

to serve on FIFRA SAP. Numerous qualified candidates are identified for each Panel. Therefore, selection decisions involve carefully weighing a number of factors including the candidates' areas of expertise and professional qualifications and achieving an overall balance of different scientific perspectives on the Panel. In order to have the collective breadth of experience needed to address the Agency's charge for this meeting, the Agency anticipates selecting approximately 8 ad hoc scientists.

FIFRA SAP members are subject to the provisions of 5 CFR Part 2634—Executive Branch Financial Disclosure, Qualified Trusts, and Certificates of Divestiture, as supplemented by EPA in 5 CFR part 6401. In anticipation of this requirement, prospective candidates for service on FIFRA SAP will be asked to submit confidential financial information which shall fully disclose, among other financial interests, the candidate's employment, stocks, and bonds, and where applicable, sources of research support. The EPA will evaluate the candidate's financial disclosure form to assess whether there are financial conflicts of interest, appearance of a lack of impartiality, or any prior involvement with the development of the documents under consideration (including previous scientific peer review) before the candidate is considered further for service on FIFRA SAP. Those who are selected from the pool of prospective candidates will be asked to attend the public meetings and to participate in the discussion of key issues and assumptions at these meetings. In addition, they will be asked to review and to help finalize the meeting minutes. The list of FIFRA SAP members participating at this meeting will be posted on the FIFRA SAP Web site at <http://www.epa.gov/scipoly/sap> or may be obtained from the OPP Docket at <http://www.regulations.gov>.

## II. Background

### A. Purpose of FIFRA SAP

FIFRA SAP serves as the primary scientific peer review mechanism of EPA's Office of Chemical Safety and Pollution Prevention (OCSPP) and is structured to provide scientific advice, information and recommendations to the EPA Administrator on pesticides and pesticide-related issues as to the impact of regulatory actions on health and the environment. FIFRA SAP is a Federal advisory committee established in 1975 under FIFRA that operates in accordance with requirements of the Federal Advisory Committee Act. FIFRA

SAP is composed of a permanent panel consisting of seven members who are appointed by the EPA Administrator from nominees provided by the National Institutes of Health and the National Science Foundation. FIFRA established a Science Review Board (SRB) consisting of at least 60 scientists who are available to FIFRA SAP on an ad hoc basis to assist in reviews conducted by FIFRA SAP. As a peer review mechanism, FIFRA SAP provides comments, evaluations, and recommendations to improve the effectiveness and quality of analyses made by Agency scientists. Members of FIFRA SAP are scientists who have sufficient professional qualifications, including training and experience, to provide expert advice and recommendation to the Agency.

### B. Public Meeting

This FIFRA SAP meeting will review methods using computational toxicology and exposure tools (i.e., high throughput screening (HTS) assays, and computational models), and other data streams for integrated bioactivity and exposure based prioritization and screening of the universe of EDSP chemicals. Endocrine bioactivity of chemicals will be quantified using HTS *in vitro* estrogen, androgen, and thyroid receptor assays, along with other potential molecular targets, and compared with Tier 1 screening and other *in vivo* assay results obtained from published and publically available peer-reviewed studies. While technical advances in high-throughput toxicity testing of chemicals were presented at a FIFRA SAP meeting in 2013, this SAP will review further advances in computational toxicology exposure science for prioritization and screening of the EDSP universe of chemicals. The ability of the agency to screen the thousands of environmental chemicals in the EDSP universe is substantially limited by the capacity of the current Tier 1 screening methods. Rapid screening of 1000s of chemicals using EPA's ToxCast high throughput assays allows the agency to focus attention on chemicals with the greatest potential endocrine bioactivity. In addition, high throughput models of human and ecological exposure (e.g. ExpoCast) allows the agency to identify chemicals with the greatest potential for exposures that could result in bioactive concentrations. This shift in the EDSP framework allows focus to be placed on chemicals that pose the greatest likelihood of exposures leading to endocrine bioactivity in humans or wildlife. The FIFRA SAP will be requested to respond to charge

questions regarding EPA's proposed integrated bioactivity exposure based approach for ranking chemicals in the EDSP universe for further screening and testing.

### C. FIFRA SAP Documents and Meeting Minutes

EPA's background paper, related supporting materials, charge/questions to FIFRA SAP, FIFRA SAP composition (i.e., members and ad hoc members for this meeting), and the meeting agenda will be available by approximately October 27, 2014. In addition, the Agency may 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 at <http://www.regulations.gov> and the FIFRA SAP Web site at <http://www.epa.gov/scipoly/sap>.

FIFRA SAP will prepare meeting minutes summarizing its recommendations to the Agency approximately 90 days after the meeting. The meeting minutes will be posted on the FIFRA SAP Web site or may be obtained from the OPP Docket at <http://www.regulations.gov>.

### List of Subjects

Environmental protection, Pesticides and pests, Environmental Justice.

Dated: September 2, 2014.

David J. Dix,

Director, Office of Science Coordination and Policy.

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9916-68-OGC]

### Proposed Consent Decree, Clean Air Act Citizen Suit

**AGENCY:** Environmental Protection Agency.

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

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), notice is hereby given of a proposed consent decree, to address a lawsuit filed by WildEarth Guardians: *WildEarth Guardians v. McCarthy*, Civil Action No. 1:13-dv-02748-RBJ (D. Co.). On October 28, 2013, WildEarth Guardians filed a complaint alleging that the Environmental Protection Agency (EPA) had failed to perform its nondiscretionary duties to make findings that certain states had failed to

submit required State Implementation Plans (SIPs) regarding the National Ambient Air Quality Standard (NAAQS) adopted by EPA for nitrogen dioxide (NO<sub>2</sub>) in January 2010. On January 24, 2014, WildEarth Guardians filed an amended complaint adding two additional states to the list for which it claimed EPA had failed to perform this nondiscretionary duty. The complaint requested that the court order EPA to make such findings. Under the terms of the proposed consent decree, EPA would agree to make those findings by November 15, 2014.

**DATES:** Written comments on the proposed consent decree must be received by October 16, 2014.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2014-0644, online at [www.regulations.gov](http://www.regulations.gov) (EPA's preferred method); by email to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

**FOR FURTHER INFORMATION CONTACT:** Susmita Dubey, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone: (202) 564-5577; fax number (202) 564-5603; email address: [dubey.susmita@epa.gov](mailto:dubey.susmita@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Additional Information About the Proposed Consent Decree**

The amended complaint alleges that EPA has failed to perform its nondiscretionary duty to make findings that the following states have failed to submit SIPs to meet the requirement in certain subsections of section 110(a)(2): Alaska, Colorado, Hawaii, Idaho, New Mexico, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming. Under the terms of the proposed consent decree, EPA would agree to make findings by November 15, 2014, for those states in this group which have not made submissions at that time.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written

comments relating to the proposed consent decree from persons who are not named as parties or intervenors to the litigation in question. 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. Unless EPA or the Department of Justice determines that consent to this consent decree should be withdrawn or withheld, the terms of the consent decree will be affirmed.

**II. Additional Information About Commenting on the Proposed Consent Decree**

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

The official public docket for this action (identified by EPA-HQ-OGC-2014-0644) 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.

An electronic version of the public docket is available on the Internet (online) through the Web site [www.regulations.gov](http://www.regulations.gov). You may use [www.regulations.gov](http://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".

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing online at [www.regulations.gov](http://www.regulations.gov) without change, unless the comment contains copyrighted material, confidential business information (CBI), or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket. EPA's policy is that copyrighted material, including copyrighted material

contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

*B. How and to whom do I submit comments?*

You may submit comments as provided in the **ADDRESSES** section. 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.

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 and with any disk or CD ROM you submit. 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 [www.regulations.gov](http://www.regulations.gov) Web site 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. In contrast to EPA's electronic public docket, EPA's electronic mail (email) system is not an "anonymous access" system. If you send an email comment directly to the Docket without going through [www.regulations.gov](http://www.regulations.gov), your email address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: September 8, 2014.

**Lorie J. Schmidt,**  
Associate General Counsel.

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