

of the comment that includes information claimed as CBI, a non-CBI copy of the comment that *does not* contain the information claimed as CBI must be submitted for inclusion in the public docket. Information marked accordingly will not be disclosed except in accordance with procedures shown in 40 CFR part 2 of the Code of Federal Regulations.

When submitting a nomination, EPA prefers the nominator include a name, affiliation, phone number, mailing address, and email address; however, this information is not required, and nominations can be submitted anonymously. The nominator should also address the following questions for each nominated contaminant:

1. What is the nominated contaminant's name, CAS Registry Number (CAS RN) or DSSTox substance identifier (DTXSID), and/or common synonym (if applicable)? Note—please do not nominate a contaminant already subject to the National Primary Drinking Water Regulations (NPDWRs) (see the current list at <https://www.epa.gov/ground-water-and-drinking-water/national-primary-drinking-water-regulations>).

2. What are the data you believe support the conclusion that the nominated contaminant is known or anticipated to occur in public water systems? For example, provide information that shows measured occurrence of the contaminant in drinking water, measured occurrence in sources of drinking water that provide water to public drinking water systems, measured occurrence in other water types (*i.e.*, ambient water (rivers, lakes, or streams) groundwater, wastewater, stormwater, or urban runoff) or provide information that shows the contaminant is released in the environment or is manufactured in large quantities and has the potential for contaminating sources of public drinking water. Please provide the source of the information with complete citations for published information (*i.e.*, author(s), title, journal, and date) and/or contact information for the primary investigator. Additionally, please provide original supporting or supplemental information files relevant to the published information (*i.e.*, data tables, data sets, or data files, etc).

3. What new health effects data are available which you believe supports the conclusion that a contaminant may have an adverse effect on the health of humans? For example, provide information that shows the contaminant may have an adverse health effect on the general population or that the contaminant is potentially harmful to subgroups that comprise a meaningful

portion of the population (such as children, pregnant women, the elderly, individuals with a history of serious illness, individuals living in disadvantaged communities with known occurrence of emerging contaminants in their public water systems, or others). Please provide the source of this information with complete citations for published information (*i.e.*, author(s), title, journal, and date) and/or contact information for the primary investigator. Additionally, please provide original supporting or supplemental information files relevant to the published information (*i.e.*, data tables, data sets, or data files, etc).

*B. How do I submit nominations in hard copy?*

You may submit contaminant nominations by mail or hand delivery. To allow full consideration, please ensure that your nominations are received or postmarked by midnight on April 18, 2023. The address for submittal of nominations by mail or hand delivery is listed in the **ADDRESSES** section of this notice.

*C. What will happen to my nominations after I submit them?*

EPA will evaluate the information available for all publicly nominated drinking water contaminants to determine the appropriateness of their inclusion on the CCL 6. EPA does not intend to respond to the nomination comments directly or individually. EPA will summarize the nominations received when the Draft CCL 6 document is published in the **Federal Register**.

#### IV. References

- National Drinking Water Advisory Council (NDWAC). 2004. National Drinking Water Advisory Council Report on the CCL Classification Process to the U.S. Environmental Protection Agency. Available on the internet at: [https://www.epa.gov/sites/production/files/2015-11/documents/report\\_ccl\\_ndwac\\_07-06-04.pdf](https://www.epa.gov/sites/production/files/2015-11/documents/report_ccl_ndwac_07-06-04.pdf).
- National Research Council (NRC). 2001. Classifying Drinking Water Contaminants for Regulatory Consideration. National Academy Press. Washington, DC. Available on the internet at <https://nap.nationalacademies.org/read/10080/chapter/1>.
- USEPA. 2022. Drinking Water Contaminant Candidate List 5-Final. **Federal Register**. Vol. 87, No. 318, pp. 68060–68085. November 14, 2022. EPA Docket No. EPA-HQ-OW-2018-0594.

**Radhika Fox,**  
Assistant Administrator.

[FR Doc. 2023-03426 Filed 2-16-23; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL OP-OFA-057]

### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information 202-564-5632 or <https://www.epa.gov/nepa>.

Weekly receipt of Environmental Impact Statements (EIS)

Filed February 6, 2023 10 a.m. EST  
Through February 13, 2023 10 a.m. EST

Pursuant to 40 CFR 1506.9.

*Notice:* Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <https://cdxapps.epa.gov/cdx-enepa-II/public/action/eis/search>.

*EIS No. 20230027, Final, FRA, NY, High Speed Rail Empire Corridor Tier 1, Review Period Ends: 03/20/2023, Contact:* Brandon Bratcher 202-868-2626.

*EIS No. 20230028, Draft, USFWS, CO, Colorado Gray Wolf 10(j) Rulemaking, Comment Period Ends: 04/03/2023, Contact:* Nicole Alt 303-236-4213.

*EIS No. 20230029, Final, USFS, NC, Nantahala and Pisgah National Forests Final Environmental Impact Statement for the Land Management Plan, Review Period Ends: 03/20/2023, Contact:* Michelle Aldridge 828-257-4200.

*EIS No. 20230030, Final, BLM, NM, SunZia Southwest Transmission Project Right-of-Way Amendment, Review Period Ends: 03/20/2023, Contact:* Adrian Garcia 505-954-2199.

*EIS No. 20230031, Draft, BOEM, MA, Mayflower Wind Project, Comment Period Ends: 04/03/2023, Contact:* Jessica Stromberg 703-787-1722.

Dated: February 13, 2023.

**Cindy S. Barger,**  
Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2023-03397 Filed 2-16-23; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2023-0084; FRL-10668-01-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), notice is given of a proposed consent decree in *Environmental Integrity Project and Sierra Club v. Regan*, No. 1:22-cv-3063 (D.D.C.). On October 10, 2022, Plaintiffs Environmental Integrity Project and Sierra Club filed a complaint in the United States District Court for the District of Columbia. Plaintiffs alleged that the Environmental Protection Agency (EPA or the Agency) failed to perform certain non-discretionary duties in accordance with the Act to take final action with respect to a state implementation plan (SIP) revision submitted by the Texas Commission on Environmental Quality (TCEQ). The proposed consent decree would establish a deadline for EPA to sign a notice of final rulemaking.

**DATES:** Written comments on the proposed consent decree must be received by March 20, 2023.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2023-0084, 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:** Elizabeth Pettit, Air and Radiation Law Office, Office of General Counsel, U.S. Environmental Protection Agency; telephone (202) 566-2879; email address [pettit.elizabeth@epa.gov](mailto:pettit.elizabeth@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-2023-0084) 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**

The proposed consent decree would establish a deadline for EPA to take action pursuant to CAA section 110(k) on a SIP revision submitted by TECQ on August 20, 2020. To address EPA's 2015 startup, shutdown, and malfunction policy, the SIP revision purports to establish federally enforceable SIP requirements for the control of particulate matter emissions from eight coal-fired power plants located in Texas during periods of planned maintenance, startup, and shutdown.<sup>1</sup> The proposed consent decree would require EPA to sign a notice of final rulemaking by October 1, 2024.

In accordance with section 113(g) of the CAA, for a period of thirty (30) days following the date of publication of this document, 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-2023-0084, via <https://www.regulations.gov>. Once submitted, comments cannot be edited or removed from this docket.

<sup>1</sup> On June 12, 2015, the EPA finalized "State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls to Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction" (80 FR 33839, June 12, 2015).

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. 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. 2023-03425 Filed 2-16-23; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-ORD-2014-0526; FRL-10666-01-ORD]

### Availability of the Protocol for the Ethylbenzene IRIS Assessment

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

**ACTION:** Notice of public comment period.

**SUMMARY:** The Environmental Protection Agency (EPA) is announcing a 30-day public comment period associated with release of the document, *Protocol for the Ethylbenzene IRIS Assessment*. This document communicates the rationale for conducting the Integrated Risk Information System (IRIS) assessment of ethylbenzene, describes screening criteria to identify relevant literature, outlines the approach for evaluating study quality, and describes the methods for dose-response analysis.

**DATES:** The 30-day public comment period begins February 17, 2023 and ends March 20, 2023. Comments must be received on or before March 20, 2023.

**ADDRESSES:** The Protocol for the Ethylbenzene IRIS Assessment will be available via the internet on the IRIS website at <https://www.epa.gov/iris> and in the public docket at <http://www.regulations.gov>, Docket ID: EPA-HQ-ORD-2014-0526.

**FOR FURTHER INFORMATION CONTACT:** For information on the docket, contact the ORD Docket at the EPA Headquarters Docket Center; email: [Docket\\_ORD@epa.gov](mailto:Docket_ORD@epa.gov).

For technical information on the protocol, contact Mr. Dahnish Shams, Center for Public Health & Environmental Assessment; 202-564-2758; or email: [shams.dahnish@epa.gov](mailto:shams.dahnish@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Background Information on the IRIS Program and Systematic Review Protocols

EPA's Integrated Risk Information System (IRIS) Program is a human health assessment program that evaluates quantitative and qualitative information on effects that may result from exposure to chemicals found in the environment. Through the IRIS Program, EPA provides high quality

science-based human health assessments to support the Agency's regulatory activities and decisions to protect public health.

As part of developing a draft IRIS assessment, EPA presents a methods document, referred to as the protocol, for conducting a chemical-specific systematic review of the available scientific literature. EPA is seeking public comment on components of the protocol including the described strategies for literature searches, criteria for study inclusion or exclusion, considerations for evaluating study methods, information management for extracting data, approaches for synthesis within and across lines of evidence, and methods for derivation of toxicity values. The protocol serves to inform the subsequent development of the draft IRIS assessment. EPA may update the protocol based on the evaluation of the literature, and any updates will be posted to the docket and on the IRIS website.

#### II. How To Submit Technical Comments to the Docket at <https://www.regulations.gov>

Submit your comments, identified by Docket ID No. EPA-HQ-ORD-2014-0526 for Ethylbenzene, by one of the following methods:

- [www.regulations.gov](https://www.regulations.gov): Follow the on-line instructions for submitting comments.

- Email: [Docket\\_ORD@epa.gov](mailto:Docket_ORD@epa.gov).

- Fax: 202-566-9744.

- Mail: U.S. Environmental Protection Agency, EPA Docket Center (ORD Docket), Mail Code: 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460. The phone number is 202-566-1752.

For information on visiting the EPA Docket Center Public Reading Room, visit <https://www.epa.gov/dockets>. The telephone number for the Public Reading Room is 202-566-1744. The public can submit comments via [www.regulations.gov](https://www.regulations.gov) or email.

**Instructions:** Direct your comments to docket number EPA-HQ-ORD-2014-0526 for ethylbenzene. Please ensure that your comments are submitted within the specified comment period. Comments received after the closing date will be marked “late,” and may only be considered if time permits. It is EPA's policy to include all comments it receives in the public docket without change and to make the comments available online at <https://www.regulations.gov>, including any personal information provided, unless a comment includes information claimed to be Confidential Business Information (CBI) or other information for which

disclosure is restricted by statute. Do not submit information through <https://www.regulations.gov> or email that you consider to be CBI or otherwise protected. The <https://www.regulations.gov> website is an “anonymous access” system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through <https://www.regulations.gov>, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. 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. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket, visit the EPA Docket Center homepage at <https://www.epa.gov/dockets>.

**Docket:** Documents in the docket are listed in the <https://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other materials, such as copyrighted material, are publicly available only in hard copy. Publicly available docket materials are available either electronically in <https://www.regulations.gov> or as a hard copy at the ORD Docket in the EPA Headquarters Docket Center.

Dated: February 9, 2023.

**Wayne Cascio,**

*Director, Center for Public Health & Environmental Assessment.*

[FR Doc. 2023-03452 Filed 2-16-23; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2023-0061; FRL-10581-01-OCSP]

### Certain New Chemicals; Receipt and Status Information for January 2023

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

**ACTION:** Notice.

**SUMMARY:** EPA is required under the Toxic Substances Control Act (TSCA),