of schedules by rights owners listing their sound recordings fixed before February 15, 1972, and the filing of contact information by entities publicly performing these sound recordings by means of digital audio transmission. As required under the Act, the Office is also specifying how individuals may request timely notification of the filing of such schedules with the Office. These regulations are issued on an interim basis with opportunity for comment to comply with statutory requirements and to ensure that both rights owners and transmitting entities can promptly make use of these new filing mechanisms to protect their respective legal interests.</p> <p><b>EFFECTIVE DATE:</b> October 16, 2018</p> <p><b>COMMENTS DUE:</b> November 15, 2018</p>
<p><a href="#">Noncommercial Use of Pre-1972 Sound Recordings That Are Not Being Commercially Exploited, 83 Federal Register 52176, October 16, 2018</a></p>	<p><b>NOTICE:</b> The U.S. Copyright Office is issuing a notice of inquiry regarding the Classics Protection and Access Act, title II of the recently enacted Orrin G. Hatch-Bob Goodlatte Music Modernization Act. In connection with the establishment of federal remedies for unauthorized uses of sound recordings fixed before February 15, 1972 (“Pre-1972 Sound Recordings”), Congress also established an exception for certain noncommercial uses of Pre-1972 Sound Recordings that are not being commercially exploited. To qualify for this exemption, a user must file a notice of noncommercial use after conducting a good faith, reasonable search to determine whether the Pre-1972 Sound Recording is being commercially exploited, and the rights owner of the sound recording must not object to the use within 90 days.</p> <p><b>EFFECTIVE DATE:</b> November 15, 2018</p> <p><b>COMMENTS DUE:</b> November 15, 2018</p>
<p><a href="#">Registration Modernization, 83 Federal Register 52336, October 17, 2018</a></p>	<p><b>PROPOSED RULE:</b> The U.S. Copyright Office is building a new registration system to meet the demands of the digital age. As the Office develops a new technological infrastructure for this system, it is considering several legal and policy changes to improve user experience, increase Office efficiency, and decrease processing times. The Office is seeking public comment to inform its decisions on how to improve the regulations and practices related to the registration of copyright claims.</p> <p><b>COMMENTS DUE:</b> January 15, 2019</p>
<p><a href="#">De Minimis Error Safe Harbor Exceptions to Penalties for Failure To File Correct Information Returns or Furnish Correct Payee Statements, 83 Federal Register 52726, October 17, 2018</a></p>	<p><b>PROPOSED RULE:</b> This document contains proposed regulations relating to penalties for failure to file correct information returns or furnish correct payee statements. The proposed regulations contain safe harbor rules that, for penalty purposes, generally treat as correct payee statements or corresponding information returns that contain errors relating to de minimis incorrect dollar amounts. They prescribe the time and manner in which a payee may elect not to have the safe harbor rules apply. They also update penalty amounts and update references to information reporting obligations. Finally,</p>

	<p>they provide rules relating to the reporting of basis of securities by brokers as this reporting relates to the de minimis error safe harbor rules. The proposed regulations affect persons required to either file information returns or to furnish payee statements (filers), and recipients of payee statements (payees).</p> <p><b>COMMENTS DUE:</b> December 17, 2018</p>
<p><a href="#">NRC Environmental Dosimetry-Performance Specifications, Testing, and Data Analysis – Draft Guidance, 83 Federal Register 52576, October 17, 2018</a></p>	<p><b>DRAFT GUIDANCE:</b> The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment draft regulatory guide (DG), DG-4019, “Environmental Dosimetry-Performance Specifications, Testing, and Data Analysis.” This proposed revision (Revision 2) to Regulatory Guide (RG) 4.13 provides updated guidance that the NRC staff considers acceptable for performing surveys and evaluations of public dose in the unrestricted area and the controlled area of a licensed facility from direct radiation using environmental dosimetry. The DG endorses the American National Standards Institute/Health Physics Society (ANSI/HPS) N13.37-2014, “Environmental Dosimetry—Criteria for System Design and Implementation.”</p> <p><b>COMMENTS DUE:</b> December 17, 2018</p>
<p><a href="#">Definition of “Employer” Under Section 3(5) of ERISA- Association Retirement Plans and Other Multiple-Employer Plans, 83 Federal Register 53534, October 23, 2018</a></p>	<p><b>PROPOSED RULE:</b> The DOL proposes to expand access to affordable quality retirement saving options by clarifying the circumstances under which an employer group or association or a professional employer organization (PEO) may sponsor a workplace retirement plan. In particular, the proposed regulation clarifies that employer groups or associations and PEOs can, when satisfying certain criteria, constitute “employers” within the meaning of section 3(5) of ERISA for purposes of establishing or maintaining an individual account “employee pension benefit plan” within the meaning of ERISA section 3(2). As an “employer,” a group or association can sponsor a defined contribution retirement plan for its members, as can a PEO sponsor a plan for client employers (collectively referred to as “MEPs” unless otherwise specified). The proposed regulation would allow different businesses to join a MEP, either through a group or association or through a PEO. The proposal would also permit certain working owners without employees to participate in a MEP sponsored by a group or association. The proposal would primarily affect groups or associations of employers, PEOs, plan participants, and plan beneficiaries.</p> <p><b>COMMENTS DUE:</b> December 24, 2018</p>
<p><a href="#">State Relief and Empowerment Waivers, 83 Federal Register 53575, October 24, 2018</a></p>	<p><b>GUIDANCE:</b> This guidance relates to section 1332 of the Patient Protection and Affordable Care Act (PPACA) and its implementing regulations. Section 1332 provides the Secretary of Health and Human Services and the Secretary of the Treasury (collectively, the Secretaries) with the discretion to approve a state’s proposal to waive specific provisions of the PPACA (a State Innovation Waiver, now also referred to as a State Relief and Empowerment Waiver), provided the section 1332 state plan meets certain requirements. This updated guidance provides supplementary information about the requirements that must be met for the approval of a State Innovation Waiver,</p>

	<p>the Secretaries' application review procedures, the calculation of pass-through funding, certain analytical requirements, and operational considerations. Changes include increasing flexibility with respect to the manner in which a section 1332 state plan may meet section 1332 standards in order to be eligible to be approved by the Secretaries, clarifying the adjustments the Secretaries may make to maintain federal deficit neutrality, and allowing for states to use existing legislative authority to authorize section 1332 waivers in certain scenarios.</p> <p><b>EFFECTIVE DATE:</b> October 22, 2018  <b>COMMENTS DUE:</b> December 24, 2018</p>
<p><a href="#">Cost-of-Living Increase and Other Determinations for 2019, 83 Federal Register 53702, October 24, 2018</a></p>	<p><b>NOTICE:</b> Under title II of the Social Security Act (Act), there will be a 2.8 percent cost-of-living increase in Social Security benefits effective December 2018. In addition, the national average wage index for 2017 is \$50,321.89. The cost-of-living increase and national average wage index affect other program parameters as described below.</p>
<p><a href="#">PTO Access to Relevant Prior Art Initiative, 83 Federal Register 53853, October 25, 2018</a></p>	<p><b>NOTICE:</b> The United States Patent and Trademark Office (USPTO) is implementing the first phase of the Access to Relevant Prior Art Initiative (“RPA Initiative”) to import citations (e.g., bibliographic data on forms PTO/SB/08 and PTO-892) from the immediate parent application into the continuing application. The citations corresponding to the documents considered by the examiner in the continuing application will be printed on the face of the patent issuing from the continuing application without the applicant having to resubmit the information on an Information Disclosure Statement. Additionally, an applicant’s duty to disclose information in the continuing application will continue to be satisfied for information considered in the parent application and will be satisfied for any additional information made of record by the Office in the continuing application. The USPTO plans to implement the RPA Initiative in phases to consider and address public and examiner feedback at each phase and determine how to effectively expand the RPA Initiative in future phases.</p> <p><b>FIRST PHASE EFFECTIVE DATE:</b> November 1, 2018</p>
<p><a href="#">Exemption to Prohibition on Circumvention of Copyright Protection Systems for Access Control Technologies, 83 Federal Register 54010, October 26, 2018</a></p>	<p><b>FINAL RULE:</b> The Librarian of Congress adopts exemptions to the provision of the Digital Millennium Copyright Act (“DMCA”) that prohibits circumvention of technological measures that control access to copyrighted works, codified in the United States Code. Exemptions include (but are not limited to): Audiovisual Uses – Educational and Derivative Uses, Audiovisual Uses – colleges and universities, Video Games Requiring Server Communication (for continued individual play and preservation by libraries, archives, and museum, 3D Printer computer programs, Literary works distributed electronically through assistive technologies, audiovisual uses through MOOCs, Audiovisual uses in educational programs operated by libraries, museums, and other non-profits, derivative uses in documentary filmmaking, noncommercial remix videos. See FR entry for more detail on these and other exemptions.</p> <p><b>EFFECTIVE DATE:</b> October 28, 2018</p>

<p><a href="#">Improving the 911 System by Implementing Kari's Law and Ray Baum's Act, 83 Federal Register 54180, October 26, 2018</a></p>	<p><b>PROPOSED RULE:</b> The Federal Communications Commission (the FCC or Commission) proposes rules for 911 calls made from multi-line telephone systems (MLTS) (e.g., college campuses), pursuant to Kari's Law, the conveyance of dispatchable location with 911 calls, as directed by RAY BAUM'S Act, and the consolidation of the Commission's 911 rules. The Commission also proposes consolidating the Commission's existing 911 rules into a single rule part.</p> <p><b>COMMENTS DUE:</b> December 10, 2018</p>
<p><a href="#">Federal Acquisition Regulation; FY 2019 FAR Reissue Posted to the Acquisition.gov Website, 83 Federal Register 54352, October 29, 2018</a></p>	<p><b>NOTICE:</b> This notice advises users that the FY 2019 Federal Acquisition Regulation (FAR) Reissue will be available for download at <a href="https://www.acquisition.gov/browsefar">https://www.acquisition.gov/browsefar</a>.</p>
<p><a href="#">IRS/HHS Health Reimbursement Arrangements and Other Account-Based Group Health Plans, 83 Federal Register 54420, October 29, 2018</a></p>	<p><b>NOTICE OF PROPOSED RULEMAKING:</b> This document sets forth proposed rules to expand opportunities for working men and women and their families to access affordable, quality healthcare through proposed changes to regulations under various provisions of the Public Health Service Act (PHS Act), the Employee Retirement Income Security Act (ERISA), and the Internal Revenue Code (Code) regarding health reimbursement arrangements (HRAs) and other account-based group health plans (including student health insurance coverage)</p> <p><b>COMMENTS DUE:</b> December 28, 2018</p>
<p><a href="#">Request for Comments on Motion To Amend Practice and Procedures in Trial Proceedings Under the America Invents Act Before the Patent Trial and Appeal Board, 83 Federal Register 54319, October 29, 2018</a></p>	<p><b>REQUEST FOR COMMENTS:</b> The USPTO seeks input on a proposed amendment process that would involve a preliminary non-binding decision by the Board that provides information to the parties regarding the merits of a motion to amend, and an opportunity for a patent owner to revise its motion to amend thereafter. In addition, the Office seeks input on a proposed pilot program implementing the new amendment process. The Office also seeks input regarding whether the Office should continue to allocate the burden of persuasion regarding patentability of substitute claims as set forth in a recent informative Board decision, as well as any suggestions the public may have as to motion to amend practice before the Board generally.</p> <p><b>COMMENTS DUE:</b> December 14, 2018</p>
<p><a href="#">OSTP Implementing the Freedom of Information Act, 83 Federal Register 54684, October 31, 2018</a></p>	<p><b>NOTICE OF PROPOSED RULEMAKING:</b> The White House Office of Science and Technology Policy (OSTP) is amending its regulations to implement the FOIA Improvement Act of 2016. The regulations reflect OSTP's policy and practices and reaffirm its commitment to provide the fullest possible disclosure of records to the public.</p> <p><b>COMMENTS DUE:</b> November 30, 2018</p>
<p><a href="#">Small Business HUBZone Program; Government Contracting Programs, 83 Federal Register 54812, October 31, 2018</a></p>	<p><b>PROPOSED RULE:</b> The proposes to amend its regulations for the Historically Underutilized Business Zone (HUBZone) Program to reduce the regulatory burdens imposed on HUBZone small business concerns and government agencies, implement new statutory provisions, and eliminate ambiguities in the regulations.</p> <p><b>COMMENTS DUE:</b> December 31, 2018</p>

## Virginia Register – October 2018

[Amendment to 8VAC40-31, Regulations Governing Certification of Certain Institutions to Confer Degrees, Diplomas and Certificates, Volume 35, Issue 3 Virginia Register of Regulations, October 1, 2018](#)

**NOTICE OF INTENDED REGULATORY ACTION:** The State Council of Higher Education for Virginia intends to consider amending 8VAC40-31, Regulations Governing Certification of Certain Institutions to Confer Degrees, Diplomas and Certificates. The purpose of the proposed action is to amend the regulation governing postsecondary schools to include enrollment agreements between students and regulated institutions as mandated by Chapter 298 of the 2017 Acts of Assembly. Amendments include required elements, including disclosures, to be incorporated into enrollment agreements as prescribed by the council.

**COMMENTS DUE:** October 31, 2018

[13VAC5-51. Virginia Statewide Fire Prevention Code \(amending 13VAC5-51-131, 13VAC5-51-133.5, 13VAC5-51-134, 13VAC5-51-135, 13VAC5-51-135.5\), Volume 35, Issue 3 Virginia Register of Regulations, October 1, 2018](#)

**FINAL REGULATION:** Every three years, a new edition of the International Code Council model code becomes available. At that time, the Board of Housing and Community Development initiates a regulatory action to incorporate the newest edition of the model code into Statewide Fire Prevention Code (SFPC). Final regulations for the SFPC, including the subdivisions published in this action, were published in Volume 34, Issue 18 of the Virginia Register on April 30, 2018 (34:18 VA.R. 1617-1744 April 30, 2018) initiating a 30-day final adoption period. The Board of Housing and Community Development considered the public comment on the provisions and readopted final regulations with changes.

**EFFECTIVE DATE:** October 16, 2018

[13VAC5-63. Virginia Uniform Statewide Building Code \(amending 13VAC5-63-210, 13VAC5-63-245, 13VAC5-63-310, 13VAC5-63-431, 13VAC5-63-432.5, 13VAC5-63-433, 13VAC5-63-433.3, 13VAC5-63-433.5, 13VAC5-63-434, 13VAC5-63-434.5, 13VAC5-63-435.5, 13VAC5-63-440, 13VAC5-63-450, 13VAC5-63-500, 13VAC5-63-510\), Volume 35, Issue 3 Virginia Register of Regulations, October 1, 2018](#)

**FINAL REGULATION:** The technical amendments to the Uniform Statewide Building Code (USBC) (i) correct errors in numbering and punctuation, inadvertent omissions, and typos; (ii) remove sections and table rows erroneously included in the final version of the USBC; and (iii) clarify instances where sections of the incorporated code have been amended or added.

**EFFECTIVE DATE:** November 1, 2018

[16VAC25-60. Administrative Regulation for the Virginia Occupational Safety and Health Program \(amending 16VAC25-60-10, 16VAC25-60-20, 16VAC25-60-30, 16VAC25-60-260, 16VAC25-60-270, 16VAC25-60-280\), Volume 35, Issue 3 Virginia Register of Regulations, October 1, 2018](#)

**FINAL REGULATION:** The amendments (i) establish procedures for the application of penalties for state and local government employers in accordance with § 40.1-2.1 of the Code of Virginia and (ii) allow Virginia Occupational Safety and Health to issue proposed penalties to state and local government employers for willful, repeat, and failure-to-abate violations, as well as serious violations that cause a fatal accident or are classified as high gravity (i.e., classified as high severity and high probability). Violations that are classified as non-high gravity serious and other-than-serious violations would not receive a penalty.

**EFFECTIVE DATE:** November 1, 2018

[9VAC25-20. Fees for Permits and Certificates \(amending 9VAC25-20-110\); 9VAC25-610. Groundwater Withdrawal Regulations \(amending 9VAC25-610-106, 9VAC25-610-140\), Volume 35, Issue 4 Virginia Register of Regulations, October 15, 2018,](#)

**FINAL REGULATION:** Pursuant to Chapter 424 of the 2018 Acts of Assembly, the amendments change (i) the groundwater withdrawal permit term from a maximum of 10 years to a maximum of 15 years and (ii) effective January 1, 2019, the permit application fees for groundwater withdrawal permits to

	<p>\$9,000. The revised Virginia Pollutant Discharge Elimination System (VPDES) permits fee schedules apply to applications for a new individual VPDES permit or certificate.  <b>EFFECTIVE DATE:</b> November 14, 2018</p>
<p><a href="#">12VAC5-90. Regulations for Disease Reporting and Control (amending 12VAC5-90-80), Volume 35, Issue 4 Virginia Register of Regulations, October 15, 2018</a></p>	<p><b>FINAL REGULATION:</b> These regulations revise the list of diseases that must be reported.  <b>EFFECTIVE DATE:</b> November 14, 2018</p>
<p><a href="#">18VAC90-30. Regulations Governing the Licensure of Nurse Practitioners (amending 18VAC90-30-220); 18VAC90-40. Regulations for Prescriptive Authority for Nurse Practitioners (amending 18VAC90-40-10; adding 18VAC90-40-150 through 18VAC90-40-290), Volume 35, Issue 4 Virginia Register of Regulations, October 15, 2018</a></p>	<p><b>EXTENSION OF EMERGENCY REGULATION:</b> The Governor approved the request of the Board of Nursing to extend the expiration date of the emergency regulation (re: the prescribing of opioids by nurse practitioners) for six months through May 6, 2019.</p>
<p><a href="#">18VAC110-20, Regulations Governing the Practice of Pharmacy, Volume 35, Issue 4 Virginia Register of Regulations, October 29, 2018</a></p>	<p><b>NOTICE OF INTENDED REGULATORY ACTION:</b> The purpose of the proposed action is to amend 18VAC110-20-275 pertaining to the procedure for identifying all pharmacies involved in the filling and dispensing of a prescription. The proposed amendment would specify that a unique identifier on the prescription label is not required to identify a pharmacy solely involved in the holding of a prescription for pick-up or further delivery when that pharmacy has not shared in other filling or dispensing functions.  <b>COMMENTS DUE:</b> November 28, 2018</p>
<p><a href="#">Solid Waste Management Regulations and Forms, Volume 35, Issue 4 Virginia Register of Regulations, October 29, 2018</a></p>	<p><b>FORMS:</b>  <a href="#">Annual Report QA/QC Submission Checklist, DEQ Form ARSC-01 (rev. 7/2011)</a>  <a href="#">Solid Waste Management Facility Permit Applicant's Disclosure Statement, DEQ Form DISC-01 (rev. 8/2018)</a>  <a href="#">Solid Waste Management Facility Permit Applicant - Key Personnel Disclosure Statement, DEQ Form DISC-02 (rev. 8/2018)</a>  <a href="#">Solid Waste Management Facility Disclosure Statement - Quarterly Update, DEQ Form DISC-03 (rev. 8/2018)</a>  <a href="#">Request for Certification (Local Government), DEQ Form SW-11-1 (rev. 6/2016)</a>   <a href="#">Special Waste Disposal Request, DEQ Form SWDR (rev. 8/2018)</a>  <a href="#">Solid Waste Part A Application, DEQ Form SW PTA (rev. 3/2011)</a>  <a href="#">Solid Waste Disposal Facility Part B Application, DEQ Form SW PTB (rev. 3/2011)</a>  <a href="#">Solid Waste Information and Assessment Program - Reporting Table, Form DEQ 50-25 with Statement of Economic Benefits Form and Instructions (rev. 11/2014)</a>  <a href="#">Exempt Yard Waste Composting Annual Report, DEQ Form YW-2 (rev. 7/2011)</a>  <a href="#">Exempt Yard Waste Compost Facility – Notice of Intent and Certification, DEQ Form YW-3 (rev. 7/2011)</a>  <a href="#">Exempt Yard Waste &amp; Herbivorous Manures Compost Facility – Notice of Intent and Certification, DEQ Form YW-4 (rev. 7/2011)</a></p>
<p><a href="#">9VAC25-880. General VPDES Permit for Discharges of Stormwater from Construction Activities (amending</a></p>	<p><b>PROPOSED REGULATION:</b> The proposed action amends and reissues the existing Virginia Pollutant Discharge Elimination</p>



<p><a href="#">9VAC25-880-1, 9VAC25-880-15, 9VAC25-880-20, 9VAC25-880-30, 9VAC25-880-50, 9VAC25-880-60, 9VAC25-880-70; adding 9VAC25-880-45), Volume 35, Issue 4 Virginia Register of Regulations, October 29, 2018</a></p>	<p>System (VPDES) general permit for discharges of stormwater from construction activities, which expires on June 30, 2019. The general permit regulates stormwater discharges from construction activities, which are defined as "...any clearing, grading or excavation associated with large construction activity or associated with small construction activity." This general permit authorizes discharges of stormwater from regulated construction activities to surface waters and includes enhanced criteria for impaired and exceptional waters. Construction activities that disturb one acre or greater, or less than one acre but are part of a common plan of development, are required to obtain coverage under this general permit prior to commencing land-disturbing activities.</p> <p><b>COMMENTS DUE:</b> December 28, 2018</p>
<p><a href="#">18VAC115-30. Regulations Governing the Certification of Substance Abuse Counselors and Substance Abuse Counseling Assistants (amending 18VAC115-30-10 through 18VAC115-30-62, 18VAC115-30-110 through 18VAC115-30-150; adding 18VAC115-30-15, 18VAC115-30-63, 18VAC115-30-111; repealing 18VAC115-30-90), Volume 35, Issue 4 Virginia Register of Regulations, October 29, 2018</a></p>	<p><b>PROPOSED REGULATION:</b> The board has added more specificity to the supervised experience requirements and limits the amount of time a person may take to obtain experience and certification. By doing so, clients receiving substance abuse counseling services are more assured of the oversight for those working under supervision and of the competency of their counselors once certified. Additional standards of conduct and causes for disciplinary action will provide further guidance to counselors and assistants on the expectations for ethical practice and give the board more explicit grounds on which to discipline practitioners for the purpose of protecting the health, safety, and welfare of the public they serve.</p> <p><b>COMMENTS DUE:</b> December 28, 2018</p>