

Summary of Steps for the Regulation Assignment

1. Choose your topic (sometimes the hardest step). Find something of interest to the group – something that would impact you personally.

Search for background information – Online books available through Cornell catalog – Google search on a topic (combined with legislation or regulation) – Database searches -- Wikipedia (for overview only)

EPA Environmental Topics: www.epa.gov/environmental-topics

EPA Regulatory Information by Business Sector: www.epa.gov/regulatory-information-sector

TIP: If you see a reference to an ACT (like the Clean Air Act) – make note of when it was passed into law. The older the Act, the more regulations there will be over time.

Information about the Act will serve as background for the assignment, but you need to choose a **regulation**. If you haven't identified a regulation during your topic search, try the next couple resources.

2. Identify a regulation

Option #1 -- Search **Federal agency websites**. Look for clues like **Proposed Rule or Final Rule or Rule History**. Follow the links.

Option #2 -- Use **ProQuest Regulatory Insight** – search for an Act – limit by rule – browse the regulatory history and choose a specific regulation – look for the Federal Register citation which will help you later in the process.

The screenshot shows the ProQuest Regulatory Insight interface. At the top, the search term is "marine mammal protection". Below the search bar, there are filter options for "Date" and "Content Type". The "Content Type" filter is expanded, showing several categories: "Regulatory History - Public Law (126)", "Regulatory History - Executive Order (11)", "Agency Overview: Rules and Guidance (4)", "Agency (4)", "Federal Register (9,398)", "Notice (6,329)", "Proposed Rule (1,516)", and "Rule (1,516)". An orange arrow points to the "Rule (1,516)" category. The search results section shows "12927 Results" and lists three items. The first item is "Regulatory History of PL97-58 [Marine Mammal Protection Act of 1972 Amendment, 1981]". The second item is "Regulatory History of PL98-364 [Marine Mammal Protection Act of 1972 Amendment]". The third item is "Regulatory History of PL103-86 [Marine Mammal Protection Act Amendment]".

History of actions published in the Federal Register

Action: Final rule
Category: Rule
FR Citation: 51 FR 197
View FR Article: [Publication Details](#) [Full Text - PDF](#)
Title: Regulations Governing the Taking and Importing of Marine Mammals
Date: January 03, 1986
Volume/No: 51/2
Department/Agency: Department of Commerce (DOC): National Oceanic and Atmospheric Administration (NOAA); Department of Commerce (DOC): National Marine Fisheries Service (NMFS)
CFR Parts: [50 CFR 216 \(1986\)](#)



Regulation title

3. Research the history of the regulation – identify changes over time – read the comments which will help you understand who is in favor and who is opposed.

Search the **Congressional Research Service** for summaries and fact sheets related to your topic..

Search in the **Federal Register** by the citation.

NOTE: If the Act was passed prior to 1994, you will be led to the digitized **archive** for the Federal Register!

FEDERAL REGISTER
The Daily Journal of the United States Government

Document Search

Documents Public Inspection 1

Find 51 fr 197 2,613 documents

Subscribe

Other Formats: CSV/Excel, JSON

Show Advanced Search Learn More

PUBLICATION DATE

| | |
|---------------|-----|
| Past 30 days | 23 |
| Past 90 days | 51 |
| Past 365 days | 169 |

It looks like you were searching for the citation **51 fr 197**.

The 1936-1994 official print volumes of the Federal Register have been digitalized and are available online in PDF format. We found the following published on January 3, 1986.

[51 fr 197 :: Document View \(2.51 MB\)](#)

[51 fr 197 :: Full Archival Issue \(40.9 MB\)](#)

Follow links to see the **Federal Register entry** for your regulation. This will provide you a **summary of comments** (but not the actual comments) and a history of why the regulation was put into place.

- Regulatory Enforcement Fairness Act of 1996 (SBREFA), 5 USC 601 *et seq.*
- E. Executive Order 13132: Federalism
- F. Executive Order 13084: Consultation and Coordination with Indian Tribal Governments
- G. Unfunded Mandates
- H. National Technology Transfer and Advancement Act
- I. Environmental Justice
- J. Congressional Review Act

I. Format and Scope of Rule

Today's notice consolidates Class V UIC regulations in a new Subpart G to 40 CFR Part 144. This subpart is written in a simple-to-understand, plain-English format. Before reading the rest of this preamble, Class V well owners/operators should review the final regulation that presents the enforceable legal requirements they need to know about. This preamble does not repeat many of the requirements contained in the final rule, but rather provides background and additional rationale not included in the regulation.

II. Background

A. Statutory and Regulatory Framework

Class V wells are regulated under the authority of Part C of the Safe Drinking Water Act (SDWA or the Act) (42 U.S.C. 300h *et seq.*). The SDWA is designed to protect the quality of drinking water in the United States, and Part C specifically mandates the regulation of underground injection of fluids through wells. The Agency has promulgated a series of underground injection control (UIC) regulations under this authority.

Section 1421 of the Act requires EPA to propose and promulgate regulations specifying minimum requirements for State programs to prevent underground

fail to demonstrate that they meet EPA's minimum requirements, EPA is required by regulation to prescribe a UIC program for such States. These direct implementation (DI) programs regulations were issued in two phases, on May 11, 1984 (49 FR 20138) and November 15, 1984 (49 FR 45308). For the remainder of this preamble, references to the UIC Program "Director" mean either the Director of the EPA program (where the program is implemented directly by EPA) or the Director of the Primacy State program (where the State is responsible for implementing the program). Also, currently all Class V UIC Programs in Indian Country are directly implemented by EPA. Therefore, for the remainder of this preamble, references to DI Programs include Class V programs in Indian Country.

B. History of This Rulemaking

1. 1994 Consent Decree With the Sierra Club

On August 31, 1994, EPA entered into a consent decree with the Sierra Club that required that no later than August 15, 1995, the EPA Administrator sign a notice to be published in the **Federal Register** proposing regulatory action that fully discharges the Administrator's rulemaking obligation under section 1421 of the SDWA, 42 U.S.C. 300h, with respect to Class V injection wells.

2. 1995 Proposed Rule

On August 15, 1995, the Administrator signed a notice of proposed rulemaking that proposed a regulatory determination and minor revisions to the UIC regulations for Class V injection wells (60 FR 44652,

impose more regulations for Class V wells. However, EPA also received a number of comments that raised concerns about the proposal. In particular, several commentors questioned whether a UIC program without additional requirements for relatively high-risk well types would prevent endangerment to drinking water sources as required by the SDWA. Others questioned whether the proposal was really the best EPA could do given the known threat to USDWs that some wells present.

3. 1997 Modified Consent Decree

Based on comments received on the 1995 proposal, EPA decided to reconsider that proposed approach. Because this reconsideration would extend the time necessary to complete the rulemaking for Class V wells, EPA and the Sierra Club entered into a modified consent decree on January 28, 1997 (D.D.C. No. 93-2644) that extended the dates for rulemaking that had been in the 1994 decree. The modified decree requires three actions.

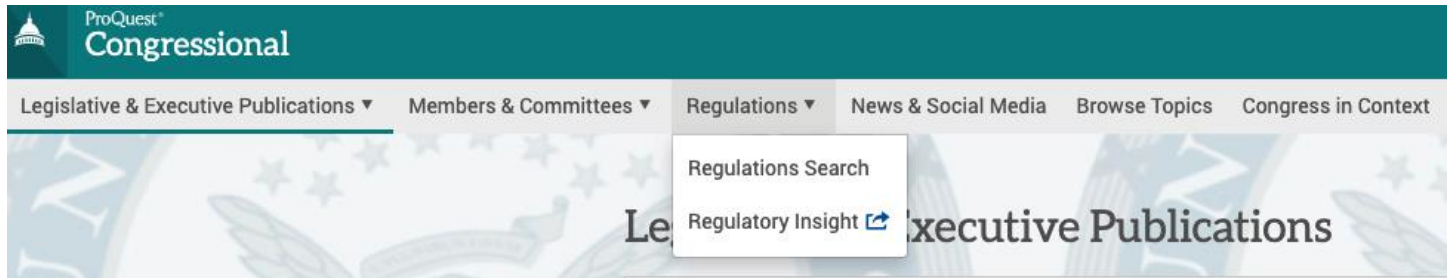
First, by no later than June 18, 1998, the EPA Administrator was required to sign a notice to be published in the **Federal Register** proposing regulatory action that fully discharges the Administrator's rulemaking obligation under section 1421 of the SDWA with respect to those types of Class V injection wells presently determined to be high risk for which EPA does not need additional information. A thirty-day extension was granted; the Administrator signed the notice on July 17, 1998. The Administrator is required to sign a final determination for these endangering Class V wells by no later than October 29, 1999, although the

4. Use additional resources that were highlighted in the Power Point to find public comments

Regulations.gov provides access to public comments – after 2002.

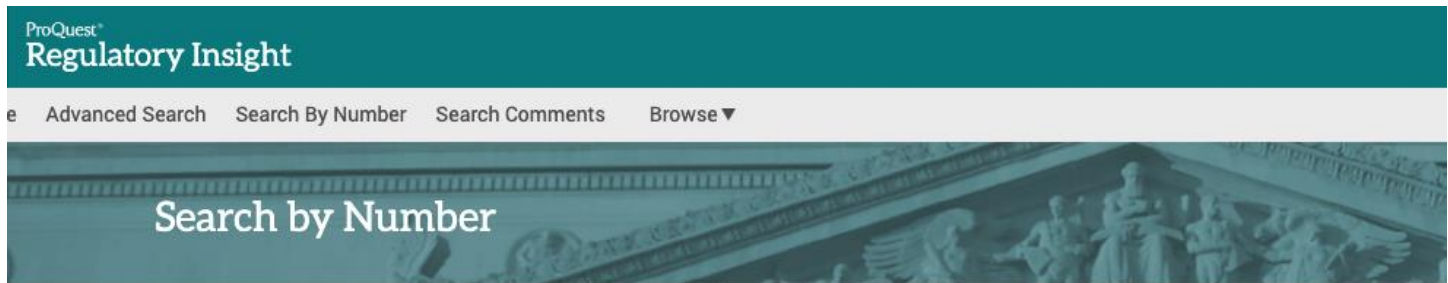
The screenshot shows the Regulations.gov website interface. At the top, there is a search bar containing the text "Regulations Governing the Taking and Importing of Marine Mammals" and a green "Search" button. Below the search bar are navigation tabs for "Dockets", "Documents", and "Comments". Under the "Comments" tab, there is a section titled "REFINE COMMENTS RESULTS" with a filter for "Posted" set to "Last 30 Days (1)". To the right, the "SEARCH RESULTS" section displays a "PUBLIC SUBMISSION" comment from Birgit Graedler. The comment text reads: "authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*) and the regulations ... governing the taking and importing of marine mammals (50 CFR part 216)." The comment is from the "Agency National Oceanic and Atmospheric Administration" and was posted on "Oct 19, 2012" with ID "NOAA-NMFS-2012-0158-5809".

ProQuest Congressional leads you to Regulatory Insight.



Click on the **Search Comments** tab and search by regulation title or citation. Comments only available from 2017 forward!

5



Federal Register e.g. 79 FR 7049; retrieves Regulatory Histories, FR, Agency Views , Guidance Documents

| Volume | Publication | Page Number (e.g. 7049) |
|------------|-------------|-------------------------|
| 81(2016) ▼ | FR ▼ | 73478 |

5. Keep track of your sources as you do your research, so you are able to properly cite them. Government documents and comments can be tricky.

Cornell Libraries Citation website: library.cornell.edu/research/citation

Check out this **library guide** on how to cite U.S. Government Documents in APA Citation Style: guides.library.cornell.edu/citing_us_gov_docs

Sample APA citation for Public Comment:

Citing Public Comments:

Model the citation for a public comment it on the APA style for comments from a Blog as outlined here. <https://blog.apastyle.org/apastyle/2016/04/how-to-cite-a-blog-comment-in-apa-style.html>

Example: Record information like the following as you do your research.

Comment author: Cockerel, Jr., B.L.

Comment focus: [Guidelines Establishing Test Procedures for the Analysis of Pollutants; Analytical Methods for Biological Pollutants in Wastewater and Sewage Sludge; Proposed Rule](#)

Date the comment was posted: September 30, 2005

The website from which the comment was retrieved: regulations.gov

The URL of that website: <https://www.regulations.gov/document?D=EPA-HQ-OW-2004-0014-0031>

The APA citation would go something like this:

Cockerel, Jr., B. L. (2005, Sept. 30). RE: Guidelines establishing test procedures for the analysis of pollutants: Analytical methods for biological pollutants in wastewater and sewage sludge, proposed rule. [Public comment] Retrieved from regulations.gov <https://www.regulations.gov/document?D=EPA-HQ-OW-2004-0014-0031>

6. Important information to note:

Federal Register citation – there will be a citation for the proposed rule, notice that the regulation is open for public comments, and the final rule. **www.federalregister.gov**

Code of Federal Regulations – arranged by Title (topic) – provides the details of what is required by the regulation. **ecfr.gov**

RIN – Regulatory Identification Number – 4-digit agency code and a 4-character code – assigned to a regulation when it is first under development (even before the proposed rule phase). Found in the Federal Register citation. More information at **reginfo.gov** which is the website for *Unified Agenda of Regulatory and Deregulatory Actions*. Explore the site for more information on the timeline for regulatory reviews.

Title of regulation

The dates when the regulation was offered as a proposed rule and when it became a final rule. Public comments period will be between the two dates.

6. And finally, don't be afraid to use the HELP options available to you.

Email me directly: Mel Jensen – mj533@cornell.edu

Email: mann-ref@cornell.edu

Set up a research consultation via Zoom.

<https://cornell.libwizard.com/f/RequestMannConsultation>

Chat 24/7 for quick questions: <https://www.library.cornell.edu/ask/chat>