

phone number listed in the **FOR FURTHER INFORMATION CONTACT** section.

Matthew Tejada,

Deputy Assistant Administrator for Environmental Justice, Office of Environmental Justice and External Civil Rights.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OGC–2022–0861; FRL–10385–01–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 hereby given of a proposed consent decree in *Sierra Club, et al. v. Regan*, No. 3:22–cv–01992–JD (N.D. Cal.). On March 29, 2022, Plaintiffs Sierra Club, Air Alliance Houston, Center for Biological Diversity, Citizens for Pennsylvania’s Future, Clean Air Council, and Texas Environmental Justice Advocacy Services filed a complaint in the United States District Court for the Northern District of California alleging that the Environmental Protection Agency (EPA or the Agency) failed to perform a non-discretionary duty in accordance with the Act to promulgate Federal Implementation Plans (FIPs) to address the “Good Neighbor” requirements of the CAA for the 2015 ozone national ambient air quality standards (NAAQS) for four states: Pennsylvania, Utah, Virginia, and New Mexico. The proposed consent decree would establish deadlines for EPA to take specified actions.

DATES: Written comments on the proposed consent decree must be received by December 5, 2022.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OGC–2022–0861, 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: Rosemary Hambright Kaban, Air and Radiation Law Office, Office of General Counsel, U.S. Environmental Protection Agency; telephone (202) 564–8829; email address kaban.rosemary@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–2022–0861) 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 resolve a lawsuit filed by Sierra Club et al. seeking to compel the Administrator to promulgate FIPs for the States of Pennsylvania, Utah, Virginia, and New Mexico to satisfy the requirements of CAA section 110(a)(2)(D)(i)(I) for the 2015 ozone NAAQS. On October 1, 2015, EPA promulgated a final rule revising the ozone NAAQS. Effective January 6, 2020, EPA determined that New Mexico, Pennsylvania, Utah and Virginia had “not submitted [a] complete interstate transport [SIP] to meet the requirements of CAA section 110(a)(2)(D)(i)(I) for the 2015 ozone NAAQS.”¹ This action established a 2-

year deadline under CAA section 110(c)(1) for EPA to promulgate FIPs for New Mexico, Pennsylvania, Utah, and Virginia to satisfy these requirements unless, before EPA promulgates such FIPs, the State submits and EPA approves a state implementation plan (SIP) that meets these requirements.

Under the terms of the proposed consent decree, no later than March 15, 2023, EPA must sign a final rule or rules taking one or more of the following actions with respect to the States of Pennsylvania, Utah, and Virginia to meet the requirements of CAA section 110(a)(2)(D)(i)(I) regarding prohibiting significant contribution to nonattainment or interference with maintenance in other states for the 2015 ozone NAAQS: (a) promulgate a FIP; (b) approve a SIP; or (c) partially approve a SIP in conjunction with promulgating a partial FIP. In addition, under the terms of the proposed consent decree, no later than June 1, 2024, EPA must sign a final rule or rules taking one or more of the following actions with respect to the State of New Mexico to meet the requirements of CAA section 110(a)(2)(D)(i)(I) regarding prohibiting significant contribution to nonattainment or interference with maintenance in other states for the 2015 ozone NAAQS: (a) promulgate a FIP; (b) approve a SIP; or (c) partially approve a SIP in conjunction with promulgating a partial FIP.

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–2022–0861, 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.

¹ 84 FR 66612, 66614 (December 5, 2019).

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 is not required to consider these late comments.

Gautam Srinivasan,
Associate General Counsel.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OEI-2014-0466; FRL-10120-01-OMS]

Privacy Act of 1974; System of Records

AGENCY: Office of Mission Support, Environmental Protection Agency (EPA).

ACTION: Notice of a modified system of records.

SUMMARY: The U.S. Environmental Protection Agency's (EPA) Office of Mission Support, Administration and Resources Management (OMS-ARM) is giving notice that it proposes to modify a system of records pursuant to the provisions of the Privacy Act of 1974. The Labor and Employee Relations Information System (LERIS) is being modified to change the name and location of the system to Labor and Employee Relations Tracking System (LERTS), per a vendor change. Additionally, EPA is modifying the SORN previously published in 2014 to update the system manager name and to add applicable routine uses. The purpose of the system is to allow Labor and Employee Relations (LER) specialists to track, manage and report on a full spectrum of labor and employee relations cases throughout the Agency.

DATES: Persons wishing to comment on this system of records notice must do so by December 5, 2022. New routine uses for this modified system of records will be effective December 5, 2022.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OEI-2014-0466, by one of the following methods:

Federal eRulemaking Portal: <https://www.regulations.gov>. Follow the online instructions for submitting comments.

Email: docket_oms@epa.gov. Include the Docket ID number in the subject line of the message.

Fax: (202) 566-1752.

Mail: OMS Docket, Environmental Protection Agency, Mail Code: 2822T, 1200 Pennsylvania Ave. NW, Washington, DC 20460.

Hand Delivery: OMS Docket, EPA/DC, WJC West Building, Room 3334, 1301 Constitution Ave. NW, Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA-HQ-OEI-2014-0466. The EPA's policy is that all

comments received will be included in the public docket without change and may be made available online at <https://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Controlled Unclassified Information (CUI) or other information for which disclosure is restricted by statute. Do not submit information that you consider to be CUI or otherwise protected through <https://www.regulations.gov>. The <https://www.regulations.gov> website is an "anonymous access" system for the EPA, which means the EPA will not know your identity or contact information. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment. If the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not be able to consider your comment. If you send an email comment directly to the 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. 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 the EPA public docket, visit the EPA Docket Center homepage at <https://www.epa.gov/dockets>.

Docket: All 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.*, CUI or other information for which disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in <https://www.regulations.gov> or in hard copy at the OMS Docket, EPA/DC, WJC West Building, Room 3334, 1301 Constitution Ave. NW, Washington, DC 20460. The Public Reading Room is normally 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 OMS Docket is (202) 566-1752. Further information about EPA Docket Center services and current operating status is available at <https://www.epa.gov/dockets>.