

III. Revision of the December 2020 Risk Evaluation

A. Why is EPA proposing to revise the risk determination for the PCE risk evaluation?

EPA is proposing to revise the risk determination for the PCE risk evaluation pursuant to TSCA section 6(b) and consistent with Executive Order 13990, (“Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis”) and other Administration priorities (Refs. 3, 4, and 6). EPA is revising specific aspects of the first ten TSCA existing chemical risk evaluations in order to ensure that the risk evaluations better align with TSCA’s objective of protecting health and the environment. For the PCE risk evaluation, this includes the draft revision: (1) Making the risk determination in this instance based on the whole chemical substance instead of by individual conditions of use, and (2) Emphasizing that EPA does not rely on the assumed use of PPE when making the risk determination.

B. What are the draft revisions?

EPA is releasing a draft revision of the risk determination for the PCE risk evaluation pursuant to TSCA section 6(b). Under the revised determination, EPA preliminarily concludes that PCE, as evaluated in the risk evaluation as a whole, presents an unreasonable risk of injury to health under its conditions of use. This revision would replace the previous unreasonable risk determinations made for PCE by individual conditions of use, 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, and clarify the lack of reliance on assumed use of PPE as part of the risk determination.

These draft revisions do not alter any of the underlying technical or scientific information that informs the risk characterization, and as such the hazard, exposure, and risk characterization sections are not changed except to the extent that statements about PPE assumptions in section 2.4.1.4 (Consideration of Engineering Controls and PPE) and section 4.2.2.2 (Occupational Inhalation Exposure Summary and PPE Use Determinations by OES) of the PCE risk evaluation would be superseded. The discussion of the issues in this notice and in the accompanying draft revision to the risk determination would supersede any conflicting statements in the prior executive summary, section 2.4.1.4 and section 4.2.2.2 from the PCE

risk evaluation and the response to comments document (Refs. 2 and 10). Additional policy changes to other chemical risk evaluations, including any consideration of potentially exposed or susceptible subpopulations and/or inclusion of additional exposure pathways, are not necessarily reflected in these draft revisions to the risk determination.

C. Will the draft revised risk determination be peer reviewed?

The risk determination (section 5 in the December 2020 risk evaluation) was not part of the scope of the peer review of the PCE risk evaluation by the Science Advisory Committee on Chemicals (SACC). Thus, consistent with that approach, EPA does not intend to conduct peer review of the draft revised unreasonable risk determination for the PCE risk evaluation because no technical or scientific changes will be made to the hazard or exposure assessments or the risk characterization.

D. What are the next steps for finalizing revisions to the risk determination?

EPA will review and consider public comment received on the draft revised risk determination for the PCE risk evaluation and, after considering those public comments, issue the revised final PCE risk determination. If finalized as drafted, EPA would also issue a new order to withdraw the TSCA section 6(i)(1) no unreasonable risk order issued in Section 5.4.1 of the 2020 PCE risk evaluation. This final revised risk determination would supersede the December 2020 risk determinations of no unreasonable risk. Consistent with the statutory requirements of TSCA section 6(a), the Agency would then propose risk management actions to address the unreasonable risk determined in the PCE risk evaluation.

IV. References

The following is a listing of the documents that are specifically referenced in this document. The docket includes these documents and other information considered by EPA, including documents that are referenced within the documents that are included in the docket, even if the referenced document is not physically located in the docket. For assistance in locating these other documents, please consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

1. EPA Draft Revised Unreasonable Risk Determination for Perchloroethylene, Section 5, June 2022.
2. EPA. Risk Evaluation for Perchloroethylene. EPA Document #740–

R1–8011. December 2020. <https://www.regulations.gov/document/EPA-HQ-OPPT-2019-0502-0058>.

3. Executive Order 13990. Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis. **Federal Register**. 86 FR 7037, January 25, 2021.
4. Executive Order 13985. Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. **Federal Register**. 86 FR 7009, January 25, 2021.
5. Executive Order 14008. Tackling the Climate Crisis at Home and Abroad. **Federal Register**. 86 FR 7619, February 1, 2021.
6. Presidential Memorandum. Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking. **Federal Register**. 86 FR 8845, February 10, 2021.
7. EPA Press Release. EPA Announces Path Forward for TSCA Chemical Risk Evaluations. June 2021. <https://www.epa.gov/newsreleases/epa-announces-path-forward-tasca-chemical-risk-evaluations>.
8. EPA. Proposed Rule; Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act. **Federal Register**. 82 FR 7562, January 19, 2017 (FRL–9957–75).
9. EPA. Final Rule; Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act. **Federal Register**. 82 FR 33726, July 20, 2017 (FRL–9964–38).
10. EPA. Summary of External Peer Review and Public Comments and Disposition for Perchloroethylene (PCE). December 2020. <https://www.regulations.gov/document/EPA-HQ-OPPT-2019-0502-0059>.
11. Occupational Safety and Health Administration. Permissible Exposure Limits—Annotated Tables. Accessed June 13, 2022. <https://www.osha.gov/annotated-pels>.

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

Dated: June 27, 2022.

Michal Freedhoff,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA–R10–OW–2022–0418; FRL–9860–02–R10]

Proposed Determination To Prohibit and Restrict the Use of Certain Waters Within Defined Areas as Disposal Sites; Pebble Deposit Area, Southwest Alaska; Extension of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of extension of public comment period and public hearing comment period.

SUMMARY: The Environmental Protection Agency (EPA) is extending the public comment period for its 2022 Proposed Determination to Prohibit and Restrict the Use of Certain Waters Within Defined Areas as Disposal Sites; Pebble Deposit Area, Southwest Alaska issued pursuant to Section 404(c) of the Clean Water Act (CWA). Notice of availability and notice of public hearing were published in the **Federal Register** on May 26, 2022. The notice provided that the public comment period would remain open through July 5, 2022. The public comment period for the 2022 Proposed Determination and the post hearing comment period are hereby extended through September 6, 2022.

DATES: The comment period for the 2022 Proposed Determination published May 26, 2022 (87 FR 32021) is extended. Written comments on the 2022 Proposed Determination must be received on or before September 6, 2022.

ADDRESSES:

I. How to Obtain a Copy of the Proposed Determination: The proposed determination is available primarily via the internet on the EPA Region 10 Bristol Bay site at www.epa.gov/bristolbay.

II. How to Submit Comments to the Docket at www.regulations.gov:

Submit your comments, identified by Docket ID No. EPA-R10-OW-2022-0418, by one of the following methods:

Federal eRulemaking Portal (recommended method of comment submission): Follow the online instructions at <http://www.regulations.gov> for submitting comments.

Email: ow-docket@epa.gov. Include the docket number EPA-R10-OW-2022-0418 in the subject line of the message.

Mail and Hand Delivery/Courier: Send your original comments and three copies to: Water Docket, Environmental Protection Agency, Mail Code 2822T, 1200 Pennsylvania Avenue NW, Washington, DC 20460, Attention: Docket ID No. EPA-R10-OW-2022-0418.

Hand Delivery/Courier: Deliver your comments to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20460, Attention: Docket ID No. EPA-R10-OW-2022-0418. Such deliveries are accepted only during the Docket's normal hours of operation, 8:30 a.m. to 4:30 p.m. ET, Monday through Friday (excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The

telephone number for the Water Docket is (202) 566-2426.

Instructions: EPA's policy is that all comments received will be included in the public docket without change and will be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information disclosure of which is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected information through <http://www.regulations.gov> or email. The <http://www.regulations.gov> website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through <http://www.regulations.gov>, your email address will be captured automatically and included as part of the comment that is placed in the public docket and made publicly available on the internet. 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 FURTHER INFORMATION CONTACT: For information on the public comment period, contact the Water Docket; telephone: (202) 566-2426 or email: owdocket@epa.gov. For information concerning the proposed determination, contact Erin Seyfried; telephone (206) 553-0040 or email: r10bristolbay@epa.gov. For more information about EPA's efforts in Bristol Bay, copies of the Section 404(c) proposed determination, see <http://www.epa.gov/bristolbay>.

SUPPLEMENTARY INFORMATION: EPA Region 10 has received several communications regarding an extension of the comment period, including requests to extend the comment period by 60 days and 120 days. EPA Region 10 also received requests not to extend the public comment period. EPA Region 10 has considered each of these requests and finds that good cause exists

pursuant to 40 CFR 231.8 to extend the public comment period through September 6, 2022 to provide sufficient time for all parties to meaningfully comment on the 2022 Proposed Determination and supporting documents.

Casey Sixkiller,

Regional Administrator, Region 10.

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ENVIRONMENTAL PROTECTION AGENCY

[R01-OW-2022; FRL-9918-01-R1]

Program Requirement Revisions Related to the Public Water System Supervision Program for the State of Connecticut

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Notice is hereby given that the State of Connecticut is revising its approved Public Water System Supervision (PWSS) program to meet the requirements of the Safe Drinking Water Act (SDWA).

DATES: All interested parties may request a public hearing for any of the above EPA determinations. A request for a public hearing must be submitted by July 29, 2022 to the Regional Administrator at the address shown below. Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator.

However, if a substantial request for a public hearing is made by this date, a public hearing will be held. If no timely and appropriate request for a hearing is received, and the Regional Administrator does not elect to hold a hearing on his own motion, this determination shall become final and effective July 29, 2022.

Any request for a public hearing shall include the following information: (1) the name, address, and telephone number of the individual organization, or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the Regional Administrator's determination; (3) information that the requesting person intends to submit at such hearing; and (4) the signature of the individual making the request, or if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

ADDRESSES: All documents relating to this determination are available for