

15, 2025. In exchange, Plaintiffs would permanently release any and all claims against EPA that the Agency must establish ionic toxicity TMDLs for any other waterbody segments within the Lower Guyandotte River Watershed except for six identified waterbody segments and any waterbody segments that are listed as biologically impaired for the first time after June 1, 2023. For those six waterbody segments and any waterbody segments listed as biologically impaired for the first time after June 1, 2023, Plaintiffs would refrain from bringing any such claims against EPA until January 15, 2039. Further, Plaintiffs would not bring such claims against EPA for any West Virginia waterbody segment outside the Lower Guyandotte River Watershed until after January 15, 2025.

For a period of thirty (30) days following the date of publication of this notice, EPA will accept written comments relating to the proposed consent decree from persons who are not parties to the litigation. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments received disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the CWA.

## II. Additional Information About Commenting on the Proposed Consent Decree

### A. How can I get a copy of the proposed consent decree?

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2024-0145) contains a copy of the proposed consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

The electronic version of the public docket for this action contains a copy of the proposed consent decree and is available through <https://www.regulations.gov>. You may use <https://www.regulations.gov> to submit or view public comments, access the index listing of the contents of the official public docket, and access those documents in the public docket that are

available electronically. Once in the system, key in the appropriate docket identification number then select “search.”

### B. How and to whom do I submit comments?

Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2024-0145 via <https://www.regulations.gov>. Once submitted, comments cannot be edited or removed from this docket. EPA may publish any comment received to its public docket. Do not submit to EPA’s docket at <https://www.regulations.gov> any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. For additional information about submitting information identified as CBI, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an email address or other contact information in the body of your comment. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket and made available in EPA’s electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the <https://www.regulations.gov> website to submit comments to EPA electronically is EPA’s preferred method for receiving comments. The electronic public docket system is an “anonymous access” system, which means EPA will not

know your identity, email address, or other contact information unless you provide it in the body of your comment.

Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked “late.” EPA does not plan to consider these late comments.

**Steven M. Neugeboren,**

*Associate General Counsel.*

[FR Doc. 2024-06661 Filed 3-28-24; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2024-0149; FRL-11857-01-OGC]

### Proposed Consent Decree, Clean Air Act Citizen Suit

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed consent decree; request for public comment.

**SUMMARY:** In accordance with the Clean Air Act, as amended (“CAA” or “the Act”), the Environmental Protection Agency (“EPA” or “the Agency”) is providing notice of a proposed consent decree in *Sierra Club, et al. v. United States Environmental Protection Agency, et al.*, No. 1:23-cv-01744-JDB (D. DC). Plaintiffs Sierra Club, National Parks Conservation Association, and Environmental Integrity Project (collectively, “Plaintiffs”), brought suit in the United States District Court for the District of Columbia alleging that and the U.S. Environmental Protection Agency (“EPA”) and Michael Regan, in his official capacity as Administrator of the U.S. EPA (“the Administrator”) (collectively, “Defendants”), failed to take final action on the second planning period regional haze state implementation plan (“SIP”) revisions submitted by the following 34 states: Alaska, Arkansas, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Indiana, Kansas, Maryland, Massachusetts, Michigan, Montana, Nevada, New Hampshire, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Washington, West Virginia, Wisconsin, and Wyoming. There are three intervenors in this action. PacifiCorp is acting as an intervenor-plaintiff and the State of North Dakota and the State of Nevada are acting as intervenor-defendants. The proposed consent decree would establish deadlines for the

EPA to sign a notice of proposed rulemaking for certain SIPs included in this action and a notice of final rulemaking for each of the SIPs included in this action.

**DATES:** Written comments on the proposed consent decree must be received by April 29, 2024.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2024-0149, online at <https://www.regulations.gov> (EPA's preferred method). Follow the online instructions for submitting comments.

*Instructions:* All submissions received must include the Docket ID number for this action. Comments received may be posted without change to <https://www.regulations.gov>, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the "Additional Information about Commenting on the Proposed Consent Decree" heading under the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Yasmín Pérez Ortiz, Air and Radiation Law Office, Office of General Counsel, U.S. Environmental Protection Agency; telephone: (202) 564-1077; email address: [perez-ortiz.yasmin@epa.gov](mailto:perez-ortiz.yasmin@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Obtaining a Copy of the Proposed Consent Decree**

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2024-0149) contains a copy of the proposed consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

The electronic version of the public docket for this action contains a copy of the proposed consent decree, and is available through <https://www.regulations.gov>. You may use <https://www.regulations.gov> to submit or view public comments, access the index listing of the contents of the official public docket, and access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket

identification number then select "search."

##### **II. Additional Information About the Proposed Consent Decree**

Plaintiffs initially filed a complaint in the United States District Court for the District of Columbia alleging that EPA failed to perform its nondiscretionary duty under CAA section 110(k)(2)-(4) to approve, disapprove, or conditionally approve, in whole or in part the second planning period regional haze SIP revisions for seven states, Kansas, Massachusetts, Michigan, Ohio, Texas, and Wisconsin, within 12 months of a determination of completeness by EPA or a submittal being deemed complete by operation of law. Plaintiffs then filed an Amended Complaint challenging the same failure from Defendants to perform a nondiscretionary duty under 110(k)(2)-(4) to approve, disapprove, or conditionally approve, in whole or in part the second planning period regional haze for 27 additional states, for a total of 34 states: Alaska, Arkansas, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Indiana, Kansas, Maryland, Massachusetts, Michigan, Montana, Nevada, New Hampshire, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Washington, West Virginia, Wisconsin, and Wyoming, within 12 months of a determination of completeness by EPA or a submittal being deemed complete by operation of law.

Under the terms of the proposed consent decree, no later than the dates set forth in the proposed consent decree, the Administrator or appropriate EPA official with delegated authority shall sign a notice of proposed rulemaking to approve, disapprove, conditionally approve, or approve in part and disapprove in part, pursuant to sections 110(k)(2)-(4) of the CAA, 42 U.S.C. 7410(k)(2)-(4), certain SIP submittals set forth in the proposed consent decree. In addition, under the terms of the proposed consent decree, no later than the dates set forth in the proposed consent decree, the Administrator or appropriate EPA official with delegated authority shall sign a notice of final rulemaking to approve, disapprove, conditionally approve, or approve in part and disapprove in part, pursuant to sections 110(k)(2)-(4) of the CAA, 42 U.S.C. 7410(k)(2)-(4), the SIP submittals set forth in the proposed consent decree.

In accordance with section 113(g) of the CAA, for a period of thirty (30) days following the date of publication of this notice, the Agency will accept written

comments relating to the proposed consent decree. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

##### **III. Additional Information About Commenting on the Proposed Consent Decree**

Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2024-0149, via <https://www.regulations.gov>. Once submitted, comments cannot be edited or removed from this docket. The EPA may publish any comment received to its public docket. Do not submit to EPA's docket at <https://www.regulations.gov> any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. For additional information about submitting information identified as CBI, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this document. Note that written comments containing CBI and submitted by mail may be delayed and deliveries or couriers will be received by scheduled appointment only.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an email address or other contact information in the body of your comment. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket and made available in EPA's electronic public docket. If EPA cannot read your

comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the <https://www.regulations.gov> website to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, email address, or other contact information unless you provide it in the body of your comment.

Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

**Gautam Srinivasan,**

*Associate General Counsel.*

[FR Doc. 2024-06722 Filed 3-28-24; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-11833-01-OA]

### Request for Nominations of Candidates for the Science Advisory Board Integrated Risk Information System Chloroform Review Panel

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) Science Advisory Board (SAB) Staff Office requests public nominations of scientific experts to form a Panel to review the draft EPA document titled, Integrated Risk Information System (IRIS) Toxicological Review of Chloroform (inhalation). The draft IRIS cancer and non-cancer assessment includes a hazard identification analysis, which summarizes the available evidence on health effects that may be associated with environmental or occupational exposure, and dose-response analysis that characterizes the quantitative relationship between chloroform inhalation exposure and each credible health hazard.

**DATES:** Nominations should be submitted by April 19, 2024 per the instructions below.

**FOR FURTHER INFORMATION CONTACT:** Any member of the public wishing further information regarding this Notice and Request for Nominations may contact Dr. Suhair Shallal, Designated Federal Officer (DFO), EPA Science Advisory Board Staff Office by telephone/voice

mail (202) 564-2057, or email at [shallal.suhair@epa.gov](mailto:shallal.suhair@epa.gov). General information concerning the EPA SAB can be found at the EPA SAB website at <https://sab.epa.gov>.

**SUPPLEMENTARY INFORMATION:** The SAB (42 U.S.C. 4365) is a chartered Federal Advisory Committee that provides independent scientific and technical peer review, advice, and recommendations to the EPA Administrator on the technical basis for EPA actions. As a Federal Advisory Committee, the SAB conducts business in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C. 10) and related regulations. The SAB Staff Office is forming an expert panel, the IRIS Chloroform Review Panel, under the auspices of the Chartered SAB. The IRIS Chloroform Review Panel will provide advice through the chartered SAB. The SAB and the IRIS Chloroform Review Panel will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

The IRIS Chloroform Review Panel will conduct the review of the draft IRIS Toxicological Review of Chloroform prepared by the EPA IRIS Program. The IRIS Program is located within EPA's Center for Public Health and Environmental Assessment (CPHEA) in the Office of Research and Development (ORD). The draft IRIS cancer and non-cancer assessment includes a hazard identification analysis, which summarizes the available evidence on health effects that may be associated with environmental or occupational exposure, and dose-response analysis that characterizes the quantitative relationship between chloroform inhalation exposure and each credible health hazard. The SAB IRIS Chloroform Review Panel will consider whether the conclusions found in the EPA's draft IRIS assessment are clearly presented and scientifically supported. The Panel will also be asked to provide recommendations on how the assessment may be strengthened.

*Request for Nominations:* The SAB Staff Office is seeking nominations of nationally and internationally recognized scientists with demonstrated expertise in the following disciplines: *toxicology, specifically inhalation toxicology/dosimetry, hepatic and nephrological toxicology; epidemiology; systematic review; biostatistics; uncertainty analysis; physiologically-based pharmacokinetic (PBPK) modeling; carcinogenesis; risk assessment; dose response analysis.*

*Process and Deadline for Submitting Nominations:* Any interested person or

organization may nominate qualified individuals in the areas of expertise described above for possible service on the SAB Panel. Individuals may self-nominate. Nominations should be submitted in electronic format (preferred) using the online nomination form on the SAB website at <https://sab.epa.gov> (see the "Public Input on Membership" list under "Committees, Panels, and Membership" following the instructions for "Nominating Experts to Advisory Panels and Ad Hoc Committees Being Formed," provided on the SAB website (see the "Nomination of Experts" link under "Current Activities" at <https://sab.epa.gov>). To be considered, nominations should include the information requested below. EPA values and welcomes diversity. All qualified candidates are encouraged to apply regardless of sex, race, disability, or ethnicity. Nominations should be submitted in time to arrive no later than April 19, 2024.

The following information should be provided on the nomination form: contact information for the person making the nomination; contact information for the nominee; and the disciplinary and specific areas of expertise of the nominee. Nominees will be contacted by the SAB Staff Office and will be asked to provide a recent curriculum vitae and a narrative biographical summary that includes current position, educational background; research activities; and recent service on other national advisory committees or national professional organizations. Persons having questions about the nomination procedures, or who are unable to submit nominations through the SAB website, should contact the DFO at the contact information noted above. The names and biosketches of qualified nominees identified by respondents to this **Federal Register** Notice, and additional experts identified by the SAB Staff Office, will be posted in a List of Candidates for the Panel on the SAB website at <https://sab.epa.gov>. Public comments on the List of Candidates will be accepted for 21 days. The public will be requested to provide relevant information or other documentation on nominees that the SAB Staff Office should consider when evaluating candidates.

For the EPA SAB Staff Office, a balanced review panel includes candidates who possess the necessary domains of knowledge, the relevant scientific perspectives (which, among other factors, can be influenced by work history and affiliation), and the collective breadth of experience to