

## I. General Information

### A. Does this action apply to me?

This action is directed to the public in general and may be of interest to a wide range of stakeholders including environmental, human health, farm worker and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

### B. How can I get copies of this document and other related information?

The regulatory docket for this action, identified by docket identification number EPA-HQ-OPP-2022-0417, is available electronically at <https://www.regulations.gov> or in hard copy at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the EPA Docket Center, (EPA/DC) 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.

The adjudication docket for the proceeding in which petitioners have requested a public hearing, captioned *In re Chlorpyrifos; Notice of Intent to Cancel Pesticide Registrations* and identified by docket number FIFRA-HQ-2023-0001, is available electronically on the website of the EPA's Office of Administrative Law Judges at: [https://yosemite.epa.gov/oarm/alj/web\\_docket.nsf/Active+Dockets?OpenView](https://yosemite.epa.gov/oarm/alj/web_docket.nsf/Active+Dockets?OpenView).

## II. Public Hearing to be Held on Objections to EPA's Notice of Intent to Cancel Pesticide Registrations

EPA previously published (87 FR 76474, Dec. 14, 2022) a Notice of Intent to Cancel (NOIC) the registration of the following three pesticide products pursuant to its authority under Section 6(b) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), 7 U.S.C. 136d(b):

- EPA Reg. No. 93182-3 Chlorpyrifos Technical.
- EPA Reg. No. 93182-7 Pilot 4E Chlorpyrifos Agricultural Insecticide.
- EPA Reg. No. 93182-8 Pilot 15G Chlorpyrifos Agricultural Insecticide.

Section 6(b) of FIFRA provides that any person adversely affected by the NOIC may request a hearing on the proposed cancellation within 30 days of the registrant receiving the notice or of

the notice's publication, whichever comes later. 7 U.S.C. 136d(d). On January 13, 2023, Gharda Chemicals International, Inc., the registrant for the pesticide products proposed for cancellation, filed an objection to the NOIC and requested a hearing. Also on January 13, 2023, the following 19 entities jointly filed an objection to the NOIC and requested a hearing: Red River Valley Sugarbeet Growers Association, U.S. Beet Sugar Association, American Sugarbeet Growers Association, Southern Minnesota Beet Sugar Cooperative, American Crystal Sugar Company, Minn-Dak Farmers Cooperative, American Farm Bureau Federation, American Soybean Association, Iowa Soybean Association, Minnesota Soybean Growers Association, Missouri Soybean Association, Nebraska Soybean Association, South Dakota Soybean Association, North Dakota Soybean Growers Association, National Association of Wheat Growers, Cherry Marketing Institute, Florida Fruit and Vegetable Association, Georgia Fruit and Vegetable Growers Association, and National Cotton Council of America.

The hearing requests commenced a proceeding under Section 6(d) of FIFRA, 7 U.S.C. 136d(d), and the EPA's procedural rules, 40 CFR 164, before the EPA's Office of Administrative Law Judges. The proceeding includes a public hearing that will be held to receive evidence from the parties relevant and material to issues raised by the petitioners' objections to the proposed cancellation of the listed chlorpyrifos pesticide product registrations.

As set forth in **DATES** and **ADDRESSES**, the hearing will begin at 9 a.m. January 8, 2024, and continue as necessary through January 11, 2024, in the EPA Administrative Courtroom, EPA East Building, Room 1152, 1201 Constitution Ave. NW, Washington, DC 20460. Anyone wishing to attend the hearing must notify Mary Angeles, Headquarters Hearing Clerk, Office of Administrative Law Judges, by email no later than January 2, 2024, at the email address listed under **FOR FURTHER INFORMATION CONTACT**. A notice of intent to attend the hearing shall include the individual's name, email address, telephone number, and any organization they represent. On the day of the hearing, attendees must present government-issued identification to enter EPA facilities. Attendees may face further restrictions on entry based on the community level of COVID-19 at the time of the hearing.

*Authority:* 7 U.S.C. 136 *et seq.*; 40 CFR 164.

Susan Biro,

Chief Administrative Law Judge.

[FR Doc. 2023-13115 Filed 6-20-23; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2023-0226; 10963-01-OAR]

### Proposed Baseline Approval of the Contact-Handled Transuranic Waste Characterization Program Implemented at the Department of Energy's Argonne National Laboratory, Lemont, Illinois

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

**ACTION:** Notice of availability; opening of a 45-day public comment period.

**SUMMARY:** The Environmental Protection Agency (EPA or the Agency) is announcing the availability of, and soliciting public comments on, the proposed "baseline" approval of the contact-handled (CH) transuranic (TRU) debris waste characterization program implemented by the Central Characterization Program (CCP) at the U.S. Department of Energy's (DOE) Argonne National Laboratory in Lemont, IL. The inspections supporting this proposed baseline approval took place from November 15-17, 2022 remotely and on site in Lemont, IL. EPA identified no findings or concerns and proposes to approve the ANL-CCP CH TRU debris waste characterization program. EPA's report documenting the inspection results and proposed baseline approval is available for review in the public docket listed in the **ADDRESSES** section of this document. Until the Agency finalizes its baseline approval decision, the DOE Carlsbad Field Office may not certify ANL-CCP's CH waste characterization program and the site may not ship transuranic waste to the Waste Isolation Pilot Plant for disposal.

**DATES:** Comments must be received on or before August 7, 2023.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2023-0226, to the *Federal eRulemaking Portal*: <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or withdrawn. EPA may publish any comment received to its public docket. Do not electronically submit 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: <http://www2.epa.gov/dockets/commenting-epa-dockets>.

**FOR FURTHER INFORMATION CONTACT:** Jerry Ellis (202–564–2766) or Edward Feltcorn (202–343–9422). Radiation Protection Division, Center for Waste Management and Regulations, Mail Code 6608T, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, Washington, DC 20460; email addresses: [ellis.jerry@epa.gov](mailto:ellis.jerry@epa.gov) or [feltcorn.ed@epa.gov](mailto:feltcorn.ed@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. General Information**

*A. What should I consider as I prepare my comments for EPA?*

1. *Submitting CBI.* Do not submit this information to EPA through [www.regulations.gov](http://www.regulations.gov) or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in electronic media that you mail to EPA, mark the outside of the electronic media as CBI and then identify electronically within the files what specific information is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for Preparing Your Comments.* When submitting comments, remember to:

- Identify the rulemaking by docket number EPA–HQ–OAR–2023–0226 and other identifying information (subject heading, **Federal Register** date and page number).
- Follow directions: The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

- Describe any assumptions and provide any technical information and/or data that you used.

- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

- Provide specific examples to illustrate your concerns and suggest alternatives.

- Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

- Make sure to submit your comments by the comment period deadline identified.

##### **II. Background**

The DOE operates the Waste Isolation Pilot Plant (WIPP) facility near Carlsbad in southeastern New Mexico as a deep geologic repository for disposal of defense-related TRU radioactive waste. TRU waste contains more than 100 nanocuries of alpha-emitting TRU isotopes, with half-lives greater than twenty years, per gram of waste. Much of the existing TRU waste, which may also be contaminated with hazardous chemicals, consists of items contaminated during the production of nuclear weapons, such as debris waste (rags, equipment, tools) and solid waste (sludges, soil). Legacy weapons production facilities, including ANL, that have generated TRU waste for shipment to and disposal at WIPP are expected use approved waste characterization programs.

EPA's inspection and approval processes for waste generator sites, including quality assurance and waste characterization programs, are described at 40 CFR 194.8. The Agency has discretion in establishing technical priorities, the ability to accommodate variation in the site's waste characterization capabilities, and flexibility in scheduling site waste characterization inspections.

In accordance with the conditions in the WIPP compliance certification and relevant regulatory provisions, including 40 CFR 194.8, EPA conducts "baseline" inspections at waste generator sites, as well as subsequent inspections to confirm continued compliance. As part of a baseline inspection, EPA evaluates each waste characterization process component (equipment, procedures and personnel training and experience) for adequacy and appropriateness in characterizing TRU waste intended for disposal at the WIPP. During the inspection, the site demonstrates its capabilities to characterize TRU waste and its ability to comply with the regulatory limits and tracking requirements under § 194.24.

The baseline inspection can result in approval with limitations and conditions or may require follow-up inspection(s) before approval. Within the approval documentation, EPA specifies what subsequent program changes should be reported to the Agency, referred to as Tier 1 (T1) or Tier 2 (T2) changes, depending largely on the anticipated effect of the changes on data quality.

A T1 designation requires that the DOE Carlsbad Field Office (CBFO) provide to EPA documentation on proposed changes to the approved components of an individual site-specific waste characterization process (such as radioassay equipment), which the Agency must approve before the change can be implemented. T2 designated changes are minor changes to the approved components of individual waste characterization processes (such as visual examination procedures) which must also be reported to EPA, but the site may implement such changes without awaiting Agency approval. The inspections conducted to evaluate T1 or T2 changes are under the authority of EPA's WIPP compliance certification conditions and regulations, including 40 CFR 194.8 and 194.24(h). In addition to follow-up inspections, EPA may opt to conduct continued compliance inspections at TRU waste sites with a baseline approval under the authority of the WIPP compliance certification regulations, including § 194.24(h).

In accordance with 40 CFR 194.8, EPA issues a **Federal Register** notice proposing a baseline compliance decision, docketing the inspection report for public review, and seeks public comment on the proposed decision for a minimum period of 45 days. The report describes the waste characterization processes the Agency inspected at the site, as well as their compliance with 40 CFR 194.8 and 194.24 requirements.

##### *A. Proposed Baseline Decision*

This notice announces EPA's proposed baseline approval of the CH TRU waste characterization program implemented by the CCP at the DOE's Argonne National Laboratory. In accordance with 40 CFR 194.8(b), EPA conducted Baseline Inspection No. ANL–CCP–CH–Baseline–2022 on November 15–17, 2022, remotely and at Argonne National Laboratory. Upon EPA's final approval, the DOE may emplace ANL–CCP CH TRU waste in the WIPP.

ANL is located in Lemont, Illinois, approximately 25 miles southwest of downtown Chicago. Originally founded

in 1946 as the first national laboratory, ANL grew from conducting initial experiments performed at the University of Chicago to producing plutonium for nuclear weapons. Since then, ANL has supported research and development of nuclear reactors and related systems, materials, and components for civilian and national defense programs. This work historically included development of essentially all domestic reactor systems in use today for isotope production, power generation and naval submarine propulsion, as well as applications for weapons destruction, defense waste management, defense safeguards and security and space propulsion. Currently, ANL is a multi-disciplinary research laboratory that performs basic and applied work in engineering, chemistry, physics, materials and environmental studies. Transuranic waste-generating activities at ANL consist mainly of cleaning out

buildings or other areas previously used for a variety of research activities.

EPA is proposing to approve the ANL-CCP waste characterization program implemented to characterize CH TRU waste as documented in the accompanying inspection report. Specifically, the proposed approval includes:

- (1) The AK (Acceptable Knowledge) process for ANL CH TRU waste.
- (2) The MILCC5 (Mobile ISOCS Large Container Counter No. 5) NDA (Non-destructive assay) system and processes for characterizing CH TRU waste.
- (3) The VE (Visual Examination) process to identify waste material parameters and the physical form of CH TRU waste.

Any changes to the waste characterization activities after the date of the baseline inspection must be reported to and, if applicable, approved by EPA according to Table 1 below. All T1 changes must be submitted for

approval before their implementation and will be evaluated by EPA. Upon approval, the Agency will post the results of the evaluations in EPA's general WIPP docket at *regulations.gov* (Docket No. EPA-HQ-OAR-2001-0012). ANL-CCP must submit T2 changes at the end of the fiscal year quarter in which they were implemented.

EPA's final approval decision regarding the ANL-CCP CH waste characterization program will be conveyed to the DOE separately by letter following EPA's review of public comments received in response to this notice and proposed approval discussed in the inspection report. This information will be provided through EPA's WIPP docket provided for this action at *regulations.gov* (Docket No. EPA-HQ-OAR-2023-0226), in accordance with 40 CFR 194.8(b)(3).

TABLE 1

[Based on November 15–17, 2022, Baseline Inspection ANL-CCP-CH-Baseline-2022]

| Process elements             | ANL-CCP CH waste characterization process—T1 changes   | ANL-CCP CH waste characterization process—T2 changes *   |
|------------------------------|--|--|
| Acceptable Knowledge (AK).   | Implementation of payload management.  | Submission of a list of active ANL-CCP CH AK experts and site project managers<br>Notification to EPA upon availability of or substantive modification ** to:<br><ul style="list-style-type: none"> <li>• AK summary reports (e.g., CCP-AK-ANLE-002)</li> <li>• AK accuracy reports (annually, at a minimum)</li> <li>• Waste stream profile forms and any associated change notices</li> <li>• Add container memoranda</li> <li>• Site AK procedures requiring CBFO approval ***</li> <li>• Enhanced AK documents such as CCP-TP-005, Attachment 9 forms and AK Assessment, CCE and Basis of Knowledge memoranda (including addition of new figures or attachments).</li> </ul> |
| Nondestructive Assay (NDA).  | New equipment or substantive physical modifications** to approved equipment.<br>Extension of or changes to approved calibration ranges for approved equipment.<br>Measurement geometries other than 55-gallon drums. | Submission of a list of ANL-CCP NDA operators, expert analysts and independent technical reviewers that performed work during the previous quarter<br>Notification to EPA upon substantive modification ** to:<br><ul style="list-style-type: none"> <li>• Software for approved equipment</li> <li>• Operating ranges upon CBFO approval</li> <li>• Site NDA procedures requiring CBFO approval. ***</li> </ul>   |
| Visual Examination (VE).     | VE for non-debris waste .....<br>VE by any process other than ANL-CCP VE operators observing ANL waste handlers package the waste in a glovebox, as demonstrated during the 2022 baseline inspection.                | Submission of a list of ANL-CCP VE operators, VE experts and independent technical reviewers that performed work during the previous quarter<br>Notification to EPA upon substantive modification ** to site VE procedures requiring CBFO approval. ***  |
| Real-time Radiography (RTR). | Implementation of RTR.   |  |

\* ANL-CCP will report all T2 changes to EPA every three months.

\*\* "Substantive modification" refers to a change with the potential to affect ANL-CCP's CH waste characterization processes or documentation of them, excluding changes that are solely related to the environment, safety and health; nuclear safety; or the Resource Conservation and Recovery Act; or that are editorial in nature or are required to address administrative concerns. EPA may request copies of new references that the DOE adds during a document revision.

\*\*\* Site procedures include any procedures used by ANL-CCP personnel that require Carlsbad Field Office (CBFO) approval. This includes ANL-CCP-specific procedures as well as applicable CCP-wide procedure.

### III. Availability of the Baseline Inspection Report and Proposed Approval for Public Comment

EPA has placed the report discussing the results of the inspection of the CH

TRU waste characterization program at ANL in the public docket as described in the **ADDRESSES** section of this document. In accordance with 40 CFR 194.8, the Agency is providing the

public 45 days to comment on this and EPA's proposed decision to approve the ANL-CCP CH TRU waste characterization program. The Agency will accept public comment on this

notice and supplemental information as described in Section I above. At the end of the public comment period, EPA will evaluate all relevant public comments and, as the Agency may deem appropriate and necessary, revise the report and proposed approval or take other appropriate action. If EPA concludes that there are no unresolved issues after the public comment period, the Agency will issue an approval letter and the final report. The letter of approval will authorize the DOE to approve the ANL-CCP waste characterization program implemented to characterize CH TRU waste at ANL.

Information on the approval decision will be filed in the official public docket opened for this action on [www.regulations.gov](http://www.regulations.gov), Docket ID No. EPA-HQ-OAR-2023-0226 (as listed in the ADDRESSES section of this document).

**Jonathan Edwards,**

*Director, Office of Radiation and Indoor Air.*

[FR Doc. 2023-13084 Filed 6-20-23; 8:45 am]

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## FEDERAL RESERVE SYSTEM

### Privacy Act of 1974; System of Records

**AGENCY:** Board of Governors of the Federal Reserve System.

**ACTION:** Notice of a modified system of records.

**SUMMARY:** Pursuant to the provisions of the Privacy Act of 1974, notice is given that the Board of Governors of the Federal Reserve System (Board) proposes to modify an existing system of records entitled BGFRS-20, “FRB—Survey of Consumer Finances” to account for changes necessitated by title III of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act). BGFRS-20 is a system of records that covers the Survey of Consumer Finances (SCF), which is a voluntary triennial survey of a representative sample of households that collects information on household finances, income, employment, attitudes and demographics.

**DATES:** Comments must be received on or before July 21, 2023. This modified system of records will become effective July 21, 2023, without further notice, unless comments dictate otherwise.

The Office of Management and Budget (OMB), which has oversight responsibility under the Privacy Act, requires a 30-day period prior to publication in the **Federal Register** in which to review the system and to

provide any comments to the agency. The public is then given a 30-day period in which to comment, in accordance with 5 U.S.C. 552a(e)(4) and (11).

**ADDRESSES:** You may submit comments, identified by BGFRS-20 “FRB—Survey of Consumer Finances,” by any of the following methods:

- **Agency Website:** <https://www.federalreserve.gov>. Follow the instructions for submitting comments at <https://www.federalreserve.gov/apps/foia/proposedregs.aspx>.

- **Email:** [regs.comments@federalreserve.gov](mailto:regs.comments@federalreserve.gov). Include SORN name and number in the subject line of the message.

- **Fax:** (202) 452-3819 or (202) 452-3102.

- **Mail:** Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

In general, all public comments will be made available on the Board’s website at [www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm](http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm) as submitted, and will not be modified to remove confidential, contact or any identifiable information. Public comments may also be viewed electronically or in paper in Room M-4365A, 2001 C St. NW Washington, DC 20551, between 9:00 a.m. and 5:00 p.m. during Federal business weekdays.

**FOR FURTHER INFORMATION CONTACT:**

David B. Husband, Senior Counsel, (202) 530-6270, or [david.b.husband@frb.gov](mailto:david.b.husband@frb.gov); Legal Division, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551. For users of telephone systems via text telephone (TTY) or any TTY-based Telecommunications Relay Services, please call 711 from any telephone, anywhere in the United States.

**SUPPLEMENTARY INFORMATION:** The Board is modifying this system of records in response to the passage of title III of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), which reauthorized and expanded the Confidential Information Protection and Statistical Efficiency Act (CIPSEA). Under CIPSEA as amended, OMB is tasked with creating a Standard Application Process (SAP) to permit entities and individuals to apply to access confidential data assets accessed or acquired under CIPSEA by a statistical agency or unit for the purposes of developing evidence. The Board is therefore amending this SORN to permit access to information in the system of records for the purpose of developing evidence.

Specifically, the Board is adding a new routine use to permit access to protected information (the Survey of Consumer Finances (SCF)) by individuals for the purpose of developing evidence, subject to appropriate control, supervision, and agreement to comply with all relevant legal provisions. These include requirements and standards issued by the Office of Management and Budget (OMB) in accordance with the Standard Application Process laid out in M-23-04 or any successor document. The Board is deleting the existing system-specific routine uses because the routine uses do not describe intended sharing of SCF data but rather describe administrative and technical safeguards and thus has moved that language to the administrative and technical safeguards section. The Board is also revising the administrative, technical, and physical safeguards to reflect that access may be granted to outside entities or individuals for the purposes of developing evidence, subject to appropriate controls, supervision, and agreement to comply with all relevant legal provisions. The Board is also adding Routine Use G to permit sharing with contractors and taking the opportunity to update the system location, the system manager, the authority for maintenance of the system, the purpose of the system, and the policies and practices for storage of records.

The Board is also making technical changes to BGFRS-20 consistent with the template laid out in OMB Circular No. A-108. Accordingly, the Board has made technical corrections and non-substantive language revisions to the following sections: “Policies and Practices for Storage of Records,” “Policies and Practices for Retrieval of Records,” “Policies and Practices for Retention and Disposal of Records,” “Administrative, Technical and Physical Safeguards,” “Record Access Procedures,” “Contesting Record Procedures,” and “Notification Procedures.” The Board has also created and populated the following new sections: “Security Classification” and “History.”

**SYSTEM NAME AND NUMBER:**

BGFRS-20, “FRB—Survey of Consumer Finances”.

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

Board of Governors of the Federal Reserve System, 502 S Sharp Street, Baltimore, MD 21201 and U.S. Census