

*Welfare Risk and Exposure Assessment for Ozone—First External Review Draft (July 20)*, and *Policy Assessment for the Review of the Ozone National Ambient Air Quality Standards—First External Review Draft (August 2012)*. These EPA draft documents are prepared as part of the agency's review of the National Ambient Air Quality Standards (NAAQS) for ozone.

Section 109(d)(1) of the CAA requires that the Agency periodically review and revise, as appropriate, the air quality criteria and the NAAQS for the six "criteria" air pollutants, including ozone. EPA is currently reviewing the primary (health-based) and secondary (welfare-based) NAAQS for ozone. The CASAC previously reviewed EPA's first external review draft of the *Integrated Science Assessment for Ozone and Related Photochemical Oxidants (March 2011)* as reported in a letter to the EPA Administrator, dated August 10, 2011 (EPA-CASAC-11-009). The CASAC also reviewed the second external review draft of the *Integrated Science Assessment for Ozone and Related Photochemical Oxidants (September 2011)* as reported in a letter to the EPA Administrator, dated March 13, 2012 (EPA-CASAC-12-004). The CASAC Ozone Review Panel will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

**Technical Contacts:** Any technical questions concerning the *Integrated Science Assessment for Ozone and Related Photochemical Oxidants (Third External Review Draft) (June 2012)* should be directed to Dr. James Brown ([brown.james@epa.gov](mailto:brown.james@epa.gov)). Any technical questions concerning the *Health Risk and Exposure Assessment for Ozone—First External Review Draft (July 2012)* or the *Welfare Risk and Exposure Assessment for Ozone—First External Review Draft (July 2012)* should be directed to Dr. Bryan Hubbell ([hubbell.bryan@epa.gov](mailto:hubbell.bryan@epa.gov)). Any technical questions concerning the *Policy Assessment for the Review of the Ozone National Ambient Air Quality Standards—First External Review Draft (August 2012)* should be directed to Ms. Susan Lyon Stone ([stone.susan@epa.gov](mailto:stone.susan@epa.gov)).

**Availability of Meeting Materials:** Prior to the meeting, the review documents, agenda and other materials will be accessible through the calendar link on the blue navigation bar at <http://www.epa.gov/casac/>.

**Procedures for Providing Public Input:** Public comment for consideration by EPA's federal advisory committees and panels has a different purpose from public comment provided to EPA

program offices. Therefore, the process for submitting comments to a federal advisory committee is different from the process used to submit comments to an EPA program office. Federal advisory committees and panels, including scientific advisory committees, provide independent advice to EPA. Members of the public can submit relevant comments for a federal advisory committee to consider pertaining to EPA's charge to the committee or review materials. Input from the public to the CASAC will have the most impact if it provides specific scientific, technical information or analysis or if it relates to the clarity or accuracy of the technical information for the CASAC's consideration. Members of the public wishing to provide comment should contact the Designated Federal Officer directly.

**Oral Statements:** In general, individuals or groups requesting an oral presentation at a public meeting will be limited to five minutes. Interested parties should contact Dr. Stallworth, DFO, in writing (preferably via email) at the contact information noted above by August 31, 2012, to be placed on the list of public speakers for the meeting.

**Written Statements:** Written statements should be submitted to the DFO via email at the contact information noted above by August 31, 2012 for the meeting so that the information may be made available to the CASAC Panel for their consideration. Written statements should be supplied in one of the following electronic formats: Adobe Acrobat PDF, MS Word, MS PowerPoint, or Rich Text files in IBM-PC/Windows 98/2000/XP format. It is the SAB Staff Office general policy to post public comments on the Web page for the advisory meeting or teleconference. Submitters are requested to provide an unsigned version of each document because the SAB Staff Office does not publish documents with signatures on its Web sites. Members of the public should be aware that their personal contact information, if included in any written comments, may be posted to the CASAC Web site. Copyrighted material will not be posted without explicit permission of the copyright holder.

**Accessibility:** For information on access or services for individuals with disabilities, please contact Dr. Holly Stallworth at (202) 564-2073 or [stallworth.holly@epa.gov](mailto:stallworth.holly@epa.gov). To request accommodation of a disability, please contact Dr. Stallworth preferably at least ten days prior to the meeting to give EPA as much time as possible to process your request.

Dated: July 26, 2012.

**Thomas H. Brennan,**  
Deputy Director, EPA Science Advisory Board  
Staff Office.

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9711-4]

### Proposed Consent Decree, Clean Air Act Citizen Suit

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

**ACTION:** Notice of proposed consent decree; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("CAA" or the "Act"), 7413(g), notice is hereby given of a proposed consent decree to address a lawsuit filed by WildEarth Guardians in the United States District Court for the District of Colorado: *WildEarth Guardians v. Jackson*, No. 12-cv-00754-RPM-MEH (D. CO). On March 26, 2012, Plaintiff filed a complaint alleging that EPA failed to perform a mandatory duty under section 110(k)(2) of the CAA, 7410(k)(2) to take action on a State Implementation Plan ("SIP") submission from the State of Utah within the time frame required. The proposed consent decree establishes a deadline of February 14, 2013 for EPA to take action.

**DATES:** Written comments on the proposed consent decree must be received by September 5, 2012.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2012-0569, online at [www.regulations.gov](http://www.regulations.gov) (EPA's preferred method); by email to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); by mail to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

**FOR FURTHER INFORMATION CONTACT:** Kendra Sagoff, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW.,

Washington, DC 20460; telephone: (202) 564-5591; fax number (202) 564-5603; email address: [sagoff.kendra@epa.gov](mailto:sagoff.kendra@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Additional Information About the Proposed Consent Decree**

The proposed consent decree would resolve a lawsuit seeking to compel action by the Administrator to take final action under section 110(k) of the CAA on the Utah SIP submission. The proposed consent decree requires EPA to sign for publication in the **Federal Register** no later than February 14, 2013, a final action in which it either approves in whole, approves in part and disapproves in part, or disapproves in whole, the State of Utah's proposed SIP revision for maintenance of the 1997 eight-hour National Ambient Air Quality Standard for ozone in Salt Lake and Davis Counties, which Utah submitted to EPA on March 22, 2007.

The proposed consent decree requires that, following signature, EPA shall promptly deliver the notice to the Office of the Federal Register for review and publication in the **Federal Register**. After EPA fulfills its obligations under the proposed consent decree, the consent decree shall be terminated and the case dismissed with prejudice.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed consent decree from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines that consent to this consent decree should be withdrawn, the terms of the decree will be affirmed.

**II. Additional Information About Commenting on the Proposed Consent Decree**

*A. How can I get a copy of the consent decree?*

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2012-0569) contains a copy of the proposed consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The EPA Docket Center Public Reading Room is open

from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through [www.regulations.gov](http://www.regulations.gov). You may use [www.regulations.gov](http://www.regulations.gov) to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select "search".

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing online at [www.regulations.gov](http://www.regulations.gov) without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

*B. How and to whom do I submit comments?*

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an email address or other contact information in the body of your comment and with any disk or CD ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket,

and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the [www.regulations.gov](http://www.regulations.gov) Web site to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, email address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (email) system is not an "anonymous access" system. If you send an email comment directly to the Docket without going through [www.regulations.gov](http://www.regulations.gov), your email address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: July 27, 2012.

**Lorie J. Schmidt,**

*Associate General Counsel.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-9711-5]

**Proposed Consent Decree, Clean Air Act Citizen Suit**

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

**ACTION:** Notice of proposed consent decree; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("CAA"), notice is hereby given of a proposed consent decree, to address a lawsuit filed by Sierra Club in the United States District Court for the District of Columbia: *Sierra Club v. Jackson*, No. 11-2180-RBW (D. DC). Plaintiff filed a complaint alleging that EPA failed to take action on certain state implementation plan ("SIP") submissions for the States of Massachusetts, Connecticut, New Jersey, New York, Pennsylvania, Maryland and Delaware by the statutory deadline established by CAA section 110(k)(2), 7410(k)(2). The proposed consent decree establishes deadlines for EPA to take action on the SIP submittals.

**DATES:** Written comments on the proposed consent decree must be received by September 5, 2012.