

substances, EPA took into account scientific information documented in the 2014 Work Plan, and recommendations from stakeholders and the public. EPA has established a separate docket for each of these chemical substances to document the risk evaluation process and to facilitate receipt of information which may be useful to the Agency's risk evaluations. The following list of the first 10 chemical substances includes their exposure and hazard information from the 2014 Work Plan and their docket ID number:

1,4-Dioxane. *Exposure Information from 2014 Work Plan:* Used in consumer products. Present in groundwater, ambient air and indoor environments. High reported releases to the environment. *Hazard Information from 2014 Work Plan:* Possible human carcinogen. *Docket ID No.:* EPA-HQ-OPPT-2016-0723.

1-Bromopropane. *Exposure Information from 2014 Work Plan:* Used in consumer products. Present in drinking water, indoor environments, surface water, ambient air, groundwater, soil. Estimated to have high releases to the environment. *Hazard Information from 2014 Work Plan:* Possible human carcinogen. *Docket ID No.:* EPA-HQ-OPPT-2016-0741.

Asbestos. *Exposure Information from 2014 Work Plan:* Used in chlor-alkali production, consumer products, coatings and compounds, plastics, roofing products, and other applications. Also found in certain imported products such as brakes, friction products, gaskets, packing materials and building materials. *Hazard Information from 2014 Work Plan:* Known human carcinogen; Acute and chronic toxicity from inhalation exposures. *Docket ID No.:* EPA-HQ-OPPT-2016-0736.

Carbon Tetrachloride. *Exposure Information from 2014 Work Plan:* Used in commercial/industrial products. Present in biomonitoring, drinking water, indoor environments, surface water, ambient air, groundwater, soil. High reported releases to the environment. *Hazard Information from 2014 Work Plan:* Probable human carcinogen. *Docket ID No.:* EPA-HQ-OPPT-2016-0733.

Cyclic Aliphatic Bromide Cluster (HBCD). *Exposure Information from 2014 Work Plan:* Flame retardant in extruded polystyrene foam, textiles, and electrical and electronic appliances. *Hazard Information from 2014 Work Plan:* Acute aquatic toxicity. *Docket ID No.:* EPA-HQ-OPPT-2016-0735.

Methylene Chloride. *Exposure Information from 2014 Work Plan:* Used

in consumer products. Present in drinking water, indoor environments, ambient air, groundwater, and soil. *Hazard Information from 2014 Work Plan:* Probable human carcinogen. *Docket ID No.:* EPA-HQ-OPPT-2016-0742.

N-Methylpyrrolidone (NMP). *Exposure Information from 2014 Work Plan:* Used in consumer products. Present in drinking water and indoor environments. High reported releases into the environment. *Hazard Information from 2014 Work Plan:* Reproductive toxicity. *Docket ID No.:* EPA-HQ-OPPT-2016-0743.

Pigment Violet 29 (Anthra[2,1,9-def:6,5,10-de'f]diisoquinoline-1,3,8,10(2H,9H)-tetrone). *Exposure Information from 2014 Work Plan:* Used in consumer products. Estimated to have moderate releases to the environment. *Hazard Information from 2014 Work Plan:* Aquatic toxicity. *Docket ID No.:* EPA-HQ-OPPT-2016-0725.

Trichloroethylene (TCE). *Exposure Information from 2014 Work Plan:* Used in consumer products. Present in drinking water, indoor environments, surface water, ambient air, groundwater, and soil. *Hazard Information from 2014 Work Plan:* Probable human carcinogen. *Docket ID No.:* EPA-HQ-OPPT-2016-0737.

Tetrachloroethylene (also known as perchloroethylene). *Exposure Information from 2014 Work Plan:* Used in consumer products and dry cleaning. Present in biomonitoring, drinking water, indoor environments, ambient air, groundwater, soil. High reported releases to the environment. *Hazard Information from 2014 Work Plan:* Probable human carcinogen. *Docket ID No.:* EPA-HQ-OPPT-2016-0732.

III. 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. TSCA Work Plan for Chemical Assessments: 2014 Update. Office of Pollution Prevention and Toxics. <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-work-plan-chemical-assessments-2014-update>. October 2014.

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

Dated: December 13, 2016.

James J. Jones,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

[FR Doc. 2016-30468 Filed 12-16-16; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2016-0715; FRL_9957-01-OW]

Request for Scientific Views: Draft Human Health Recreational Ambient Water Quality Criteria and/or Swimming Advisories for Microcystins and Cylindrospermopsin

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: The Environmental Protection Agency (EPA) announces the release of the draft of *Human Health Recreational Ambient Water Quality Criteria and/or Swimming Advisories for Microcystins and Cylindrospermopsin—2016* for a 60-day public comment. These are the draft recommended concentrations of the toxins microcystins and cylindrospermopsin in recreational water protective of human health while swimming or participating in other activities on the water. Recreational exposure to the microcystins and cylindrospermopsin produced by cyanobacteria has the potential to result in liver and kidney toxicity, respectively. The recommended values found in this draft document do not replace or supersede the 2012 Recreational Water Quality Criteria (RWQC) recommendations for *E. coli* and *Enterococcus*. Rather, once final, they will supplement the 2012 RWQC to provide further public health protection for additional, potentially hazardous conditions found in ambient recreational waters.

Following closure of this 60-day public comment period, EPA will consider the comments, revise the draft document, as appropriate, and then publish a final document that will provide recommendations for States and authorized Tribes to establish water quality standards under the Clean Water Act (CWA). Alternatively, States and authorized Tribes may use these same values as the basis of swimming advisories for public notification purposes.

DATES: Comments must be received on or before February 17, 2017.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-

OW-2016-0715, to the *Federal eRulemaking Portal*: <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or withdrawn. EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. 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 <http://www2.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT: John Ravenscroft, Health and Ecological Criteria Division, Office of Water (Mail Code 4304T), Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460; telephone number: (202) 566-1101; email address: ravenscroft.john@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. How can I get copies of this document and other related information?

1. *Docket.* EPA has established a docket for this action under Docket ID No. EPA-HQ-OW-2016-0715. Publicly available docket materials are available either electronically through www.regulations.gov or in hard copy at the Water Docket in the EPA Docket Center, (EPA/DC) 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 Water Docket is (202) 566-2426.

2. *Electronic Access.* You may access this Federal Register document electronically from the Government Printing Office under the “**Federal Register**” listings FDSys (<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR>).

II. What are cyanotoxins microcystins and cylindrospermopsin and why is EPA concerned about them?

Cyanobacteria, also commonly referred to as blue-green algae, are photosynthetic bacteria that grow in many diverse habitats. Sometimes cyanobacteria can grow to high cell densities and form blooms, known as harmful algal blooms (HABs). These situations can cause green and blue scums to form in surface water. Microcystins and Cylindrospermopsin are toxins that can be produced by a variety of cyanobacteria species and can be released from cyanobacterial cells at any time. During a HAB event, excessive growth of cyanobacteria in surface waters leads to situations in which elevated levels of cyanotoxins are more likely, however, exposure can occur even when there are no visible signs of a bloom.

Elevated levels of cyanotoxins affect not only the health of humans, but domestic animals and wildlife in contact with contaminated waters. At certain concentrations microcystins, and their associated cyanobacteria, can cause headaches, sore throats, vomiting and nausea, stomach pain, dry cough, diarrhea, blistering around the mouth, and pneumonia through recreational exposure. Cylindrospermopsin recreational exposure may cause fever, headache, vomiting, bloody diarrhea, hepatomegaly, and kidney damage with loss of water, electrolytes and protein.

III. Information on the Recreational Ambient Water Quality Criteria (AWQC) for the Cyanotoxins Microcystins and Cylindrospermopsin

EPA’s draft recommended AWQC identify the concentration identify the following concentrations of microcystins and cylindrospermopsin that would be protective of human health given a primary contact recreational exposure scenario: 4 µg/L for microcystins and 8 µg/L for cylindrospermopsin. The recommended draft values supplement EPA’s 2012 recreational AWQC to provide further public health protection for additional, potentially hazardous conditions found in ambient recreational waters.

The draft recommended AWQC are based on the same peer-reviewed science used to develop EPA’s 10-Day Drinking Water Health Advisories for these same cyanotoxins published in 2015. The draft criteria document has gone through an internal work group review and includes information on the state of the science describing the human health effects from exposure to cyanobacteria and their toxins,

discussion of other domestic and international governmental and agency guidelines for recreational waters, and information on incidents involving exposure of domestic pets and other animals to cyanotoxins.

IV. What are section 304(a) water quality criteria?

Section 304(a) water quality criteria are recommendations developed by EPA under authority of section 304(a) of the Clean Water Act based on the latest scientific information on the relationship that the effect that a constituent concentration has on particular aquatic species and/or human health.

Section 304(a)(1) of the Clean Water Act directs the EPA to develop and publish and, from time to time, revise criteria for water quality accurately reflecting the latest scientific knowledge. Water quality criteria developed under section 304(a) are based solely on data and scientific judgments on the relationship between pollutant concentrations and environmental and human health effects. Section 304(a) criteria do not reflect consideration of economic impacts or the technological feasibility of meeting pollutant concentrations in ambient water.

Section 304(a) criteria provide guidance to States and authorized Tribes in adopting water quality standards that ultimately provide a basis for controlling discharges of pollutants. The criteria also provide guidance that EPA considers when promulgating federal regulations under section 303(c) when such action is necessary. Under the CWA and its implementing regulations, States and authorized Tribes are to adopt water quality criteria to protect designated uses (*e.g.*, aquatic life, recreational use). EPA’s water quality criteria recommendations are not regulations. Thus, EPA’s recommended criteria do not constitute legally binding requirements. States and authorized Tribes may adopt other scientifically defensible water quality criteria that differ from these recommendations. When adopting new or revised water quality standards, the States and authorized Tribes must adopt criteria that are scientifically defensible and protective of the designated uses of the bodies of water. States have the flexibility to do this by adopting criteria based on (1) EPA’s recommended criteria, (2) EPA’s criteria modified to reflect site-specific conditions, or (3) other scientifically defensible methods.

V. Use of the Values as Swimming Advisories

EPA is also publishing these values for consideration by States and authorized Tribes for use as swimming advisories for notification purposes in recreational waters to protect the public. States and authorized Tribes could consider using the values as swimming advisories in making decisions whether to close, open, warn about concerns in recreational waters in a manner consistent or similar to their current recreational water advisory programs. The values in this 304(a) recommended criteria, even if used as swimming advisories, are not regulations, and thus, do not constitute legally binding requirements.

VI. Solicitation of Scientific Views

EPA is soliciting additional scientific views, data, and information regarding the science and technical approach used in the derivation of the draft *Human Health Recreational Ambient Water Quality Criteria and/or Swimming Advisories for Microcystins and Cylindrospermopsin* document. EPA is proposing that these recommended criteria, if adopted by States or authorized Tribes as CWA section 303(c) WQS, be used for CWA section 303(d) assessment and listing purposes where the magnitude is not exceeded for more than 10 percent of days during a recreational season up to one calendar year as an indicator of long-term impairment from multiple short-term blooms. EPA is soliciting public comment on this 10 percent exceedance frequency as well as alternative exceedance frequencies. For swimming advisories, EPA is proposing that these recommended values could be used to trigger public notification whenever values are exceeded for one day. EPA is soliciting public comment on this recommended single day exceedance as well as alternative exceedance frequencies.

Dated: December 9, 2016.

Joel Beauvais,

Deputy Assistant Administrator, Office of Water.

[FR Doc. 2016-30464 Filed 12-16-16; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2016-0642; FRL 9956-69-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 a lawsuit filed by American Chemistry Council (“Petitioner”), in the United States Court of Appeals for the D.C. Circuit: *American Chemistry Council v. EPA (Case Number 15-1146)*. On May 18, 2015, Petitioner and Eastman Chemical Company (“Eastman”) filed petitions for review of an EPA rule titled “National Emission Standards for Hazardous Air Pollutants for Major Sources: Off-Site Waste Recovery Operations,” published in the **Federal Register** on March 18, 2015 (the “Final Rule”). The proposed settlement agreement would establish deadlines for EPA to take specified actions.

DATES: Written comments on the proposed settlement agreement must be received by January 18, 2017.

ADDRESSES: Submit your comments, identified by Docket ID number EPA-HQ-OGC-2016-0642, online at www.regulations.gov. For comments submitted at www.regulations.gov, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from www.regulations.gov. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (“CBI”) or other information whose disclosure is restricted by statute. 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. The 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, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on

making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT:

Emily Seidman, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone: (202) 564-0906; fax number (202) 564-5603; email address: seidman.emily@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Additional Information About the Proposed Settlement Agreement

On May 18, 2015, Petitioner and Eastman filed petitions for review of an EPA rule titled “National Emission Standards for Hazardous Air Pollutants for Major Sources: Off-Site Waste Recovery Operations,” published at 80 FR 14,248 (March 18, 2015) (the “Final Rule”). In addition, Petitioner and Eastman submitted to the EPA a Petition for Reconsideration of the Final Rule of two issues: (1) equipment leak detection provisions for connectors; and (2) monitoring requirements for pressure relief devices (“PRD”) on portable containers. The EPA granted the request for reconsideration of the Final Rule on the issue of PRD monitoring requirements for portable containers but denied the request for reconsideration of the equipment leak detection provisions for connectors. The EPA provided public notice of this denial through a **Federal Register** notice published on May 16, 2016 at 81 FR 30,182. On September 26, 2016, Eastman filed an unopposed motion for voluntary dismissal which the court granted.

The proposed settlement agreement would settle Petitioner’s lawsuit. Under the terms of the proposed settlement agreement, the EPA will reconsider the Final Rule’s provisions relating to PRDs and take an initial action no later than July 20, 2017 and a final action no later than January 18, 2018, as long as Petitioner provides the EPA with the requested data on PRDs identified in Appendix A of the settlement agreement by no later than October 28, 2016, or a later date, as provided for in the settlement agreement. Please review the settlement agreement for additional details, available in the public docket at EPA-HQ-OGC-2016-0642.

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