

accordance with procedures set forth in 40 CFR parts 2 and 703, as applicable.

2. Tips for preparing your comments

When preparing and submitting your comments, see the commenting tips at <https://www.epa.gov/dockets/commenting-epa-dockets>.

II. Background

When EPA designated asbestos as one of the first 10 existing chemicals to undergo risk evaluation under TSCA, as amended in 2016, the risk evaluation focused on chrysotile asbestos, the only type of asbestos fiber where manufacture (including import), processing, and distribution in commerce for use was known, intended, or reasonably foreseen in the U.S. In *Safer Chemicals, Healthy Families v. EPA*, 943 F.3d 397 (9th Cir. 2019) the court held that EPA's Risk Evaluation Procedural Rule (82 FR 33726, July 20, 2017 (FRL-9964-38)) should not have excluded "legacy uses" (*i.e.*, uses without ongoing or prospective manufacturing, processing, or distribution) and "associated disposals" (*i.e.*, future disposal of legacy uses) from the definition of conditions of use. As a result, the risk evaluation for asbestos was split into two parts.

1. *Asbestos (Part 1: Chrysotile Asbestos)*. The final risk evaluation for Asbestos (Part 1: Chrysotile Asbestos) was released in January 2021 (86 FR 89, January 4, 2021; FRL-10017-43), covering all intended, known, or reasonably foreseen import, processing, and distribution of chrysotile asbestos; uses of chrysotile asbestos that have been imported, processed, and distributed; and disposal of such chrysotile asbestos uses. The final rule to address the unreasonable risk identified in the Asbestos Part 1 risk evaluation was issued in March 2024 (89 FR 21970, March 28, 2024; FRL-8332-01-OCSP).

2. *Asbestos Part 2: Supplemental Evaluation Including Legacy Uses and Associated Disposals of Asbestos*. Legacy uses and associated disposals of chrysotile asbestos, 5 additional fiber types, asbestos-containing talc, and Libby asbestos are the subject of the "Draft Risk Evaluation for Asbestos Part 2: Supplemental Evaluation Including Legacy Uses and Associated Disposals of Asbestos" (also referred to as the Asbestos Part 2 Draft Risk Evaluation), which is scheduled to be finalized on or before December 1, 2024, per the consent decree in the case *Asbestos Disease Awareness Organization et al v. Regan et al*, 4:21-cv-03716 (N.D. Cal.).

In the Asbestos Part 2 Draft Risk Evaluation, EPA preliminarily

concludes that asbestos, as a chemical substance and as evaluated in part 1 and part 2 of the risk evaluation, presents an unreasonable risk of injury to health under its conditions of use. This single unreasonable risk determination for asbestos would replace the previous unreasonable risk determinations made for asbestos by individual conditions of use and supersede the determinations (and withdraw the associated order) of no unreasonable risk for the conditions of use identified in the TSCA section 6(i)(1) no unreasonable risk order. This draft determination does not alter any of the underlying technical or scientific information that informs the risk characterization in part 1, and as such the hazard, exposure, and risk characterization sections of part 1 are not changed by this revision.

III. Request for Public Comment

EPA seeks feedback on the assessment of risk for asbestos as presented in the Asbestos Part 2 Draft Risk Evaluation and welcomes specific input on each section of the Asbestos Part 2 Draft Risk Evaluation. EPA is also seeking input on the take-home exposure scenarios, as well as the non-cancer endpoints used to characterize risk. EPA also specifically seeks public comment on the draft single risk determination for asbestos where the Agency intends to determine that asbestos, as a chemical substance, presents an unreasonable risk of injury to health when evaluated under its conditions of use. However, EPA is not requesting public comment on the hazard, exposure, or risk characterization sections of part 1, as those sections remain unchanged.

EPA encourages all potentially interested parties, including individuals, governmental and non-governmental organizations, non-profit organizations, academic institutions, research institutions, and private sector entities to comment on the Asbestos Part 2 Draft Risk Evaluation.

To the extent possible, the Agency asks commenters to please cite any public data related to or that supports responses, and to the extent permissible, describe any supporting data that is not publicly available.

Authority: 15 U.S.C. 2601 *et seq.*

Dated: April 9, 2024.

Michal Freedhoff,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OLEM-2020-0527; FRL-11611-01 OLEM]

Interim PFAS Destruction and Disposal Guidance; Notice of Availability for Public Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability for public comment.

SUMMARY: The National Defense Authorization Act for Fiscal Year 2020 (FY 2020 NDAA) was signed into law on December 19, 2019. Section 7361 of the FY 2020 NDAA directs the U.S. Environmental Protection Agency (EPA) to publish interim guidance on the destruction and disposal of perfluoroalkyl and polyfluoroalkyl substances (PFAS) and materials containing PFAS and to update the guidance at least every three years, as appropriate. The EPA is releasing an update to the December 20, 2020, interim guidance for public comment. The updated guidance builds on information pertaining to technologies that may be feasible and appropriate for the destruction or disposal of PFAS and PFAS-containing materials. The 2024 interim guidance also identifies key data gaps and uncertainties that must be resolved before the EPA can issue more definitive recommendations about PFAS destruction and disposal technologies.

DATES: Comments must be received on or before October 15, 2024.

ADDRESSES: You may send comments, identified by Docket ID No. EPA-HQ-OLEM-2020-0527, by any of the following methods:

- *Federal eRulemaking Portal:* <https://www.regulations.gov> (our preferred method). Follow the online instructions for submitting comments.
- *Mail:* U.S. Environmental Protection Agency, EPA Docket Center, OLEM Docket, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.
- *Hand Delivery or Courier (by scheduled appointment only):* EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center's hours of operations are 8:30 a.m.–4:30 p.m., Monday–Friday (except Federal Holidays).

Instructions: All submissions received must include the Docket ID No. for this rulemaking. Comments received may be posted without change to <https://www.regulations.gov/>, including any personal information provided. For

detailed instructions on sending comments and additional information on the rulemaking process, see the “Public Participation” heading of the **SUPPLEMENTARY INFORMATION** section of this document. For further information on EPA Docket Center services and the current status, please visit us online at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Cindy Frickle, Office of Superfund Remediation and Technology Innovation (5203T), Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460; telephone number 202-566-0927; email address: frickle.cindy@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This interim guidance provides a summary of EPA’s current knowledge of technologies for destruction or disposal of PFAS and PFAS-containing materials. The primary audience of this guidance is decision makers who need to identify the most effective means for destroying or disposing of PFAS-containing materials and wastes. The audience may also include regulators, waste managers, and the public, including affected communities.

Barry N. Breen,

*Principal Deputy Assistant Administrator,
Office of Land and Emergency Management.*

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-11868-01-OEJECR; EPA-HQ-OEJECR-2024-0146]

National Environmental Justice Advisory Council; Notification of Public Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notification for a public meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act (FACA), the U.S. Environmental Protection Agency (EPA) hereby provides notice that the National Environmental Justice Advisory Council (NEJAC) will meet on the dates and times described below. Due to unforeseen administrative circumstances, EPA is announcing this meeting with less than 15 calendar days public notice. The meeting is open to the public. For additional information about registering to attend the meeting or to provide public comment, please

see “REGISTRATION” under **SUPPLEMENTARY INFORMATION**. Pre-Registration is required.

DATES: The NEJAC will convene an in-person and virtual public meeting on April 23–25, 2024, in Houston, Texas. On Tuesday, April 23, 2024, the public meeting will start at approximately 9:00 a.m. and end approximately at 8:00 p.m., Central Time. The public meeting continues Wednesday, April 24, 2024, and Thursday, April 25, 2024, from approximately 9:00 a.m. to 6:00 p.m., Central Time. The meeting discussions will focus on several topics including, but not limited to, workgroup updates, final recommendations for council consideration, presentations, panels, and discussions on potential charges with various EPA national program offices. A public comment period relevant to current NEJAC charges and recommendations will be considered by the NEJAC on Tuesday, April 23, 2024, approximately at 6:00 p.m. to 8:00 p.m., Central Time (see **SUPPLEMENTARY INFORMATION**). Members of the public wishing to participate during the public comment period must register by 11:59 p.m., Central Time, April 16, 2024.

ADDRESSES: The NEJAC meeting will be held at the Omni Houston Hotel, Four Riverway, Houston, Texas 77056.

FOR FURTHER INFORMATION CONTACT: Paula Flores-Gregg, NEJAC Designated Federal Officer, U.S. EPA; email: nejac@epa.gov; telephone: (214) 665-8123.

Additional information about the NEJAC is available at <https://www.epa.gov/environmentaljustice/national-environmental-justice-advisory-council>.

SUPPLEMENTARY INFORMATION: The Charter of the NEJAC states that the advisory committee “will provide independent advice and recommendations to the Administrator about broad, cross-cutting issues related to environmental justice. The NEJAC’s efforts will include evaluation of a broad range of strategic, scientific, technological, regulatory, community engagement, and economic issues related to environmental justice.”

Registration: Individual registration is required for the public meeting. No two individuals can share the same registration link. Information on how to register is located at <https://www.epa.gov/environmentaljustice/national-environmental-justice-advisory-council-meetings>. Registration to attend the meeting is available through the scheduled meeting days. The deadline to sign up to speak during the public comment period will close at 11:59 p.m., Central Time, April 16, 2024. When registering, please provide

your name, organization, city and state, and email address. Please also indicate whether you would like to provide oral public comment during the meeting, or whether you are submitting written comments at the time of registration.

A. Public Comment

The NEJAC is interested in receiving public comments relevant to the following charges and recommendations:

(1) Cumulative Impacts Framework Charge.

(2) Consultation on the EPA Policy on Environmental Justice for working with Federally Recognized Tribes and Indigenous Peoples Update.

Individuals or groups making remarks during the oral public comment period will be limited to three (3) minutes. Please be prepared to briefly describe your comments; including your recommendations on what you want the NEJAC to advise the EPA to do. Submitting written comments for the record are strongly encouraged. You can submit your written comments in three different ways, (1.) by using the webform at <https://www.epa.gov/environmentaljustice/forms/national-environmental-justice-advisory-council-nejac-public-comment>, (2.) by sending comments via email to nejac@epa.gov and (3.) by creating comments in the Docket ID No. EPA-HQ-OEJECR-2024-0146 at <http://www.regulations.gov>. Written comments can be submitted through May 7, 2024. More information about the NEJAC’s current charges can be found here.

B. Information about Services for Individuals With Disabilities or Requiring English Language Translation Assistance

For information about access or services for individuals requiring assistance, please contact Paula Flores-Gregg, at (214) 665-8123 or via email at nejac@epa.gov. To request special accommodations for a disability or other assistance, please submit your request at least seven (7) working days prior to the meeting, to give EPA sufficient time to process your request. All requests should be sent to the email or phone number listed in the **FOR FURTHER INFORMATION CONTACT** section.

Theresa Segovia,

*Principal Deputy Assistant Administrator,
Office of Environmental Justice and External Civil Rights.*

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