

confidential and shall abide by all RCRA CBI requirements, including procedures outlined in the RCRA CBI Security Manual.

The U.S. Environmental Protection Agency has issued regulations (40 CFR part 2, subpart B) that outline business confidentiality provisions for the Agency and require all EPA Offices that receive information designated by the submitter as CBI to abide by these provisions. Industrial Economics will be authorized to have access to RCRA CBI under the EPA "Contractor Requirements for the Control and Security of RCRA Confidential Business Information Security Manual."

EPA is issuing this notice to inform all submitters of information under all sections of RCRA that EPA will provide IEC access to the CBI records located in the RCRA Confidential Business Information Center. Access to RCRA CBI under this contract will take place at IEC and EPA Headquarters only. Contractor personnel will be required to sign non-disclosure agreements and will be briefed on appropriate security procedures before they are permitted access to confidential information. If you have questions regarding this action consult the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

Dated: July 10, 2023.

**Carolyn Hoskinson,**

*Director, Office of Resource Conservation & Recovery.*

[FR Doc. 2023-15167 Filed 7-17-23; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6464.1-01-R10]

### Proposed Modification of National Pollutant Discharge Elimination System General Permit for Concentrated Animal Feeding Operations Located in Idaho (IDG010000)

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed modification of NPDES general permit and request for public comment.

**SUMMARY:** The Environmental Protection Agency (EPA) Region 10 proposes to modify the National Pollutant Discharge Elimination System (NPDES) general permit for concentrated animal feeding operations (CAFOs) in Idaho excluding Tribal lands (Permit). EPA proposes to modify the Permit to establish monitoring conditions for the

subsurface discharges of pollutants from production areas and dry weather surface and subsurface discharges from land application areas at these CAFOs to waters of the United States. A Petition for Review was filed on September 22, 2020, in the Ninth Circuit Court of Appeals challenging the Permit; the Court granted the petition. The modified permit includes new and revised conditions to address the Ninth Circuit Court of Appeal's Order and Opinion filed on December 16, 2021 (*Food & Water Watch et al. v. U.S. Environmental Protection Agency* (No. 20-71554)).

**DATES:** Comments must be received by September 1, 2023.

**ADDRESSES:** Comments and requests regarding the Modified Permit must be submitted to [epar10wd-npdes@epa.gov](mailto:epar10wd-npdes@epa.gov) with the subject line: Public Comments on IDG010000.

**FOR FURTHER INFORMATION CONTACT:**

Permit documents may be found on the EPA Region 10 website at: <https://www.epa.gov/npdes-permits/npdes-general-permit-concentrated-animal-feeding-operations-cafos-idaho>.

Copies of the Modified Permit and fact sheet are also available upon request. Requests may be made to Audrey Washington at (206) 553-0523. Requests may also be electronically mailed to: [washington.audrey@epa.gov](mailto:washington.audrey@epa.gov).

**SUPPLEMENTARY INFORMATION:**

#### I. Background

The modification is a major modification pursuant to 40 CFR 122.62(a)(15). EPA Region 10 reissued the NPDES General Permit for CAFOs in Idaho (IDG010000) on May 13, 2020; the Permit became effective on June 15, 2020 (85 FR 28624). Subsequently, a Petition for Review was filed on September 22, 2020, in the Ninth Circuit Court of Appeals, challenging the Permit on the basis that it did not contain representative effluent monitoring to ensure compliance with all applicable effluent limitations in violation of the Clean Water Act and implementing regulations (*Food & Water Watch et al. v. U.S. Environmental Protection Agency* (No. 20-71554)). The Court granted the petition holding that the Permit failed to include monitoring to ensure compliance with the discharge prohibitions in the Permit. The Modified Permit includes new and revised conditions to address the Ninth Circuit Court of Appeal's Order and Opinion filed on December 16, 2021 (*Food & Water Watch et al. v. U.S. Environmental Protection Agency* (No. 20-71554)).

## II. Other Legal Requirements

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review. Compliance with Endangered Species Act, Essential Fish Habitat, Paperwork Reduction Act, and other requirements are discussed in the original 2019 Fact Sheet to the permit.

**Michael J. Szerlog,**

*Acting Director, Water Division, Region 10.*

[FR Doc. 2023-15163 Filed 7-17-23; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2023-0367; FRL-11167-01-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 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 settlement agreement that would resolve *Gunpowder Riverkeeper v. Regan, et al.*, No. 1:20-cv-02063 (D.D.C.). On July 29, 2020, Gunpowder Riverkeeper (Plaintiff) filed a complaint in the United States District Court for the District of Columbia alleging that EPA's approval of Maryland's submission of Total Maximum Daily Loads of Polychlorinated Biphenyls (PCB TMDLs) for the Gunpowder and Bird Rivers 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 August 17, 2023.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2023-0367 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