

Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541-4836; email address: titel.aiden@epa.gov.

SUPPLEMENTARY INFORMATION: This is a proposed extension of the ICR, which is currently approved through July 31, 2026. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

Public comments were previously requested via the **Federal Register** on August 6, 2024 during a 60-day comment period (89 FR 63933). This notice allows for an additional 30 days for public comments. Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at www.regulations.gov or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202-566-1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>.

Abstract: The New Source Performance Standards (NSPS) for Greenhouse Gas (GHG) Emissions for New Electric Utility Generating Units (EGUs) (40 CFR part 60, subpart TTTT) were proposed on June 2, 2014, and promulgated on October 23, 2015. Amendments to 40 CFR part 60, subpart TTTT were proposed on December 6, 2018, but EPA did not finalize amendments to the 2015 final rule. On January 13, 2021, EPA finalized a pollutant-specific significant contribution finding for this source category, which was vacated and remanded on April 5, 2021. The rule was most recently amended on May 4, 2024. These regulations apply to newly constructed, modified or reconstructed facilities with electric utility generating units (EGUs) including any steam generating unit, IGCC, or stationary combustion turbine that either commenced construction or modification after January 8, 2014 or commenced reconstruction after June 18, 2014, but on or before May 23, 2023. To be considered an EGU, the unit must be: (1) capable of combusting more than 250 MMBtu/h heat input of fossil fuel; and (2) serve a generator capable of supplying more than 25 MW net to a utility distribution system (*i.e.*, for sale to the grid). This information is being collected to assure compliance with 40 CFR part 60, subpart TTTT. Units that commence construction, reconstruction, or modification after May 23, 2023 will

be subject to 40 CFR part 60, subpart TTTTa.

In general, all NSPS standards require initial notifications, performance tests, and periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities subject to NSPS.

Form Numbers: None.

Respondents/affected entities: Fossil fuel-fired electric utility steam generating units.

Respondent's obligation to respond: Mandatory (40 CFR part 60, subpart TTTT).

Estimated number of respondents: 56 (total).

Frequency of response: Initially, quarterly.

Total estimated burden: 1,550 hours (per year). Burden is defined at 5 CFR 1320.03(b).

Total estimated cost: \$212,000 (per year). There are no annualized capital or operation & maintenance costs.

Changes in the Estimates: There is an adjustment decrease in the total estimated burden as currently identified in the OMB Inventory of Approved Burdens. The adjustment decrease is due in part to a decrease in the number of existing respondents based on EPA's ECHO database. Additionally, sources that commence construction, modification, or reconstruction after May 23, 2023 will be subject to 40 CFR part 60, subpart TTTTa. Therefore, we do not expect any new sources will become subject to 40 CFR part 60, subpart TTTT during the next three years. The labor cost also decreased based on the decrease in the number of respondents.

Courtney Kerwin,

Deputy Director, Data and Enterprise Programs Division.

[FR Doc. 2026-14925 Filed 7-22-26; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2026-5083, FRL-13497-01-OGC]

Proposed Consent Decree, Clean Water Act

AGENCY: Environmental Protection Agency (EPA).

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

SUMMARY: In accordance with the Environmental Protection Agency (EPA) Administrator's March 18, 2022 memorandum titled "Consent Decrees and Settlement Agreements to resolve Environmental Claims Against the Agency," notice is hereby given of a proposed consent decree in *Environmental Defense Alliance et al. v. Zeldin.*, No. 3:25-cv-930 (M.D. Fl.). On August 19, 2025, the Environmental Defense Alliance and Waterkeepers Florida filed a complaint in the U.S. District Court for the Middle District of Florida. The complaint alleges that the EPA failed to perform a mandatory duty under the Clean Water Act (CWA) to promulgate final water quality standards (WQS) for Florida waters 90 days after proposing such standards. The complaint asserts that this failure violates both the CWA and the Administrative Procedure Act (APA). EPA seeks public input on a proposed consent decree prior to its final decision-making with regard to potential settlement of the litigation.

DATES: Written comments on the proposed consent decree must be received by August 24, 2026.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2026-5083 online at <https://www.regulations.gov> (EPA's preferred method). Follow the online instructions for submitting comments.

Instructions: All submissions received must include the Docket ID number for this action. Comments received may be posted without change to <https://www.regulations.gov>, including any personal information provided. For detailed instructions on sending comments, see the "Additional Information About Commenting on the Proposed Consent Decree" heading under the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Lauren Maher, Water Law Office, Office of General Counsel, U.S. Environmental Protection Agency; telephone: (202) 564-9888; email address: Maher.Lauren@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Additional Information About the Proposed Consent Decree

Under the CWA, WQS define the desired condition of a water, in part, by designating the use or uses of the water and by setting criteria to protect those uses.¹ Human health criteria (HHC) are

¹ 33 U.S.C. 1313(c)(2)(A).

a type of water quality criteria that protect designated uses such as public water supply and recreation.

While states have the primary responsibility for reviewing, establishing, and revising WQS for their waters, CWA section 303(c) directs the EPA to promulgate WQS in two circumstances. Of relevance here, the EPA has the authority to promulgate WQS where the EPA Administrator determines that a new or revised standard is necessary to meet the requirements of the CWA.² Such a determination is referred to as an “Administrator’s Determination.” Once the EPA makes an Administrator’s Determination, the CWA requires the Agency to “promptly prepare and publish” proposed regulations with new or revised WQS.³ The CWA also requires that the Administrator “promulgate any revised or new standard [. . .] not later than ninety days after [publishing] such proposed standards.”⁴

CWA section 303(c)(2)(B), added to the CWA in the 1987 amendments to the Act,⁵ requires states to adopt numeric criteria for all toxic pollutants listed pursuant to CWA section 307(a)(1) (known as priority toxic pollutants⁶) for which the EPA has published recommended criteria pursuant to CWA section 304(a), and where the discharge or presence of such toxic pollutants could reasonably be expected to interfere with the states’ designated uses.⁷ In the 1992 National Toxics Rule, the EPA promulgated water quality criteria for priority toxic pollutants for 14 states, including Florida, based on an Administrator’s Determination that the states needed new or revised criteria to comply with the requirements of CWA section 303(c)(2)(B).⁸

On December 1, 2022, the EPA issued an Administrator’s Determination that Florida needed new and revised HHC pursuant to CWA section 303(c)(4)(B).⁹ Specifically, the Agency determined that Florida’s existing HHC were not

protective of Floridians consuming fish and shellfish because the EPA believed they were derived using data that underestimates how much fish Floridians are currently eating. The EPA also determined that Florida needed HHC for 37 additional priority toxic pollutants for which the State had no HHC. The EPA proposed new and revised HHC for Florida on December 8, 2023.¹⁰ No final action was taken on the proposed rulemaking.

On August 19, 2025, the Environmental Defense Alliance and Waterkeepers Florida (Plaintiffs) filed a complaint in the U.S. District Court for the Middle District of Florida, alleging that EPA failed to perform a mandatory duty to promulgate final WQS for Florida waters 90 days after proposing such standards. The complaint asserts that this failure violates both the CWA and the APA.

The parties initiated settlement discussions, which produced the proposed consent decree. Under the proposed consent decree, the EPA Administrator would be required to sign a final rule establishing new and revised HHC for Florida waters on or before December 1, 2026.

For a period of thirty (30) days following the date of publication of this **Federal Register** publication, EPA will accept written comments relating to the proposed consent decree from persons who are not parties to the litigation. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments received disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the CWA.

II. Additional Information About Commenting on the Proposed Consent Decree

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

The official public docket for this action (identified by Docket ID No. EPA–HQ–OGC–2026–5083) 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.

The electronic version of the public docket for this action contains a copy of the proposed consent decree and is available through <https://www.regulations.gov>. You may use <https://www.regulations.gov> to submit or view public comments, access the index listing of the contents of the official public docket, and 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.”

B. How and to whom do I submit comments?

Submit your comments, identified by Docket ID No. EPA–HQ–OGC–2026–5083 via <https://www.regulations.gov>. Once submitted, comments cannot be edited or removed from this docket. EPA may publish any comment received to its public docket. Do not submit to EPA’s docket at <https://www.regulations.gov> 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 <https://www.epa.gov/dockets/commenting-epa-dockets>. For additional information about submitting information identified as CBI, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

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. 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

² 33 U.S.C. 1313(c)(4)(B).

³ 33 U.S.C. 1313(c)(4).

⁴ 33 U.S.C. 1313(c)(4)(B).

⁵ Water Quality Act Amendments of 1987, Public Law 100–4, 101 Stat. 7.

⁶ 40 CFR part 423, appendix A—126 Priority Pollutants.

⁷ 33 U.S.C. 1313(c)(2)(B).

⁸ U.S. EPA, *Establishment of Numeric Criteria for Priority Toxic Pollutants*, 57 FR 60848, 60856 (December 22, 1992).

⁹ U.S. EPA, Letter from Radhika Fox, Assistant Administrator of the EPA Office of Water, to Shawn Hamilton, Secretary of the Florida Department of Environmental Protection, Re: EPA’s Administrator’s Determination that New and Revised Water Quality Standards in Florida are Necessary to Satisfy the Requirements of the CWA (December 1, 2022).

¹⁰ U.S. EPA, *Water Quality Standards to Protect Human Health in Florida: Proposed Rule*, 88 FR 85530 (December 8, 2023).

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 <https://www.regulations.gov> website 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.

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 does not plan to consider these late comments.

Dawn Messier,

Deputy Associate General Counsel for Water.

[FR Doc. 2026-14865 Filed 7-22-26; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2022-0082; FRL-13534-01-OFA]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; NSPS for Hospital/Medical/Infectious Waste Incinerators (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) has submitted an information collection request (ICR), NSPS for Hospital/Medical/Infectious Waste Incinerators (EPA ICR Number 1730.13, OMB Control Number 2060-0363) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. This is a proposed extension of the ICR, which is currently approved through July 31, 2026. Public comments were previously requested via the **Federal Register** on August 6, 2024 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

DATES: Comments may be submitted on or before August 24, 2026.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA-HQ-OAR-2022-0082, to EPA online using www.regulations.gov (our preferred method), by email to *a-and-r-*

docket@epa.gov, or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

Submit written comments and recommendations to OMB for the proposed information collection within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

FOR FURTHER INFORMATION CONTACT:

Muntasir Ali, Sector Policies and Program Division (D243-05), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina, 27711; telephone number: (919) 541-0833; email address: *ali.muntasir@epa.gov*.

SUPPLEMENTARY INFORMATION: This is a proposed extension of the ICR, which is currently approved through July 31, 2026. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

Public comments were previously requested via the **Federal Register** on August 6, 2024 during a 60-day comment period (89 FR 63933). This notice allows for an additional 30 days for public comments. Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at www.regulations.gov or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202-566-1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>.

Abstract: The New Source Performance Standards (NSPS) for Hospital/Medical/Infectious Waste Incinerators (40 CFR part 60, subpart Ec) were proposed on February 27, 1995; promulgated on September 15, 1997; and amended on: October 6, 2009; April 4, 2011; and May 12, 2013. The original standards applied to either owners or

operators of Hospital/Medical/Infectious Waste Incinerators (HMIWI) for which construction commenced after June 20, 1996, or for which modification commenced after March 16, 1998, but no later than April 6, 2010. Sources subject to the original standards are now covered under the revised Emission Guidelines for HMIWI at 40 CFR part 60, subpart Ce. This information request covers the reporting and recordkeeping requirements associated with the revised NSPS, which apply to new facilities only. New facilities include those that commenced either construction after December 1, 2008, or commenced modification after April 6, 2010. This information is being collected to assure compliance with 40 CFR part 60, subpart Ec.

In general, all NSPS standards require initial notifications, performance tests, and periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities subject to NSPS.

Form Numbers: None.

Respondents/affected entities: Hospital/medical/infectious waste incineration units.

Respondent's obligation to respond: Mandatory (40 CFR part 60, subpart Ec).

Estimated number of respondents: Three (total).

Frequency of response: Initially, semiannually and annually.

Total estimated burden: 1,780 hours (per year). Burden is defined at 5 CFR 1320.03(b).

Total estimated cost: \$420,000 (per year), which includes \$177,000 annualized capital or operation & maintenance costs.

Changes in the Estimates: There is no change in burden from the most recently approved ICR as currently identified in the OMB Inventory of Approved Burdens. This is due to two considerations. First, the regulations have not changed over the past three years and are not anticipated to change over the next three years. Second, the growth rate for this industry is very low or non-existent, so there is no significant change in the overall burden. The capital and operation & maintenance (O&M) costs were increased using the CEPCI CE Index.