

pesticide refiller. These changes qualify as adjustments.

In addition, OMB requested that EPA replace the format the Agency has historically used for ICR Supporting Statements with the 18-question format that is used by other federal agencies and departments. The 18-question format is based on the submission instructions to agencies that appear on the OMB submission form. Although this supporting statement has been modified to reflect the 18-question format, the change in format did not change the information collection activities or related estimated burden and costs. EPA welcomes your feedback on whether this improves the presentation of the information collection activities and related burden and costs estimates.

#### IV. What is the next step in the process for this ICR?

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. EPA will issue another **Federal Register** document pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

*Authority:* 44 U.S.C. 3501 *et seq.*

Dated: April 17, 2024.

**Michal Freedhoff,**

*Assistant Administrator, Office of Chemical Safety and Pollution Prevention.*

[FR Doc. 2024-08555 Filed 4-19-24; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-11851-01-OLEM]

### Forty-Fifth Update of the Federal Agency Hazardous Waste Compliance Docket

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

**ACTION:** Notice.

**SUMMARY:** Since 1988, the Environmental Protection Agency (EPA) has maintained a Federal Agency Hazardous Waste Compliance Docket ("Docket") under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). CERCLA requires EPA to

establish a Docket that contains certain information reported to EPA by Federal facilities that manage hazardous waste or from which a reportable quantity of hazardous substances has been released. This notice identifies the Federal facilities not previously listed on the Docket and identifies Federal facilities reported to EPA since the last update on October 26, 2023. In addition to the list of additions to the Docket, this notice includes a section with revisions of the previous Docket list and a section of Federal facilities that are to be deleted from the Docket. Thus, the revisions in this update include one addition, zero deletions, and zero corrections to the Docket since the previous update.

**DATES:** This list is current as of March 28, 2024.

#### FOR FURTHER INFORMATION CONTACT:

Electronic versions of the Docket and more information on its implementation can be obtained at <http://www.epa.gov/fedfac/federal-agency-hazardous-waste-compliance-docket> by clicking on the link for *Cleanups at Federal Facilities* or by contacting Jonathan Tso ([Tso.Jonathan@epa.gov](mailto:Tso.Jonathan@epa.gov)), Federal Agency Hazardous Waste Compliance Docket Coordinator, Federal Facilities Restoration and Reuse Office. Additional information on the Docket and a complete list of Docket sites can be obtained at: <https://www.epa.gov/fedfac/federal-agency-hazardous-waste-compliance-docket-1>.

#### SUPPLEMENTARY INFORMATION:

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##### 1.0 Introduction

Section 120(c) of CERCLA, 42 U.S.C. 9620(c), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), requires EPA to establish the Federal Agency Hazardous Waste Compliance Docket. The Docket contains information on Federal facilities that manage hazardous waste and such information is submitted by Federal agencies to EPA under sections 3005, 3010, and 3016 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6925, 6930, and 6937. Additionally, the Docket contains information on Federal facilities with a reportable quantity of hazardous substances that has been released and

such information is submitted by Federal agencies to EPA under section 103 of CERCLA, 42 U.S.C. 9603. Specifically, RCRA section 3005 establishes a permitting system for certain hazardous waste treatment, storage, and disposal (TSD) facilities; RCRA section 3010 requires waste generators, transporters and TSD facilities to notify EPA of their hazardous waste activities; and RCRA section 3016 requires Federal agencies to submit biennially to EPA an inventory of their Federal hazardous waste facilities. CERCLA section 103(a) requires the owner or operator of a vessel or onshore or offshore facility to notify the National Response Center (NRC) of any spill or other release of a hazardous substance that equals or exceeds a reportable quantity (RQ), as defined by CERCLA section 101. Additionally, CERCLA section 103(c) requires facilities that have "stored, treated, or disposed of" hazardous wastes and where there is "known, suspected, or likely releases" of hazardous substances to report their activities to EPA.

CERCLA section 120(d) requires EPA to take steps to assure that a Preliminary Assessment (PA) be completed for those sites identified in the Docket and that the evaluation and listing of sites with a PA be completed within a reasonable time frame. The PA is designed to provide information for EPA to consider when evaluating the site for potential response action or inclusion on the National Priorities List (NPL).

The Docket serves three major purposes: (1) To identify all Federal facilities that must be evaluated to determine whether they pose a threat to human health and the environment sufficient to warrant inclusion on the National Priorities List (NPL); (2) to compile and maintain the information submitted to EPA on such facilities under the provisions listed in section 120(c) of CERCLA; and (3) to provide a mechanism to make the information available to the public. Previous Docket updates are available at <https://www.epa.gov/fedfac/previous-federal-agency-hazardous-waste-compliance-docket-updates>.

This notice provides some background information on the Docket. Additional information on the Docket requirements and implementation are found in the Docket Reference Manual, Federal Agency Hazardous Waste Compliance Docket found at <http://www.epa.gov/fedfac/docket-reference-manual-federal-agency-hazardous-waste-compliance-docket-interim-final> or obtained by calling the Regional Docket Coordinators listed below. This

notice also provides changes to the list of sites included on the Docket in three areas: (1) Additions, (2) Deletions, and (3) Corrections. Specifically, additions are newly identified Federal facilities that have been reported to EPA since the last update and now are included on the Docket; the deletions section lists Federal facilities that EPA is deleting from the Docket.<sup>1</sup> The information submitted to EPA on each Federal facility is maintained in the Docket repository located in the EPA Regional office of the Region in which the Federal facility is located; for a description of the information required under those provisions, see 53 FR 4280 (February 12, 1988). Each repository contains the documents submitted to EPA under the reporting provisions and correspondence relevant to the reporting provisions for each Federal facility.

In prior updates, information was also provided regarding No Further Remedial Action Planned (NFRAP) status changes. However, information on NFRAP and NPL status is no longer being provided separately in the Docket update as it is now available at: <http://www.epa.gov/fedfacts/federal-facility-cleanup-sites-searchable-list> or by contacting the EPA HQ Docket Coordinator at the address provided in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

## 2.0 Regional Docket Coordinators

Contact the following Docket Coordinators for information on Regional Docket repositories:

- *US EPA Region 1.* Alyssa Villalpando (HBS), 5 Post Office Square, Suite 100, Mail Code: 01-5, Boston MA 02109-3912, (617) 918-1603.
- *US EPA Region 2.* James Desir, 290 Broadway, New York, NY 10007-1866, (212) 637-4342.
- *US EPA Region 3.* Joseph Vitello (3HS12), 1650 Arch Street, Philadelphia, PA 19107, (215) 814-3354.
- *US EPA Region 3.* Dawn Fulsher (3HS12), 1650 Arch Street, Philadelphia, PA 19107, (215) 814-3270.
- *US EPA Region 4.* Emily Jones (9T25), 61 Forsyth St., SW, Atlanta, GA 30303, (404) 562-8334.
- *US EPA Region 5.* David Brauner (SR-6J), 77 W. Jackson Blvd., Chicago, IL 60604, (312) 886-1526.
- *US EPA Region 6.* Philip Ofosu (6SF-RA), 1445 Ross Avenue, Dallas, TX 75202-2733, (214) 665-3178.
- *US EPA Region 7.* Matthew Smith (SUPRERSB), 11201 Renner Blvd., Lenexa, KS 66219, (913) 551-7527.

<sup>1</sup> See section 3.2 for the criteria for being deleted from the Docket.

- *US EPA Region 8.* Ryan Dunham (EPR-F), 1595 Wynkoop Street, Denver, CO 80202, (303) 312-6627.

- *US EPA Region 9.* Ashley Mrzljak (SFD-6-1), 600 Wilshire Boulevard, Suite 940, Los Angeles, CA 90017, (213) 244-1839.

- *US EPA Region 10.* Stephen Nguyen, 1200 Sixth Avenue, Seattle, WA 98101, (206) 553-1073.

## 3.0 Revisions of the Previous Docket

This section includes a discussion of the additions, deletions and corrections to the list of Docket facilities since the previous Docket update.

### 3.1 Additions

These Federal facilities are being added primarily because of new information obtained by EPA (for example, recent reporting of a facility pursuant to RCRA sections 3005, 3010, or 3016 or CERCLA section 103). CERCLA section 120, as amended by the Defense Authorization Act of 1997, specifies that EPA take steps to assure that a Preliminary Assessment (PA) be completed within a reasonable time frame for those Federal facilities that are included on the Docket. Among other things, the PA is designed to provide information for EPA to consider when evaluating the site for potential response action or listing on the NPL. This notice includes one addition.

### 3.2&Deletions

There are no statutory or regulatory provisions that address deletion of a facility from the Docket. However, if a facility is incorrectly included on the Docket, it may be deleted from the Docket. The criteria EPA uses in deleting sites from the Docket include: a facility for which there was an incorrect report submitted for hazardous waste activity under RCRA (e.g., 40 CFR 262.44); a facility that was not federally-owned or operated at the time of the listing; a facility included more than once (i.e., redundant listings); or when multiple facilities are combined under one listing. (See Docket Codes (*Reasons for Deletion of Facilities*) for a more refined list of the criteria EPA uses for deleting sites from the Docket.) Facilities being deleted no longer will be subject to the requirements of CERCLA section 120(d). This notice includes zero deletions.

### 3.3 Corrections

Changes necessary to correct the previous Docket are identified by both EPA and Federal agencies. The corrections section may include changes in addresses or spelling, and corrections of the recorded name and ownership of

a Federal facility. In addition, changes in the names of Federal facilities may be made to establish consistency in the Docket or between the Superfund Enterprise Management System (SEMS) and the Docket. For the Federal facility for which a correction is entered, the original entry is as it appeared in previous Docket updates. The corrected update is shown directly below, for easy comparison. This notice includes zero corrections.

## 4.0 Process for Compiling the Updated Docket

In compiling the newly reported Federal facilities for the update being published in this notice, EPA extracted the names, addresses, and identification numbers of facilities from four EPA databases—the WebEOC, the Biennial Inventory of Federal Agency Hazardous Waste Activities, the Resource Conservation and Recovery Act Information System (RCRAInfo), and SEMS—that contain information about Federal facilities submitted under the four provisions listed in CERCLA section 120(c).

EPA assures the quality of the information on the Docket by conducting extensive evaluation of the current Docket list and contacts the other Federal Agency (OFA) with the information obtained from the databases identified above to determine which Federal facilities were, in fact, newly reported and qualified for inclusion on the update. EPA is also striving to correct errors for Federal facilities that were previously reported. For example, state-owned or privately-owned facilities that are not operated by the Federal government may have been included. Such problems are sometimes caused by procedures historically used to report and track Federal facilities data. Representatives of Federal agencies are asked to contact the EPA HQ Docket Coordinator at the address provided in the **FOR FURTHER INFORMATION CONTACT** section of this notice if revisions of this update information are necessary.

## 5.0 Facilities Not Included

Certain categories of facilities may not be included on the Docket, such as: (1) Federal facilities formerly owned by a Federal agency that at the time of consideration was not federally-owned or operated; (2) Federal facilities that are small quantity generators (SQGs) that have not, more than once per calendar year, generated more than 1,000 kg of hazardous waste in any single month; (3) Federal facilities that are very small quantity generators (VSQGs) that have never generated more than 100 kg of

hazardous waste in any month; (4) Federal facilities that are solely hazardous waste transportation facilities, as reported under RCRA section 3010; and (5) Federal facilities that have mixed mine or mill site ownership.

An EPA policy issued in June 2003 provided guidance for a site-by-site evaluation as to whether “mixed ownership” mine or mill sites, typically created as a result of activities conducted pursuant to the General Mining Law of 1872 and never reported under section 103(a) of CERCLA, should be included on the Docket. For purposes of that policy, mixed ownership mine or mill sites are those located partially on private land and partially on public land. This policy is found at <http://www.epa.gov/fedfac/policy-listing-mixed-ownership-mine-or-mill-sites-created-result-general-mining-law-1872>. The policy of not including these facilities may change; facilities now omitted may be added at some point if EPA determines that they should be included.

#### 6.0 Facility NPL Status Reporting, Including NFRAP Status

EPA tracks the NPL status of Federal facilities listed on the Docket. An updated list of the NPL status of all Docket facilities, as well as their NFRAP status, is available at <https://www.epa.gov/fedfacts/federal-facility-cleanup-sites-searchable-list> or by contacting the EPA HQ Docket Coordinator at the address provided in the **FOR FURTHER INFORMATION CONTACT** section of this notice. In prior updates, information regarding NFRAP status changes was provided separately.

#### 7.0 Information Contained on Docket Listing

The information is provided in three tables. The first table is a list of additional Federal facilities that are being added to the Docket. The second table is a list of Federal facilities that are being deleted from the Docket. The third table is for corrections.

The Federal facilities listed in each table are organized by the date reported. Under each heading is listed the name and address of the facility, the Federal agency responsible for the facility, the statutory provision(s) under which the facility was reported to EPA, and a code.<sup>2</sup>

The statutory provisions under which a Federal facility is reported are listed in a column titled “Reporting

Mechanism.” Applicable mechanisms are listed for each Federal facility: for example, Sections 3005, 3010, 3016, 103(c), or Other. “Other” has been added as a reporting mechanism to indicate those Federal facilities that otherwise have been identified to have releases or threat of releases of hazardous substances. The National Contingency Plan at 40 CFR 300.405 addresses discovery or notification, outlines what constitutes discovery of a hazardous substance release, and States that a release may be discovered in several ways, including: (1) A report submitted in accordance with section 103(a) of CERCLA, *i.e.*, reportable quantities codified at 40 CFR 302; (2) a report submitted to EPA in accordance with section 103(c) of CERCLA; (3) investigation by government authorities conducted in accordance with section 104(e) of CERCLA or other statutory authority; (4) notification of a release by a Federal or State permit holder when required by its permit; (5) inventory or survey efforts or random or incidental observation reported by government agencies or the public; (6) submission of a citizen petition to EPA or the appropriate Federal facility requesting a preliminary assessment, in accordance with section 105(d) of CERCLA; (7) a report submitted in accordance with section 311(b)(5) of the Clean Water Act; and (8) other sources. As a policy matter, EPA generally believes it is appropriate for Federal facilities identified through the CERCLA discovery and notification process to be included on the Docket.

The complete list of Federal facilities that now make up the Docket and the NPL and NFRAP status are available to interested parties and can be obtained at <https://www.epa.gov/fedfacts/federal-facility-cleanup-sites-searchable-list> or by contacting the EPA HQ Docket Coordinator at the address provided in the **FOR FURTHER INFORMATION CONTACT** section of this notice. As of the date of this notice, the total number of Federal facilities that appear on the Docket is 2,394.

#### Gregory Gervais,

*Director, Federal Facilities Restoration and Reuse Office, Office of Land and Emergency Management.*

#### 7.1 Docket Codes/Reasons for Deletion of Facilities

- *Code 1.* Small-Quantity Generator and Very Small Quantity Generator. Show citation box

- *Code 2.* Never Federally Owned and/or Operated.
- *Code 3.* Formerly Federally Owned and/or Operated but not at time of listing.
- *Code 4.* No Hazardous Waste Generated.
- *Code 5.* (This code is no longer used.)
- *Code 6.* Redundant Listing/Site on Facility.
- *Code 7.* Combining Sites Into One Facility/Entries Combined.
- *Code 8.* Does Not Fit Facility Definition.

#### 7.2 Docket Codes/Reasons for Addition of Facilities

- *Code 15.* Small-Quantity Generator with either a RCRA 3016 or CERCLA 103 Reporting Mechanism.
- *Code 16.* One Entry Being Split Into Two (or more)/Federal Agency Responsibility Being Split. • *Code 16A.* NPL site that is part of a Facility already listed on the Docket.
- *Code 17.* New Information Obtained Showing That Facility Should Be Included.
- *Code 18.* Facility Was a Site on a Facility That Was Disbanded; Now a Separate Facility.
- *Code 19.* Sites Were Combined Into One Facility.
- *Code 19A.* New Currently Federally Owned and/or Operated Facility Site.

#### 7.3 Docket Codes/Types of Corrections of Information About Facilities

- *Code 20.* Reporting Provisions Change.
- *Code 20A.* Typo Correction/Name Change/Address Change.
- *Code 21.* Changing Responsible Federal Agency. (If applicable, new responsible Federal agency submits proof of previously performed PA, which is subject to approval by EPA.)
- *Code 22.* Changing Responsible Federal Agency and Facility Name. (If applicable, new responsible Federal Agency submits proof of previously performed PA, which is subject to approval by EPA.)
- *Code 24.* Reporting Mechanism Determined To Be Not Applicable After Review of Regional Files.

<sup>2</sup> Each Federal facility listed in the update has been assigned a code that indicates a specific reason

for the addition or deletion. The code precedes this list.

FEDERAL AGENCY HAZARDOUS WASTE COMPLIANCE DOCKET UPDATE #45—ADDITIONS

Facility name	Address	City	State	Zip Code	Agency	Reporting mechanism	Code	Date
CT AVCRAD 1109TH TASMG .....	139 TOWER AVE .....	GROTON .....	CT	06340	ARMY .....	RCRA 3010	17	UPDATE #45

FEDERAL AGENCY HAZARDOUS WASTE COMPLIANCE DOCKET UPDATE #45—DELETIONS

Facility name	Address	City	State	Zip Code	Agency	Reporting mechanism	Code	Date

FEDERAL AGENCY HAZARDOUS WASTE COMPLIANCE DOCKET UPDATE #45—CORRECTIONS

Facility name	Address	City	State	Zip Code	Agency	Reporting mechanism	Code	Date

[FR Doc. 2024-07518 Filed 4-19-24; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-9542-06-OAR]

**Information Regarding Allowances Used in Cross-State Air Pollution Rule (CSAPR) Trading Programs**

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

**ACTION:** Notice of data availability.

**SUMMARY:** The Environmental Protection Agency (EPA) is providing notice of the availability of data on emission allowance allocations to certain units under the Cross-State Air Pollution Rule (CSAPR) trading programs. EPA has completed final calculations for the allocations of allowances from the new unit set-asides (NUSAs) for the 2023 control periods and has posted spreadsheets containing the calculations on EPA’s website. EPA has also completed calculations for allocations of the remaining 2023 NUSA allowances to existing units and has posted spreadsheets containing those calculations on EPA’s website as well. Additionally, EPA is making available an estimate of the data and calculations to be used in the allowance bank recalibration process for the 2024 control period under the CSAPR NO<sub>x</sub> Ozone Season Group 3 Trading Program.

**DATES:** April 22, 2024.

**FOR FURTHER INFORMATION CONTACT:** Questions concerning this action should be addressed to Garrett Powers at (202) 564-2300 or [powers.jamesg@epa.gov](mailto:powers.jamesg@epa.gov) or Morgan Riedel at (202) 564-1144 or [riedel.morgan@epa.gov](mailto:riedel.morgan@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Allocations From New Unit Set-Asides**

Under each CSAPR trading program where EPA is responsible for determining emission allowance allocations, a portion of each state’s emissions budget for the program for each control period is reserved in a NUSA (and, under most of the trading programs, in an additional Indian country NUSA in the case of states with Indian country within their borders) for allocation to certain units that would not otherwise receive allowance allocations. The procedures for identifying the eligible units for each control period and for allocating allowances from the NUSAs and Indian country NUSAs to these units are set forth in the CSAPR trading program regulations at 40 CFR 97.411(b) and 97.412 (NO<sub>x</sub> Annual), 97.511(b) and 97.512 (NO<sub>x</sub> Ozone Season Group 1), 97.611(b) and 97.612 (SO<sub>2</sub> Group 1), 97.711(b) and 97.712 (SO<sub>2</sub> Group 2), 97.811(b) and 97.812 (NO<sub>x</sub> Ozone Season Group 2), and 97.1012 (NO<sub>x</sub> Ozone Season Group 3). Each NUSA allowance allocation process involves allocations to eligible units, termed “new” units, followed by the allocation to “existing” units of any allowances not allocated to new units.<sup>1</sup>

In a notice of data availability (NODA) published in the **Federal Register** on March 1, 2024 (89 FR 15199), EPA provided notice of the preliminary

<sup>1</sup> The CSAPR NO<sub>x</sub> Ozone Season Group 3 Trading Program serves as the compliance mechanism for electricity generating units under the Good Neighbor Plan (88 FR 36654, June 5, 2023). As of the date of signature of this notice, applications for a stay of the Good Neighbor Plan are pending before the Supreme Court of the United States. If a stay order is issued and depending on its nature, it could affect EPA’s ability to implement the regulatory provisions of the CSAPR NO<sub>x</sub> Ozone Season Group 3 Trading Program that are described in this notice.

calculations of NUSA allowance allocations for the 2023 control periods and described the process for submitting any objections. This NODA concerns the final NUSA allowance allocations.

In response to the March 1, 2024, NODA, EPA received a written objection from Shell Chemical Appalachia LLC (ORIS 58933) stating that the preliminary allocation of one CSAPR SO<sub>2</sub> Group 1 allowance to unit 101 from the NUSA for West Virginia was incorrect and that unit 101 should receive two allowances instead. EPA agrees and accordingly has corrected the final NUSA allowance allocations for the CSAPR SO<sub>2</sub> Group 1 Trading Program to reflect a 1-ton increase in the amount of NUSA allowances allocated to Shell Chemical Appalachia LLC unit 101 and a corresponding 1-ton decrease in the collective amount of NUSA allowances allocated to West Virginia’s “existing” units. EPA received no other written objections, and all other final allocations are unchanged from the preliminary allocations.

The detailed unit-by-unit data and final allowance allocation calculations are set forth in Excel spreadsheets titled “CSAPR\_NUSA\_2023\_NO<sub>x</sub>\_Annual\_Final\_Data\_New\_Units,” “CSAPR\_NUSA\_2023\_NO<sub>x</sub>\_OS\_Final\_Data\_New\_Units,” “CSAPR\_NUSA\_2023\_SO<sub>2</sub>\_Final\_Data\_New\_Units,” “CSAPR\_NUSA\_2023\_NO<sub>x</sub>\_Annual\_Final\_Data\_Existing\_Units,” “CSAPR\_NUSA\_2023\_NO<sub>x</sub>\_OS\_Final\_Data\_Existing\_Units,” and “CSAPR\_NUSA\_2023\_SO<sub>2</sub>\_Final\_Data\_Existing\_Units”, available on EPA’s website at [www.epa.gov/Cross-State-Air-Pollution/csapr-compliance-year-2023-nusa-nodas](http://www.epa.gov/Cross-State-Air-Pollution/csapr-compliance-year-2023-nusa-nodas).

EPA notes that an allocation or lack of allocation of allowances to a given unit under a given CSAPR trading program does not constitute a determination that the trading program