

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****Notice of Staff Attendance at North American Electric Reliability Corporation Standard Drafting Team Meeting**

The Federal Energy Regulatory Commission hereby gives notice that members of the Commission and/or Commission staff may attend the following meetings:

North American Electric Reliability Corporation Project 2021–07 Extreme Cold Weather Grid Operations, Preparedness, and Coordination Standard Drafting Team Meeting on: May 2, 2023 (1:00 p.m.–3:00 p.m. eastern time)

Further information regarding these meetings may be found at: <https://www.nerc.com/Pages/Calendar.aspx>.

The discussions at the meetings, which are open to the public, may address matters at issue in the following Commission proceeding:

Docket No. RD23–1–000 Extreme Cold Weather Reliability Standards EOP–011–3 and EOP–012–1

For further information, please contact Chanel Chasanov, 202–502–8569, or [chanel.chasanov@ferc.gov](mailto:chanel.chasanov@ferc.gov).

Dated: April 17, 2023.

**Debbie-Anne A. Reese,**  
Deputy Secretary.

[FR Doc. 2023–08470 Filed 4–20–23; 8:45 am]

**BILLING CODE 6717–01–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**[FRL OP–OFA–066]**

**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 April 10, 2023 10 a.m. EST

Through April 17, 2023 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. 20230053, Draft, FERC, VA, Virginia Reliability Project and

Commonwealth Energy Connector Project, Comment Period Ends: 06/05/2023, Contact: Office of External Affairs 866–208–3372.

EIS No. 20230054, Final, USFWS, AZ, ADOPTION—4FRI Rim Country Project, Review Period Ends: 05/22/2023, Contact: Nicole Jimenez 505–238–7154.

The Fish and Wildlife Service (USFWS) has adopted the Forest Service's Final EIS No.20220116, filed 08/06/2022 with the Environmental Protection Agency. The USFWS was not a cooperating agency on this project. Therefore, republication of the document is necessary under Section 1506.3(b)(2) of the CEQ regulations.

EIS No. 20230055, Draft, BLM, NAT, Programmatic Environmental Impact Statement Addressing Vegetation Treatments Using Herbicides, Comment Period Ends: 06/05/2023, Contact: Seth Flanigan 208–373–4094. EIS No. 20230056, Final, EPA, PRO, ADOPTION—PROGRAMMATIC—Habitat Restoration Activities Implemented throughout the Coastal United States, Review Period Ends: 05/22/2023, Contact: Sharon Osowski 214–665–7506.

The Environmental Protection Agency (EPA) has adopted the National Oceanic and Atmospheric Administration's Final EIS No.20150171, filed 06/11/2015 with the Environmental Protection Agency. The EPA was not a cooperating agency on this project. Therefore, republication of the document is necessary under Section 1506.3(b)(2) of the CEQ regulations.

Dated: April 17, 2023.

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

[FR Doc. 2023–08487 Filed 4–20–23; 8:45 am]

**BILLING CODE 6560–50–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**[FRL–10893–01–R5]**

**Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for Waelz Sustainable Products, LLC, Cass County, Indiana**

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

**ACTION:** Notice of final Order on petition for objection to a Clean Air Act Title V operating permit.

**SUMMARY:** The Environmental Protection Agency (EPA) Administrator signed an Order dated March 14, 2023, denying an

August 6, 2021, Petition from Cass County Citizens Coalition (the Petitioner). The Petition requested that EPA object to a Clean Air Act (CAA) title V operating permit issued by the Indiana Department of Environmental Management (IDEM), to Waelz Sustainable Products, LLC (WSP), located in Cass County, Indiana.

**ADDRESSES:** The final Order, the Petition, and other supporting information are available for public inspection during normal business hours at the following address: Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays and facility closures due to COVID–19. We recommend that you contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section before visiting the Region 5 office.

Additionally, the final Order and Petition are available electronically at: <https://www.epa.gov/title-v-operating-permits/title-v-petition-database>.

**FOR FURTHER INFORMATION CONTACT:** Paymon Danesh, Air Permits Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–6219, [danesh.paymon@epa.gov](mailto:danesh.paymon@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document whenever “we,” “us,” or “our” is used, we mean EPA.

The CAA affords EPA a 45-day period to review and object to, as appropriate, operating permits proposed by state permitting authorities under title V of the CAA. Section 505(b)(2) of the CAA authorizes any person to petition the EPA Administrator to object to a title V operating permit within 60 days after the expiration of EPA's 45-day review period if EPA has not objected on its own initiative. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or unless the grounds for the issues arose after this period.

EPA received the August 6, 2021, Petition from the Petitioner requesting that EPA object to the issuance of operating permit no. 017–42728–00056 issued by IDEM to WSP. The Petitioner alleged that: (1) the permit is unlawful because WSP is a secondary metal production plant subject to the

Prevention of Significant Deterioration Program; (2) the permit is unlawful for not including a specific timeframe for restoring normal operation of bag leak detection systems after a malfunction or repair; (3) the permit is unlawful because it relies on deficient and erroneous calculations; (4) the permit is unlawful because it fails to assure continuous compliance with emission limitations; and (5) the permit is unlawful because its issuance violated public participation requirements.

On March 14, 2023, the EPA Administrator issued an Order denying the Petition. The Order explains the basis for EPA's decision.

Sections 307(b) and 505(b)(2) of the CAA provide that a petitioner may request judicial review of those portions of an order that deny issues in a petition. Any petition for review of the Administrator's March 14, 2023, Order shall be filed in the United States Court of Appeals for the appropriate circuit no later than June 20, 2023.

*Authority:* 42 U.S.C. 7401 *et seq.*

Dated: April 17, 2023.

**Debra Shore,**

*Regional Administrator, Region 5.*

[FR Doc. 2023-08482 Filed 4-20-23; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2023-0243; FRL-10914-01-OGC]

### Proposed Settlement Agreement, Clean Water Act and Administrative Procedure Act Claims

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

**ACTION:** Notice of proposed settlement agreement; request for public comment.

**SUMMARY:** In accordance with the 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 settlement agreement that would resolve *Chesapeake Bay Foundation, Inc. et al. v. U.S. EPA et al.*, No. 1:20-cv-2529 (D.D.C.). On September 10, 2020, four states—Maryland, Virginia, Delaware, and the District of Columbia—and a number of non-state plaintiffs including the Chesapeake Bay Foundation ("CBF") and Anne Arundel County ("Plaintiffs") filed complaints in the U.S. District Court for the District of Columbia. The Plaintiffs asserted that EPA has a mandatory duty under the Clean Water

Act ("CWA") to ensure that the goals of the Chesapeake Bay Agreement are met, and that EPA failed to perform that duty. Plaintiffs also asserted that EPA's evaluation of Pennsylvania's 2019 plan for implementing the Chesapeake Bay TMDL was arbitrary and capricious in violation of the Administrative Procedure Act ("APA"). EPA seeks public input on a proposed settlement agreement prior to its final decision-making with regard to potential settlement of the litigation.

**DATES:** Written comments on the proposed settlement agreement must be received by May 22, 2023.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2023-0243 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 Settlement Agreement" heading under the **SUPPLEMENTARY INFORMATION** section of this document. **FOR FURTHER INFORMATION CONTACT:** Alec Mullee, Water Law Office, Office of General Counsel, U.S. Environmental Protection Agency telephone: (202) 564-9616; email address: [mullee.alec@epa.gov](mailto:mullee.alec@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Additional Information About the Proposed Settlement Agreement

The Chesapeake Bay Program (CBP) partnership collaborates to restore the water quality of the Chesapeake Bay, primarily through a series of Chesapeake Bay Agreements. The CBP partnership includes the states in the Chesapeake Bay watershed—Delaware, Maryland, Pennsylvania, New York, Virginia, West Virginia, and the District of Columbia—the Federal government led by EPA, and numerous other stakeholders. The CBP partnership agreed upon a goal of having all practices and controls installed by 2025 to achieve the Bay's dissolved oxygen, water clarity/submerged aquatic vegetation and chlorophyll-a water quality standards (2025 Goal). The 2025 Goal is reflected in the latest Chesapeake Bay Agreement. In 2010, in collaboration with the Bay states, EPA established a Total Maximum Daily Load (TMDL) for the entire Chesapeake Bay watershed for nitrogen, phosphorus

and sediment to address the aquatic life use impairments of tidal Bay waters and tidal tributaries. In 2019, the Bay states submitted their latest plans for implementing the Bay TMDL to EPA for evaluation. EPA's evaluation of Pennsylvania's plan concluded that, while the state plan would meet its numeric planning target for phosphorus, it would not meet its target for nitrogen by 2025. In 2022, Pennsylvania submitted an amended plan to EPA for evaluation, which EPA found still did not meet the state's nutrient goals.

On September 10, 2020, the Plaintiffs filed complaints, later consolidated, against EPA in the U.S. District Court for the District of Columbia. The parties have negotiated this proposed settlement agreement. EPA would agree in the proposed settlement agreement to take a number of steps regarding EPA oversight and funding of Pennsylvania's efforts under its CWA programs to reduce nutrient and sediment discharges within Pennsylvania's portion of the Bay watershed. EPA would also agree to evaluate by the end of 2026 how each Bay state fared in meeting the 2025 Goal.

For a period of thirty (30) days following the date of publication of this notice, EPA will accept written comments relating to the proposed settlement agreement from persons who are not parties to the litigation. EPA or the Department of Justice may withdraw or withhold consent to the proposed settlement agreement 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 Settlement Agreement

*A. How can I get a copy of the proposed settlement agreement?*

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2023-0243) contains a copy of the proposed settlement agreement. 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.