

as prospective candidates. Individuals may also self-nominate.

II. Background

The SACC is a federal advisory committee, established in December 2016 pursuant to TSCA section 2625(o), and chartered under the Federal Advisory Committee Act (FACA), 5 U.S.C. Appendix 2. EPA established the SACC to provide independent advice and recommendations to the EPA Administrator on the scientific basis for risk assessments, methodologies, and approaches relating to implementation of TSCA. The SACC members serve as Special Government Employees (SGEs) or Regular Government Employees (RGEs). The SACC expects to meet approximately 4 to 6 times per year, or as needed and approved by the DFO. Currently, there are 17 SACC members, with eight membership terms that will expire over the next year. Therefore, EPA anticipates appointing up to eight new members to the SACC by mid-2023.

III. Nominations

In accordance with Executive Order 14035 of June 25, 2021, entitled “Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce” (86 FR 34593, June 30, 2021), EPA values and welcomes opportunities to increase diversity, equity, inclusion and accessibility on its federal advisory committees. In an effort to obtain nominations of diverse candidates, EPA encourages nominations of women and men of all racial and ethnic groups that draw from the full diversity of the Nation. Any interested person or organization may nominate qualified persons to be considered for appointment to this advisory committee. Individuals also may self-nominate. Nominations may be submitted in electronic format in accordance with the instructions under **ADDRESSES**.

Nominations should include candidates who have demonstrated high levels of competence, knowledge, and expertise in scientific/technical fields relevant to chemical safety and risk assessment. In particular, the nominees should include representation of the following disciplines, including, but not limited to: Human health and ecological risk assessment, biostatistics, epidemiology, pediatrics, physiologically based pharmacokinetics (PBPK), toxicology and pathology (including neurotoxicology, developmental/reproductive toxicology, and carcinogenesis), and the relationship of chemical exposures to women, children, and other potentially exposed or susceptible subpopulations.

To be considered, all nominations should include the following information: Current contact information for the nominee (including the nominee’s name, organization, current business address, email address, and daytime telephone number); the disciplinary and specific areas of expertise of the nominee; and, when available, a biographical sketch of the nominee indicating current position, educational background; research activities; and recent service on other federal advisory committees and national or international professional organizations. Persons having questions about the nomination process should contact the DFO listed under **FOR FURTHER INFORMATION CONTACT**.

The DFO will acknowledge receipt of nominations. The names and biographical sketches of nominees identified by respondents to this **Federal Register** notice, other sources for nominations, and any additional candidates identified by EPA Staff, will be posted in a List of Candidates in the docket at <https://www.regulations.gov> and on the SACC website at <https://www.epa.gov/tsca-peer-review>. The availability of the list also will be announced through the Office of Chemical Safety and Pollution Prevention (OCSPP)’s listservs. You may subscribe to these listservs at the following website: https://public.govdelivery.com/accounts/USAEPAOPPT/subscriber/new?topic_id=USAEPAOPPT_101. Public comments on the List of Candidates will be accepted for 30 days from the date the list is posted. The public will be requested to provide relevant information or other documentation on nominees that the EPA should consider in evaluating candidates.

IV. Selection Criteria

In addition to scientific expertise, in selecting members, EPA will consider the differing perspectives and the breadth of collective experience needed to address EPA’s charge to the SACC, as well as the following:

- Background and experiences that would contribute to the diversity of scientific viewpoints on the committee, including professional experiences in government, labor, public health, public interest, animal protection, industry, and other groups, as the EPA Administrator determines to be advisable (e.g., geographical location; social and cultural backgrounds; and professional affiliations).
- Skills and experience working on committees and advisory panels including demonstrated ability to work

constructively and effectively in a committee setting.

- Absence of financial conflicts of interest or the appearance of a loss of impartiality.
- Willingness to commit adequate time for the thorough review of materials provided to the committee.
- Availability to participate in committee meetings.

Authority: 15 U.S.C. 2625 *et seq.*; 5 U.S.C. Appendix 2 *et seq.*

Dated: November 5, 2022.

Michal Freedhoff,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

[FR Doc. 2022–24550 Filed 11–9–22; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OGC–2022–0884; FRL–10395–01–OGC]

Proposed Consent Decree, Clean Water Act and Administrative Procedure Act Claims

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed consent decree; request for public comment.

SUMMARY: In accordance with the Environmental Protection Agency (EPA) Administrator’s March 18, 2022, memorandum regarding “Consent Decrees and Settlement Agreements to resolve Environmental Claims Against the Agency,” notice is hereby given of a proposed consent decree in *Environmental Law & Policy Center, et al., v. United States Environmental Protection Agency*, No. 3:19–cv–295 (N.D. Ohio). On February 7, 2019, the Environmental Law & Policy Center, which was later joined by the Lucas County Board of Commissioners, (collectively “Plaintiffs”) filed a complaint against the EPA alleging that the Agency’s approval of Ohio’s 2018 section 303(d) list was arbitrary and capricious under the Administrative Procedure Act (APA) and that EPA had failed to perform duties mandated by the Clean Water Act (“CWA”) with respect to Ohio’s obligation to develop a Total Maximum Daily Load (“TMDL”) to address nutrient pollution in western Lake Erie. EPA seeks public input on a proposed consent decree prior to its final decision-making to settle the litigation.

DATES: Written comments on the proposed consent decree must be received by *December 12, 2022*.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2022-0884 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, see the "Additional Information About Commenting on the Proposed Consent Decree" heading under the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT:

Thomas Glazer, Water Law Office, Office of General Counsel, U.S. Environmental Protection Agency; telephone: (202) 564-0908; email address: glazer.thomas@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Additional Information About the Proposed Consent Decree

EPA approved Ohio's 2018 CWA section 303(d) list on July 9, 2018. The Environmental Law & Policy Center filed a complaint on February 7, 2019, challenging that approval as arbitrary and capricious on grounds alleging that the list did not give western Lake Erie a high enough priority for TMDL development. The complaint also alleged that Ohio constructively submitted no TMDL for Lake Erie, thereby triggering a mandatory duty by EPA to act. On June 21, 2019, the Court consolidated the complaint with another similar complaint from the Board of Lucas County Commissioners.

On February 13, 2020, Ohio initiated a public comment period on its draft 2020 303(d) list, which announced that it was making western Lake Erie a high priority for TMDL development and that the State would develop a TMDL addressing multiple segments of western Lake Erie impaired by nutrient pollution and algae for submission to EPA within the following 2-3 years. Following the public comment period, the State submitted its 2020 303(d) list to EPA, which approved the list on May 29, 2020, and since that time, the State has been developing the TMDL. See <https://epa.ohio.gov/divisions-and-offices/surface-water/reports-data/maumee-river-watershed>.

In the litigation, the parties completed summary judgment briefing in May 2020 and participated in oral argument on July 24 & July 30, 2020. Following oral argument, the parties initiated settlement discussions, which

ultimately produced the proposed consent decree. The State is a party to the proposed consent decree and has agreed to intervene in the case so that it would be bound by its terms.

EPA and Ohio would each have obligations under the consent decree that work to create a binding schedule for the development of a TMDL to address the nutrient and algae impairments in western Lake Erie. The consent decree's schedule is based on the State's current projected timeline for completing the TMDL work it began in 2020. Under the decree, Ohio would be required to public notice a draft TMDL by December 31, 2022, with submission of a final TMDL to EPA to follow by June 30, 2023. EPA's obligations under the consent decree would be contingent upon Ohio's actions. If Ohio does not submit a final TMDL by June 30, 2023, and the deadline is not extended by the Court, EPA would be required to develop the TMDL within six months. The proposed consent decree also provides that if EPA disapproves the TMDL submission, Plaintiffs would not object to EPA taking up to six months to develop its own TMDL. Any of these deadlines may be extended by the Court on written finding of good cause.

For a period of thirty (30) days following the date of publication of this notice, EPA will accept written comments relating to the proposed consent decree from persons who are not parties to the litigation. EPA also may hold a public hearing on whether to enter into the proposed consent decree. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments received disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Clean Water Act or Administrative Procedure Act.

II. Additional Information About Commenting on the Proposed Consent Decree

A. How can I get a copy of the proposed consent decree?

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2022-0884) contains a copy of the Proposed Order. 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 Order 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."

B. How and to whom do I submit comments?

Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2022-0884 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.

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.

Steven Neugeboren,
Associate General Counsel.

[FR Doc. 2022-24502 Filed 11-9-22; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL OP-OFA-043]

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 October 31, 2022 10 a.m. EST

Through November 4, 2022 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. 20220160, Draft, FERC, ND, Wahpeton Expansion Project, Comment Period Ends: 12/27/2022, Contact: Office of External Affairs 866-208-3372.

*EIS No. 20220161, Draft, APHIS, NAT, The State University of New York College of Environmental Science and Forestry Petition (19-309-01p) for Determination of Nonregulated Status for Blight-Tolerant Darling 58 American Chestnut (*Castanea dentata*), Comment Period Ends: 12/*

27/2022, Contact: Cindy Eck 301-851-3892.

EIS No. 20220162, Draft, USDA, OR, Predator Damage Management in Oregon, Comment Period Ends: 12/27/2022, Contact: Kevin Christensen 503-820-2751.

EIS No. 20220163, Draft, TxDOT, TX, Loop 9 Segment A, Comment Period Ends: 01/03/2023, Contact: Doug Booher 512-416-2663.

Amended Notice

EIS No. 20220139, Draft Supplement, USCG, MARAD, TX, Texas Gulflink Deepwater Port License Application, Comment Period Ends: 11/30/2022, Contact: Patrick Clark 202-372-1358.

Revision to FR Notice Published 09/30/2022; Extending the Comment Period from 11/14/2022 to 11/30/2022.

Dated: November 4, 2022.

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

[FR Doc. 2022-24552 Filed 11-9-22; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2016-0742; FRL-9946-02-OCSPPI]

Methylene Chloride; Revision to Toxic Substances Control Act (TSCA) Risk Determination; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) is announcing the availability of the final revision to the risk determination for the methylene chloride risk evaluation issued under the Toxic Substances Control Act (TSCA). The revision to the methylene chloride risk determination reflects the announced policy changes to ensure the public is protected from unreasonable risks from chemicals in a way that is supported by science and the law. EPA determined that methylene chloride, as a whole chemical substance, presents an unreasonable risk of injury to health when evaluated under its conditions of use. In addition, this revised risk determination does not reflect an assumption that workers always appropriately wear personal protective equipment (PPE). EPA understands that there could be occupational safety protections in place at workplace locations; however, not assuming use of PPE reflects EPA's recognition that unreasonable risk may exist for

subpopulations of workers that may be highly exposed because they are not covered by Occupational Safety and Health Administration (OSHA) standards, or their employers are out of compliance with OSHA standards, or because many of OSHA's chemical-specific permissible exposure limits largely adopted in the 1970's are described by OSHA as being "outdated and inadequate for ensuring protection of worker health," or because the OSHA permissible exposure limit (PEL) alone may be inadequate for ensuring protection of worker health, or because EPA finds unreasonable risk for purposes of TSCA notwithstanding OSHA requirements. This revision supersedes the condition of use-specific no unreasonable risk determinations in the June 2020 Methylene Chloride Risk Evaluation and withdraws the associated TSCA order included in the June 2020 Methylene Chloride Risk Evaluation.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA-HQ-OPPT-2016-0742, is available online at <https://www.regulations.gov> or in-person at the Office of Pollution Prevention and Toxics Docket (OPPT Docket), Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC 20460-0001. The 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 OPPT Docket is (202) 566-0280. Additional instructions on visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

For technical information contact: Ingrid Feustel, Office of Pollution Prevention and Toxics (7404M), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 564-3199; email address: Feustel.Ingrid@EPA.gov.

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554-1404; email address: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION: