

III. Nominations Sought

Potentially, 9 of the 14 members of the SACC will be selected from interested and available members of the existing EPA Chemical Safety Advisory Committee (CSAC). Brief biographical sketches for CSAC members are posted on the CSAC Web site at <https://www.epa.gov/csac/chemical-safety-advisory-committee-members>. CSAC members who are interested and available for the SACC include:

1. Holly Davies, Ph.D., Senior Toxicologist, Department of Ecology, State of Washington, Olympia, WA.
2. William Doucette, Ph.D., Professor, Department of Civil and Environmental Engineering, Utah State University, Logan, UT.
3. Panos G. Georgopoulos, Ph.D., Professor of Environmental and Occupational Health, Rutgers Biomedical and Health Sciences—School of Public Health, Rutgers, The State University of New Jersey, Piscataway, NJ.
4. Kathleen Gilbert, Ph.D., Professor, Department of Microbiology and Immunology, University of Arkansas for Medical Sciences, Little Rock, AR.
5. John Kissel, Ph.D., Professor of Environmental and Occupational Health Sciences, University of Washington, Seattle, WA.
6. Jaymie Meliker, Ph.D., Associate Professor, Program in Public Health, Department of Family, Population, & Preventive Medicine, Stony Brook University, Stony Brook, NY.
7. Kenneth Portier, Ph.D., Vice President, Statistics and Evaluation Center, American Cancer Society, Atlanta, GA.
8. Daniel Schlenk, Ph.D., Professor of Aquatic Ecotoxicology and Environmental Toxicology, University of California, Riverside, Riverside, CA.
9. Kristina Thayer, Ph.D., Deputy Division Director of Analysis and Director, Office of Health Assessment and Translation, National Toxicology Program, National Institute of Environmental Health Sciences, Research Triangle Park, NC.

In addition to the 9 interested and available members of CSAC, EPA anticipates selecting 5 new members for the SACC. Nominations for membership are being solicited through publication of this document in the **Federal Register** and through other sources. Any interested person or organization may nominate him or herself or any qualified individual to be considered for the SACC. Nominations should include candidates who have demonstrated high levels of competence, knowledge, and expertise in scientific/technical fields

relevant to chemical risk assessment and pollution prevention. In particular, the nominees should include representation of the following disciplines, including, but not limited to: Human health and ecological risk assessment, biostatistics, epidemiology, pediatrics, physiologically-based pharmacokinetics (PBPK), toxicology and pathology (including neurotoxicology, developmental/reproductive toxicology, and carcinogenesis), and chemical exposure to susceptible life stages and subpopulations (including women, children, and others). EPA values and welcomes diversity and encourages nominations of women and men of all racial and ethnic groups.

IV. Selection Criteria

In addition to scientific expertise, in selecting members, EPA will consider the differing perspectives and breadth of collective experience needed to address EPA's charge to the SACC, as well as the following:

- Background and experiences that would contribute to the diversity of scientific viewpoints on the committee, including professional experiences in government, labor, public health, public interest, animal protection, industry, and other groups, as the EPA Administrator determines to be advisable (*e.g.*, geographical location; social and cultural backgrounds; and professional affiliations);
- Skills and experience working on committees and advisory panels including demonstrated ability to work constructively and effectively in a committee setting;
- Absence of financial conflicts of interest or the appearance of a loss of impartiality;
- Willingness to commit adequate time for the thorough review of materials provided to the committee; and
- Availability to participate in committee meetings.

The names, affiliations and brief biographical sketches of the interested and available nominees will be published in the **Federal Register** for a 30 day public comment period. This same information for those who are selected by EPA to serve on the SACC will be available on the EPA Web site at <https://www.epa.gov/csac>.

Authority: 15 U.S.C. 2625 *et seq.*; 5 U.S.C. Appendix 2 *et seq.*

Dated: August 17, 2016.

James Jones,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2016-0411; FRL-9950-21]

Mercury Compounds; Prohibition of Export

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA was directed by Congress to publish in the **Federal Register** a list of mercury compounds that are prohibited from export, not later than 90 days after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act (the Act), which amended the Toxic Substances Control Act (TSCA). The Act was enacted on June 22, 2016. Effective January 1, 2020, the statute prohibits export of: Mercury (I) chloride or calomel; mercury (II) oxide; mercury (II) sulfate; mercury (II) nitrate; and cinnabar or mercury sulphide, unless those mercury compounds are exported to member countries of the Organization for Economic Co-operation and Development for environmentally sound disposal, on the condition that no mercury or mercury compounds so exported are to be recovered, recycled, or reclaimed for use, or directly reused, after such export. EPA is not soliciting comments on this notice.

FOR FURTHER INFORMATION CONTACT: *For technical information contact:* Sue Slotnick, National Program Chemicals Division, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (202) 566-1973; email address: slotnick.sue@epa.gov.

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554-1404; email address: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you manufacture or export any of the five listed mercury compounds. The following list of North American Industrial Classification

System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Other Basic Inorganic Chemical Manufacturing (NAICS code 325180), e.g., manufacturers of basic inorganic chemicals (except industrial gases and synthetic dyes and pigments);
- All Other Miscellaneous Chemical Product and Preparation Manufacturing (NAICS code 325998), e.g., manufacturers of chemical products (except basic chemicals, resins, synthetic rubber; cellulosic and noncellulosic fiber and filaments; pesticides, fertilizers, and other agricultural chemicals; pharmaceuticals and medicines; paints, coatings and adhesives; soap, cleaning compounds, and toilet preparations; printing inks; explosives; custom compounding of purchased resins; and photographic films, papers, plates, and chemicals);
- Analytical Laboratory Instrument Manufacturing (NAICS code 334516), e.g., manufacturers of instruments and instrumentation systems for laboratory analysis of the chemical or physical composition or concentration of samples of solid, fluid, gaseous, or composite material; or
- Other Chemical and Allied Products Merchant Wholesalers (NAICS code 424690), e.g., merchant wholesale distributors of chemicals and allied products (except agricultural and medicinal chemicals, paints and varnishes, fireworks, and plastics materials and basic forms and shapes).

II. What action is the Agency taking?

As directed in TSCA section 12(c)(7)(B), 15 U.S.C. 2611(c)(7)(B), EPA is publishing a list of mercury compounds prohibited from export under TSCA section 12(c), as amended. EPA must publish this list not later than 90 days after June 22, 2016 (15 U.S.C. 2611(c)(7)(B)). Effective January 1, 2020, the statute prohibits export of: Mercury (I) chloride or calomel; mercury (II) oxide; mercury (II) sulfate; mercury (II) nitrate; and cinnabar or mercury sulphide (15 U.S.C. 2611(c)(7)(A)(i)-(v)). The respective Chemical Abstracts Service Registry Numbers (CASRN) associated with the enumerated chemical substances are: 10112-91-1, 21908-53-2, 7783-35-9, 10045-94-0, and 1344-48-5. The statute also provides that EPA, on determining that exporting any additional mercury compound for the purpose of regenerating elemental mercury is technically feasible, may add by rule such mercury compound to the

published list (15 U.S.C. 2611(c)(7)(A)(vi)). In addition, any person may petition EPA to add a mercury compound to this published list (15 U.S.C. 2611(c)(7)(C)). The statute provides an exception to the export prohibition for export of listed mercury compounds to member countries of the Organization for Economic Co-operation and Development for environmentally sound disposal, on the condition that no mercury or mercury compounds so exported are to be recovered, recycled, or reclaimed for use, or directly reused, after such export (15 U.S.C. 2611(c)(7)(D)). EPA is not soliciting comments on this notice.

Authority: 15 U.S.C. 2611(c)

Dated: August 12, 2016.

Jim Jones,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2016-0498; FRL-9951-53-OGC]

Proposed Settlement Agreement, Clean Air Act Citizen Suit

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed settlement agreement; 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 settlement agreement to settle lawsuits filed by CTA Construction and Environmental, LLC, and National Electric Coil, Inc. (“Petitioners”), in the United States Court of Appeals for the Ninth Circuit: *CTA Construction and Environmental, LLC, et al., v. EPA*, Nos. 15-72796 and 15-72810. On September 15, 2015, Petitioners filed petitions for review challenging, generally, the Environmental Protection Agency’s (EPA) July 15, 2015, administrative compliance order (“Amended Order”) issued by EPA under the CAA and the Resource Conservation and Recovery Act (“RCRA”) and challenging, specifically, the CAA provisions of the Amended Order. Under the terms of the proposed settlement agreement, Petitioners will voluntarily dismiss their petitions for review of the Amended Order, with prejudice, in exchange for EPA’s agreement that EPA will not seek administrative or civil penalties from the Petitioners for the CAA violations alleged in the Amended Order.

DATES: Written comments on the proposed settlement agreement must be received by September 26, 2016.

ADDRESSES: Submit your comments, identified by Docket ID number EPA-HQ-OGC-2016-0498, online at www.regulations.gov (EPA’s preferred method); by email to oei.docket@epa.gov; mailed 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:

Susan Stahle, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone: (202) 564-1272; fax number (202) 564-5603; email address: stahle.susan@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Additional Information About the Proposed Settlement Agreement

The proposed settlement agreement would settle Petitioners’ petitions for review in the United States Court of Appeals for the Ninth Circuit challenging, under CAA section 307(b)(1), the CAA provisions of the Amended Order. The proposed settlement agreement would require Petitioners to voluntarily dismiss their petitions for review of the Amended Order, with prejudice, in exchange for EPA’s agreement that EPA will not seek administrative or civil penalties from the Petitioners for the CAA violations alleged in the Amended Order. The proposed settlement agreement also provides for each party to bear its own litigation costs.

For a period of 30 days following the date of publication of this notice, the Agency will receive written comments relating to the proposed settlement agreement 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 settlement agreement 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