

- Conduct additional outreach to external stakeholders through a variety of mechanisms as appropriate, to receive input and enhance transparency.

### C. How can I access the documents?

EPA's background documents and the related supporting materials to the draft are available in the docket established for this meeting at <https://www.regulations.gov>; docket ID number EPA-HQ-OPPT-2022-0218. In addition, EPA will provide additional background documents as the materials become available. You may obtain electronic copies of these documents, and certain other related documents that might be available, in the docket at <https://www.regulations.gov>.

After the virtual public meeting, the EPA will prepare meeting minutes summarizing the individual comments received at the meeting. The meeting minutes will be posted on the EPA website and in the relevant docket.

### III. Public Participation Instructions

To participate in the virtual public meeting, please follow the instructions in this unit.

#### A. How can I provide comments?

To ensure proper receipt of comments it is imperative that you identify docket ID number EPA-HQ-OPPT-2022-0218 in the subject line on the first page of your request.

1. *Written comments.* The Agency encourages written comments for the virtual public meeting. Comments should be submitted using the instructions in **ADDRESSES** and Unit I.B. and C, on or before the date set in the **DATES** section. Anyone submitting written comments after this date should contact the individual listed under **FOR FURTHER INFORMATION CONTACT**. If you submit comments after the date set in the **DATES** section, those comments will be provided to the SACC members.

2. *Oral comments.* The Agency encourages each individual or group wishing to make brief oral comments during the virtual public meeting to please follow the registration instructions that will be announced on the EPA website available at: <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/new-chemicals-collaborative> by March 14, 2022.

Oral comments during the virtual public meeting are limited to 5 minutes unless arrangements have been made prior to the date set in the **DATES** section. In addition, each speaker should email a copy of his/her comments to the individual listed under **FOR FURTHER**

**INFORMATION CONTACT** March 28, 2022 prior to the meeting.

#### B. How can I participate in the virtual public meeting?

This meeting is virtual and viewed via webcast. For information on how to first register and then view the webcast, please refer to the EPA website available at: <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/new-chemicals-collaborative>. EPA intends to announce registration instructions on the EPA website by March 14, 2022.

*Authority:* 15 U.S.C. 2601 *et seq.*

**Michal Freedhoff,**

*Assistant Administrator, Office of Chemicals Safety and Pollution Prevention.*

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### ENVIRONMENTAL PROTECTION AGENCY

[FRL-9542-01-OAR]

#### Preliminary Allocations of Cross-State Air Pollution Rule Allowances From New Unit Set-Asides for 2021 Control Periods

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

**ACTION:** Notice of data availability.

**SUMMARY:** The Environmental Protection Agency (EPA) is providing notice of the availability of data on emission allowance allocations to certain units under the Cross-State Air Pollution Rule (CSAPR) trading programs. EPA has completed preliminary calculations for the allocations of allowances from the CSAPR new unit set-asides (NUSAs) for the 2021 control periods and has posted spreadsheets containing the calculations on EPA's website. EPA will consider timely objections to the preliminary calculations (including objections concerning the identification of units eligible for allocations) before determining the final amounts of the allocations.

**DATES:** Objections to the information referenced in this notice must be received on or before March 28, 2022.

**ADDRESSES:** Submit your objections via email to [CSAPR\\_NUSA@epa.gov](mailto:CSAPR_NUSA@epa.gov). Include "2021 NUSA allocations" in the email subject line and include your name, title, affiliation, address, phone number, and email address in the body of the email.

**FOR FURTHER INFORMATION CONTACT:** Questions concerning this action should be addressed to Jason Kuhns at (202) 564-3236 or [kuhns.jason@epa.gov](mailto:kuhns.jason@epa.gov) or

Andrew Reighart at (202) 564-0418 or [reighart.andrew@epa.gov](mailto:reighart.andrew@epa.gov).

**SUPPLEMENTARY INFORMATION:** Under each CSAPR trading program where EPA is responsible for determining emission allowance allocations, a portion of each state's emissions budget for the program for each control period is reserved in a NUSA (and in an additional Indian country NUSA in the case of states with Indian country within their borders) for allocation to certain units that would not otherwise receive allowance allocations. The procedures for identifying the eligible units for each control period and for allocating allowances from the NUSAs and Indian country NUSAs to these units are set forth in the CSAPR trading program regulations at 40 CFR 97.411(b) and 97.412 (NO<sub>x</sub> Annual), 97.511(b) and 97.512 (NO<sub>x</sub> Ozone Season Group 1), 97.611(b) and 97.612 (SO<sub>2</sub> Group 1), 97.711(b) and 97.712 (SO<sub>2</sub> Group 2), 97.811(b) and 97.812 (NO<sub>x</sub> Ozone Season Group 2), and 97.1011(b) and 97.1012 (NO<sub>x</sub> Ozone Season Group 3). Each NUSA allowance allocation process involves allocations to eligible units, termed "new" units, followed by the allocation to "existing" units of any allowances not allocated to new units.<sup>1</sup>

This notice concerns preliminary calculations for the NUSA allowance allocations for the 2021 control periods. Generally, the allocation procedures call for each eligible "new" unit to receive a 2021 NUSA allocation equal to its 2021 control period emissions as reported under 40 CFR part 75 unless the total of such allocations to all such eligible units would exceed the amount of allowances in the NUSA, in which case the allocations are reduced on a pro-rata basis. (EPA notes that, under 40 CFR 97.406(c)(3), 97.506(c)(3), 97.606(c)(3), 97.706(c)(3), 97.806(c)(3), and 97.1006(c)(3), a unit's emissions occurring before its monitor certification deadline are not considered to have occurred during a control period and consequently are not included in the emission amounts used to determine NUSA allocations.) Any allowances not allocated to eligible "new" units are allocated to the state's "existing" units in proportion to such existing units' previous allocations from the portion of the respective state's emissions budget for the control period that was not reserved in a NUSA (or Indian country NUSA).

<sup>1</sup> For control periods before 2021, the NUSA allocation process involved two rounds of allocations. The current one-round process for all CSAPR trading programs was adopted in the Revised CSAPR Update. Refer to 86 FR 23054, 23145-46 (April 30, 2021).

The detailed unit-by-unit data and preliminary allowance allocation calculations for “new” units are set forth in Excel spreadsheets titled “CSAPR\_NUSA\_2021\_NO<sub>x</sub>\_Annual\_Prelim\_Data\_New\_Units”, “CSAPR\_NUSA\_2021\_NO<sub>x</sub>\_OS\_Prelim\_Data\_New\_Units”, and “CSAPR\_NUSA\_2021\_SO<sub>2</sub>\_Prelim\_Data\_New\_Units”, available on EPA’s website at <https://www.epa.gov/csapr/csapr-allowance-allocations#nusa>. Each of the spreadsheets contains a separate worksheet for each state covered by that program showing, for each unit identified as eligible for a NUSA allocation, (1) the unit’s emissions in the 2021 control period (annual or ozone season as applicable), (2) the maximum 2021 NUSA allowance allocation for which the unit is eligible (typically the unit’s emissions in the 2021 control period), (3) various adjustments to the unit’s maximum allocation if the NUSA pool is oversubscribed, and (4) the preliminary calculation of the unit’s 2021 NUSA allowance allocation.

Each state worksheet for “new” units also contains a summary showing (1) the quantity of allowances initially available in that state’s 2021 NUSA, (2) the sum of the 2021 NUSA allowance allocations that will be made to new units in that state, assuming there are no corrections to the data, and (3) the quantity of allowances that would remain in the 2021 NUSA for allocation to existing units, again assuming there are no corrections to the data.

The preliminary calculations of allocations of the remaining unallocated allowances to “existing” units are set forth in Excel spreadsheets titled “CSAPR\_NUSA\_2021\_NO<sub>x</sub>\_Annual\_Prelim\_Data\_Existing\_Units”, “CSAPR\_NUSA\_2021\_NO<sub>x</sub>\_OS\_Prelim\_Data\_Existing\_Units”, and “CSAPR\_NUSA\_2021\_SO<sub>2</sub>\_Prelim\_Data\_Existing\_Units”, available at the same location.

Objections should be strictly limited to the data and calculations upon which the NUSA allowance allocations are based and should be emailed to the address identified in **ADDRESSES**.

Objections must include: (1) Precise identification of the specific data and/or calculations the commenter believes are inaccurate, (2) new proposed data and/or calculations upon which the commenter believes EPA should rely instead to determine allowance allocations, and (3) the reasons why EPA should rely on the commenter’s proposed data and/or calculations and not the data referenced in this notice.

EPA notes that an allocation or lack of allocation of allowances to a given unit does not constitute a determination

that CSAPR does or does not apply to the unit. EPA also notes that, under 40 CFR 97.411(c), 97.511(c), 97.611(c), 97.711(c), 97.811(c), and 97.1011(c), allocations are subject to potential correction if a unit to which allowances have been allocated for a given control period is not actually an affected unit as of the start of that control period.

(Authority: 40 CFR 97.411(b), 97.511(b), 97.611(b), 97.711(b), 97.811(b), and 97.1011(b).)

**Rona Birnbaum,**

*Acting Director, Clean Air Markets Division, Office of Atmospheric Programs, Office of Air and Radiation.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL–9337–01–OW]

### Notice of Availability of the Deepwater Horizon Oil Spill Texas Trustee Implementation Group Draft Restoration Plan/Environmental Assessment #2: Restoration of Wetlands, Coastal, and Nearshore Habitats; Nutrient Reduction; Oysters; Sea Turtles; and Birds

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

**ACTION:** Notice of availability; request for public comments.

**SUMMARY:** In accordance with the Oil Pollution Act of 1990 (OPA) and the National Environmental Policy Act (NEPA), the federal and state natural resource trustee agencies for the Texas Trustee Implementation Group (Texas TIG) prepared the Draft Restoration Plan/Environmental Assessment #2: Restoration of Wetlands, Coastal, and Nearshore Habitats; Nutrient Reduction; Oysters; Sea Turtles; and Birds (Draft RP/EA #2). The Draft RP/EA #2 describes and proposes restoration project alternatives considered by the Texas TIG to restore natural resources and ecological services injured or lost as a result of the *Deepwater Horizon* oil spill. The Texas TIG evaluated these alternatives under criteria set forth in the OPA natural resource damage assessment (NRDA) regulations and evaluated the environmental consequences of the restoration alternatives in accordance with the NEPA. The proposed projects are consistent with the restoration alternatives selected in the Deepwater Horizon Oil Spill: Final Programmatic Damage Assessment and Restoration Plan and Final Programmatic

Environmental Impact Statement (PDARP/PEIS). This notice informs the public of the availability of the Draft RP/EA #2 and provides an opportunity for the public to submit comments on the document.

**DATES:** The Texas TIG will consider public comments received on or before March 28, 2022.

**Public Webinar:** The Texas TIG will conduct a public webinar on March 9, 2022, at 6 p.m. Central Standard Time to facilitate public review and comment on the Draft RP/EA #2. The public webinar will include a presentation on the Draft RP/EA #2. Public comments will be taken during the public webinar. The public may register for the webinar at <https://attendee.gotowebinar.com/register/2667653123715836432>. After registering, participants will receive a confirmation email with instructions for joining the webinar. The presentation will be posted on the web after the webinar is conducted.

#### ADDRESSES:

**Obtaining Documents:** You may download the Draft RP/EA #2 at <https://www.gulfspillrestoration.noaa.gov/restoration-areas/texas>. Alternatively, you may request a compact disc (CD) of the Draft RP/EA #2 (see **FOR FURTHER INFORMATION CONTACT**). You may also view the document at any of the public facilities listed at <https://www.gulfspillrestoration.noaa.gov/restoration-areas/texas>.

**Submitting Comments:** You may submit comments on the Draft RP/EA #2 by one of the following methods:

- **Via the Web:** <https://parkplanning.nps.gov/TXRP2>.
- **Via U.S. Mail:** U.S. Fish and Wildlife Service, P.O. Box 29649, Atlanta, GA 30345.
- **During the Public Webinar:**

Comments may be provided by the public during the webinar on March 9, 2022.

Once submitted, comments cannot be edited or withdrawn. The Texas TIG may publish any comment received regarding the document. Do not submit electronically 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 Texas TIG will generally not consider comments or comment contents located outside of the written submission (*i.e.*, on the web, cloud, or other file sharing system). Please be aware that your entire