

2008 Ozone National Ambient Air Quality Standards (NAAQS),” and published at 85 FR 80616 (December 14, 2020) (“Final Rule”).

On February 12, 2021, Plaintiff petitioned the United States Court of Appeals for the Third Circuit to review the Final Rule.<sup>1</sup> On August 2, 2021, EPA filed a motion for voluntary remand without vacatur in Third Circuit Case No. 21–1279 so that the Agency could reconsider the Final Rule. On September 3, 2021, the Third Circuit granted EPA’s motion for voluntary remand without vacatur. To date, EPA has not completed its reconsideration of the Final Rule. The proposed consent decree would establish a deadline for EPA to complete its reconsideration of the Final Rule. Further, if that reconsideration process results in rulemaking, EPA shall, within 15 business days of signature of a notice of a final rule, send the rulemaking package to the Office of the Federal Register for review and publication in the **Federal Register**.

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–2023–0500, 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. 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.

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### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

#### Performance Review Board—Appointment of Members

**AGENCY:** U.S. Equal Employment Opportunity Commission (EEOC).

**ACTION:** Notice of performance review board appointments.

**SUMMARY:** This notice announces the appointment of those individuals who have been selected to serve as members of the Performance Review Board (PRB). The PRB is comprised of a Chairperson and career senior executives that meet annually to review and evaluate performance appraisal documents. The PRB provides a written recommendation to the appointing authority for final approval of each SES and SL performance rating, performance-based pay adjustment, and performance award. The PRB is advised by the Office of the Chief Human Capital Officer, Office of Legal Counsel, and Office for Civil Rights, Diversity and Inclusion to ensure compliance with laws and regulations. Designated members will serve a 12-month term.

**DATES:** The board membership is applicable beginning on November 1, 2023.

**FOR FURTHER INFORMATION CONTACT:** Cynthia G. Pierre, Chief Operating Officer, EEOC, 131 M Street NE, Washington, DC 20507, (202) 291–3260.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 U.S.C. 4314(c)(4), the names and position of the EEOC PRB members are set forth below:

Mr. Carlton Hadden, Chair, Director, Office of Federal Operations, EEOC  
Mr. Bradley Anderson, Director, Birmingham District, EEOC  
Ms. Kimberly Essary, Deputy Chief Data Officer, EEOC  
Ms. Gwendolyn Reams, Acting General Counsel, EEOC  
Mr. Kevin Richardson, Chief Human Capital Officer, EEOC  
Mr. Richard Toscano, Director, Equal Employment Opportunity Staff, U.S. Department of Justice  
Ms. Jamie Williamson, Director, Philadelphia District, EEOC  
Mr. Raymond Peeler, Associate Legal Counsel, EEOC (Alternate)  
Ms. Pierrette McIntire, Chief Information Officer, EEOC (Alternate)

By the direction of the Commission.

**Cynthia G. Pierre,**  
Chief Operating Officer.

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### FEDERAL COMMUNICATIONS COMMISSION

[FR ID: 179690]

#### Privacy Act of 1974; System of Records

**AGENCY:** Federal Communications Commission.

<sup>1</sup> *Center for Biological Diversity v. EPA, et al.*, Case No. 21–1279 (3d. Cir.).