

TABLE 2—EPA-APPROVED OREGON ADMINISTRATIVE RULES (OAR) ¹—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
*	*	*	*	*
<p>* * * * *</p> <p>[FR Doc. 2024–15748 Filed 7–22–24; 8:45 am]</p> <p>BILLING CODE 6560–50–P</p>	<p>ENVIRONMENTAL PROTECTION AGENCY</p>	<p>publicly available only in hard copy form. Publicly available docket materials are available at https://www.regulations.gov or at the U.S. Environmental Protection Agency, EPA Region 1 Regional Office, Air and Radiation Division, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that if at all possible, you contact the contact listed in the FOR FURTHER INFORMATION CONTACT section to schedule your inspection. The Regional Office’s official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays and facility closures due to COVID–19.</p>	<p>Dated: July 12, 2024.</p> <p>David Cash, Regional Administrator, EPA Region 1. [FR Doc. 2024–15820 Filed 7–22–24; 8:45 am]</p> <p>BILLING CODE 6560–50–P</p>	<p>ENVIRONMENTAL PROTECTION AGENCY</p>
<p>40 CFR Part 52</p> <p>[EPA–R01–OAR–2023–0377; FRL–11783–03–R1]</p>	<p>Air Plan Approval; Connecticut; Source Monitoring, Record Keeping and Reporting; Correction</p>	<p>FOR FURTHER INFORMATION CONTACT: Ariel Garcia, Air Quality Branch, U.S. Environmental Protection Agency, EPA Region 1, 5 Post Office Square—Suite 100, (Mail code 05–2), Boston, MA 02109–3912, tel. (617) 918–1660, email garcia.ariel@epa.gov.</p>	<p>40 CFR Part 52</p> <p>[EPA–R03–OAR–2024–0027; FRL–11418–02–R3]</p>	<p>Air Plan Approval; Virginia; Revision Listing and Implementing the 2010 Primary Sulfur Dioxide National Ambient Air Quality Standard for the Giles County Nonattainment Area</p>
<p>AGENCY: Environmental Protection Agency (EPA).</p>	<p>ACTION: Final rule; correction.</p>	<p>SUPPLEMENTARY INFORMATION: EPA is making a correction for an inadvertent error in the regulatory “Words of Issuance” for the final rule by adding the missing sentence “For the reasons stated in the preamble, EPA amends part 52 of chapter I, title 40 of the Code of Federal Regulations as follows:”, to read as follows.</p>	<p>AGENCY: Environmental Protection Agency (EPA).</p> <p>ACTION: Final rule.</p>	<p>SUMMARY: The Environmental Protection Agency (EPA) is approving a state implementation plan (SIP) revision submitted by the Commonwealth of Virginia. The revision consists of an amendment to the list of Virginia nonattainment areas to include a newly designated sulfur dioxide (SO₂) nonattainment area. EPA is approving this revision to the Virginia SIP in accordance with the requirements of the Clean Air Act (CAA).</p>
<p>SUMMARY: The Environmental Protection Agency (EPA) is correcting a final rule that was published in the Federal Register on July 8, 2024 which will become effective on August 7, 2024. The final rule approved State Implementation Plan (SIP) revisions submitted by the State of Connecticut which addresses source monitoring in Connecticut. The principal revision is replacement of Regulations of Connecticut State Agencies (RCSA) section 22a–174–4 (source monitoring, record keeping and reporting) with a new regulation section 22a–174–4a, also called “source monitoring, record keeping and reporting,” in the Connecticut SIP. This source monitoring SIP revision provides monitoring, recordkeeping and reporting requirements to ensure that certain sources comply with applicable emissions limitations. This correction does not change any final action taken by EPA on July 8, 2024; this action adds the missing “Words of Issuance” sentence which connects the preamble to the regulatory text.</p>	<p>DATES: Effective on August 7, 2024.</p>	<p>EPA has determined that there is good cause for making this rule final without prior proposal and opportunity for comment because we are adding language that was accidentally omitted. Thus, notice and public procedure are unnecessary. We find that this constitutes good cause under section 553(b)(B) of the Administrative Procedure Act, 5 U.S.C. 553(b)(B).</p>	<p>DATES: This final rule is effective on August 22, 2024.</p>	<p>ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA–R01–OAR–2023–0377. All documents in the docket are listed on the https://www.regulations.gov website. Although listed in the index, some information is not publicly available, <i>i.e.</i>, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through www.regulations.gov, or please contact the person identified in the FOR FURTHER INFORMATION CONTACT section for additional availability information.</p>
<p>ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA–R01–OAR–2023–0377. All documents in the docket are listed on the https://www.regulations.gov website. Although listed in the index, some information is not publicly available, <i>i.e.</i>, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be</p>	<p>Correction</p>	<p>In FR doc. 2024–14620, beginning on page 55888 in the Federal Register of Monday, July 8, 2024, the following correction is made:</p>	<p>FOR FURTHER INFORMATION CONTACT: Serena Nichols, Planning & Implementation Branch (3AD30), Air &</p>	

Radiation Division, U.S. Environmental Protection Agency, Region III, 1600 John F Kennedy Boulevard, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814–2053. Ms. Nichols can also be reached via electronic mail at Nichols.Serena@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

On February 22, 2024, EPA published a notice of proposed rulemaking (NPRM) for the Commonwealth of Virginia (89 FR 13302, February 22, 2024). In the NPRM, EPA proposed approval of Virginia's amendment to an existing regulation in the SIP by adding a sulfur dioxide section for the newly designated SO₂ nonattainment area in a portion of Giles County. This revision is needed for the Commonwealth to implement the 2010 primary SO₂ national ambient air quality standard (NAAQS). Virginia submitted the formal SIP revision on August 9, 2023.

II. Summary of SIP Revision and EPA Analysis

The Virginia Department of Environmental Quality's (VADEQ's) August 9, 2023 SIP submittal proposed to revise Virginia's SIP to include amendments to an existing regulation in the SIP which add a sulfur dioxide section for the newly designated SO₂ nonattainment area in a portion of Giles County. The amendments revise a provision in the Virginia Administrative Code (VAC), specifically 9VAC5–20–204 “Nonattainment areas” Subsection A, with a state effective date of February 15, 2023, which geographically defines the nonattainment areas by locality for the criteria pollutants indicated. The amendments are necessary for implementing the 2010 primary SO₂ NAAQS. The added subdivision at 9VAC5–20–204 A 5, refers to the area as “Giles County Sulfur Dioxide Nonattainment Area (part),” and defines it as that part of Giles County bounded by the lines connecting the coordinate points as designated in 40 Code of Federal Regulations (CFR) 81.347. There are also two minor changes—(1) a non-substantive wording change to the introductory language of 9VAC5–20–204 A which replaced the word “below” with “in this subsection” so that the phrase “Nonattainment areas are geographically defined below” now reads as “Nonattainment areas are geographically defined in this subsection” and (2) shifting “All other pollutants” from 9VAC5–20–204 A 5 to 9VAC5–20–204 A 6.

Other specific requirements of Virginia's August 9, 2023 submittal and the rationale for EPA's proposed action

are explained in the NPRM, and will not be restated here. No public comments were received on the NPRM.

III. Final Action

EPA is approving the Virginia SIP revision adding the “Giles County Sulfur Dioxide Nonattainment Area (part)” to Virginia's list of nonattainment areas, which the VADEQ submitted to EPA on August 9, 2023.

IV. General Information Pertaining to SIP Submittals From the Commonwealth of Virginia

In 1995, Virginia adopted legislation that provides, subject to certain conditions, for an environmental assessment (audit) “privilege” for voluntary compliance evaluations performed by a regulated entity. The legislation further addresses the relative burden of proof for parties either asserting the privilege or seeking disclosure of documents for which the privilege is claimed. Virginia's legislation also provides, subject to certain conditions, for a penalty waiver for violations of environmental laws when a regulated entity discovers such violations pursuant to a voluntary compliance evaluation and voluntarily discloses such violations to the Commonwealth and takes prompt and appropriate measures to remedy the violations. Virginia's Voluntary Environmental Assessment Privilege Law, Va. Code Sec. 10.1–1198, provides a privilege that protects from disclosure documents and information about the content of those documents that are the product of a voluntary environmental assessment. The Privilege Law does not extend to documents or information that: (1) are generated or developed before the commencement of a voluntary environmental assessment; (2) are prepared independently of the assessment process; (3) demonstrate a clear, imminent and substantial danger to the public health or environment; or (4) are required by law.

On January 12, 1998, the Commonwealth of Virginia Office of the Attorney General provided a legal opinion that states that the Privilege Law, Va. Code Sec. 10.1–1198, precludes granting a privilege to documents and information “required by law,” including documents and information “required by Federal law to maintain program delegation, authorization or approval,” since Virginia must “enforce Federally authorized environmental programs in a manner that is no less stringent than their Federal counterparts. . . .” The opinion concludes that “[r]egarding § 10.1–1198, therefore, documents or

other information needed for civil or criminal enforcement under one of these programs could not be privileged because such documents and information are essential to pursuing enforcement in a manner required by Federal law to maintain program delegation, authorization or approval.”

Virginia's Immunity Law, Va. Code Sec. 10.1–1199, provides that “[t]o the extent consistent with requirements imposed by Federal law,” any person making a voluntary disclosure of information to a state agency regarding a violation of an environmental statute, regulation, permit, or administrative order is granted immunity from administrative or civil penalty. The Attorney General's January 12, 1998 opinion states that the quoted language renders this statute inapplicable to enforcement of any Federally authorized programs, since “no immunity could be afforded from administrative, civil, or criminal penalties because granting such immunity would not be consistent with Federal law, which is one of the criteria for immunity.”

Therefore, EPA has determined that Virginia's Privilege and Immunity statutes will not preclude the Commonwealth from enforcing its program consistent with the Federal requirements. In any event, because EPA has also determined that a state audit privilege and immunity law can affect only state enforcement and cannot have any impact on Federal enforcement authorities, EPA may at any time invoke its authority under the CAA, including, for example, sections 113, 167, 205, 211 or 213, to enforce the requirements or prohibitions of the state plan, independently of any state enforcement effort. In addition, citizen enforcement under section 304 of the CAA is likewise unaffected by this, or any, state audit privilege or immunity law.

V. Incorporation by Reference

In this document, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of the VADEQ regulation amending 9VAC5–20–204 to add a new sulfur dioxide nonattainment area and two other minor changes as discussed in section II of this preamble, “Summary of SIP Revision and EPA Analysis.” The EPA has made, and will continue to make, these materials generally available through www.regulations.gov and at the EPA Region III Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

Therefore, these materials have been approved by EPA for inclusion in the SIP, have been incorporated by reference by EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.¹

VI. Statutory and Executive Order Reviews

A. General Requirements

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act;

In addition, this rule approving Virginia's listing of a newly designated SO₂ nonattainment area into the SIP does not have tribal implications as specified by Executive Order 13175 (65 FR 67429, November 9, 2000), because the SIP is not approved to apply in Indian country located in the State, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, February 16, 1994) directs Federal agencies to identify and address “disproportionately high and adverse human health or environmental effects” of their actions on minority populations and low-income populations to the greatest extent practicable and permitted by law. EPA defines environmental justice (EJ) as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” EPA further defines the term fair treatment to mean that “no group of people should bear a disproportionate burden of environmental harms and risks, including those resulting from the negative environmental consequences of industrial, governmental, and commercial operations or programs and policies.”

The VADEQ did not evaluate environmental justice considerations as part of its SIP submittal; the CAA and applicable implementing regulations neither prohibit nor require such an evaluation. The EPA did not perform an EJ analysis and did not consider EJ in this action. Consideration of EJ is not required as part of this action, and there is no information in the record inconsistent with the stated goal of Executive Order 12898 of achieving environmental justice for people of color, low-income populations, and Indigenous peoples.

B. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the

Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

C. Petitions for Judicial Review

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 23, 2024. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action, revising Virginia's list of nonattainment areas to add a portion of Giles County as a nonattainment area for the 2010 primary sulfur dioxide NAAQS, may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements, Sulfur Oxides.

Adam Ortiz,

Regional Administrator, Region III.

For the reasons stated in the preamble, the EPA amends 40 CFR part 52 as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

- 1. The authority citation for part 52 continues to read as follows:

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

Subpart VV—Virginia

- 2. In § 52.2420, the table in paragraph (c) is amended by revising the entry “5–20–204” to read as follows:

§ 52.2420 Identification of plan.

* * * * *

(c) * * *

¹ 62 FR 27968 (May 22, 1997).

EPA-APPROVED VIRGINIA REGULATIONS AND STATUTES

State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
*	*	*	*	*
9 VAC 5, Chapter 20 General Provisions				
*	*	*	*	*
Part II Air Quality Programs				
5-20-204	Nonattainment Areas	2/15/23	7/23/2024, [Insert Federal Register Citation].	List of nonattainment areas revised to include Giles County locality for the primary sulfur dioxide standard.
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[FR Doc. 2024-16121 Filed 7-22-24; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 141

[EPA-HQ-OW-2023-0572; FRL 7946-01-OW]

National Primary Drinking Water Regulations; Announcement of the Results of EPA’s Fourth Review of Existing Drinking Water Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Results of regulatory review.

SUMMARY: The Safe Drinking Water Act (SDWA) requires the U.S. Environmental Protection Agency (EPA or the agency) to conduct a review every six years of existing national primary drinking water regulations (NPDWRs) and determine which, if any, are appropriate for revision. The purpose of the review, called the Six-Year Review, is to evaluate available information for regulated contaminants to determine if any new information on health effects, treatment technologies, analytical methods, occurrence, exposure, implementation, and/or other factors provides a basis to support a regulatory revision that would improve or strengthen public health protection. While EPA has recently completed several significant revisions to existing regulations and other regulatory revisions are currently underway, based on this periodic review of all NPDWRs, there are no additional candidates for regulatory revision at this time.

DATES: July 23, 2024.

ADDRESSES: EPA is not accepting public comment on the review results.

FOR FURTHER INFORMATION CONTACT: Samuel Hernandez, Environmental Protection Agency, Office of Ground Water and Drinking Water, Standards and Risk Management Division, (Mail Code 4607M), 1200 Pennsylvania Avenue NW, Washington, DC 20460; telephone number: (202) 564-1735; email address: *hernandez.samuel@epa.gov*.

SUPPLEMENTARY INFORMATION: *Abbreviations and acronyms:* The following acronyms and abbreviations are used throughout this document.

- 2,4-D—2,4-Dichlorophenoxyacetic acid
- ADWR—Aircraft Drinking Water Rule
- BAT—Best Available Technology
- CFR—Code of Federal Regulations
- CVOC—Carcinogenic Volatile Organic Contaminant
- CWS—Community Water System
- DBCP—1,2-Dibromo-3-Chloropropane
- DBP—Disinfection Byproduct
- DEHA—Di(2-ethylhexyl)adipate
- DEHP—Di(2-ethylhexyl)phthalate
- EPA—U.S. Environmental Protection Agency
- EQL—Estimated Quantitation Level
- FBRR—Filter Backwash Recycling Rule
- GWR—Ground Water Rule
- HAA5—Haloacetic Acids (five) (sum of monochloroacetic acid, dichloroacetic acid, trichloroacetic acid, monobromoacetic acid, and dibromoacetic acid)
- ICR—Information Collection Request
- IRIS—Integrated Risk Information System
- LT2—Long-Term 2 Enhanced Surface Water Treatment Rule
- MCLG—Maximum Contaminant Level Goal
- MCL—Maximum Contaminant Level
- MDBP—Microbial and Disinfection Byproduct
- MDL—Method Detection Limit
- MRDLG—Maximum Residual Disinfectant Level Goal

- MRDL—Maximum Residual Disinfectant Level
- MRL—Minimum Reporting Level
- NAS—National Academy of Sciences
- NCWS—Non-Community Water System
- NDWAC—National Drinking Water Advisory Council
- NPDWR—National Primary Drinking Water Regulations
- NRC—National Research Council
- NTP—National Toxicology Program
- PCBs—Polychlorinated biphenyls
- PCE—Tetrachloroethylene
- PQL—Practical Quantitation Limit
- PT—Proficiency Testing
- PWS—Public Water System
- RfD—Reference Dose
- RSC—Relative Source Contribution
- RTCR—Revised Total Coliform Rule
- SDWA—Safe Drinking Water Act
- SDWIS—Safe Drinking Water Information System
- SWTR—Surface Water Treatment Rule
- TCDD—Tetrachlorodibenzo-p-dioxin
- TCE—Trichloroethylene
- TCR—Total Coliform Rule
- TNCWS—Transient Non-Community Water System
- TTHM—Total Trihalomethanes (sum of four THMs: chloroform, bromodichloromethane, dibromochloromethane, and bromoform)
- TT—Treatment Technique
- USGS—U.S. Geological Survey

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