

including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can request in your comment that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Next Steps

After the public comment period ends (see **DATES**), we will evaluate the permit application, associated documents, and any comments received to determine whether the permit application meets the requirements of section 10(a)(1)(A) of the ESA. We will also evaluate whether issuance of the requested permit would comply with section 7 of the ESA by conducting an intra-Service consultation under section 7(a)(2) of the ESA on the proposed action. The final National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and permit determinations will not be completed until after the end of the 30-day comment period and will fully consider all comments received during the comment period. If we determine that all requirements are met, we will issue an Enhancement of Survival Permit under section 10(a)(1)(A) of the ESA and associated implementing regulations found at 50 CFR 17.32(c).

Authority

We provide this notice under section 10(c) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.22 and 17.32) and the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.5 and 43 CFR 46.305).

Marjorie Nelson,

Assistant Regional Director, Ecological Services, Mountain-Prairie Region.

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DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Modification to Consent Decree Under the Clean Water Act

On May 19, 2026, the Department of Justice lodged a proposed Agreement and Order on Modification to Consent Decree (“Modification”) with the United States District Court for the Western District of Arkansas in the lawsuit entitled *United States and State of Arkansas v. City of Fort Smith, Arkansas*, Civil Action No. 2:14-cv-002266-PKH.

The lawsuit was initiated on January 2, 2015, by the United States and the State of Arkansas, alleging illegal discharges of untreated sewage from Fort Smith’s sanitary sewer system (“SSOs”) in violation of Section 301(a) of the CWA, 33 U.S.C. 1311, and the City’s failure to properly operate and maintain its sewer system in accordance with the City’s National Pollutant Discharge Elimination System permits. The complaint was resolved by a Consent Decree entered as a judgment on April 6, 2015, that requires the City to properly operate and maintain its sewer system and to complete the assessment and remediation of condition defects and capacity constraints in the sewer system over a period of twelve (12) years (by January 2, 2027) in accordance with interim deadlines for the work. The Modification extends the Consent Decree term by 11.5 years for a total of 23.5 years (June 31, 2038) to complete rehabilitation of the sewer system and revises interim milestones and deadlines to allow the City greater flexibility in prioritizing rehabilitation projects. The Modification also requires the City to ensure adequate funding for the work through specific measures.

The publication of this notice opens a period for public comment on the proposed Modification. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and State of Arkansas v. City of Fort Smith, Arkansas*, D.J. Ref. No. 90-5-1-1-08677. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email	<i>pubcomment-ees.enrd@usdoj.gov.</i>

<i>To submit comments:</i>	<i>Send them to:</i>
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Any comments submitted in writing may be filed in whole or in part on the public court docket without notice to the commenter.

During the public comment period, the proposed Modification to Consent Decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. If you require assistance accessing the proposed Modification to Consent Decree, you may request assistance by email or by mail to the addresses provided above for submitting comments.

Thomas Carroll,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA-2009-0025]

UL LLC: Application for Expansion of Recognition and Proposed Modification to the NRTL Program’s List of Appropriate Test Standards

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the application of UL LLC for expansion of the scope of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency’s preliminary finding to grant the application. Additionally, OSHA proposes to add one test standard to the NRTL Program’s List of Appropriate Test Standards.

DATES: Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before June 8, 2026.

ADDRESSES: Comments may be submitted as follows:

Electronically: You may submit comments, including attachments, electronically at <http://www.regulations.gov>, the Federal eRulemaking Portal. Follow the online instructions for submitting comments.