

ENVIRONMENTAL PROTECTION AGENCY**[EPA-HQ-OGC-2026-7625; FRL-13613-01-OGC]****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 the Clean Air Act, as amended (CAA or the “Act”), notice is given of a proposed consent decree in *Center for Biological Diversity and Center for Environmental Health v. Lee Zeldin*, No. 4:25-cv-10007-JST. On November 20, 2025, and December 24, 2025, Plaintiffs Center for Biological Diversity and the Center for Environmental Health filed a complaint and amended complaint, respectively, in the United States District Court, Northern District of California, Oakland Division, alleging that the Environmental Protection Agency (EPA) failed to perform certain non-discretionary duties in accordance with the Act to take final action on certain state implementation plan (SIP) revisions submitted by the States of California and Colorado pertaining to the 2008 and 2015 ozone national ambient air quality standards (NAAQS). The EPA is providing notice of this proposed consent decree, which would resolve all remaining claims in the case by establishing deadlines for the EPA to take final action as specified in the decree.

DATES: Written comments on the proposed consent decree must be received by October 26, 2026.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2026-7625, online at <https://www.regulations.gov> (the 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 and additional information on the rulemaking process, see the “Additional Information about Commenting on the Proposed Consent Decree” heading under the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Corin James, Air and Radiation Law Office, Office of General Counsel, U.S.

Environmental Protection Agency; telephone (202) 564-1754; email address james.corin01@epa.gov.

SUPPLEMENTARY INFORMATION:**I. Obtaining a Copy of the Proposed Consent Decree**

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2026-7625) 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.”

II. Additional Information About the Proposed Consent Decree

The proposed consent decree would establish deadlines for final actions on the portions of SIP submissions as described in the proposed consent decree by the associated deadlines. These include:

1. A notice of final rulemaking to approve, disapprove, conditionally approve, or approve in part and conditionally approve or disapprove in part, portions of the June 26, 2023 SIP submission as described in the proposed consent decree. This June 26, 2023 SIP submission addresses, among other revisions, nonattainment planning requirements for the Denver-Boulder-Greeley-Ft. Collins-Loveland, Colorado Severe nonattainment area with respect to the 2008 Ozone NAAQS; nonattainment planning requirements for the Denver Metro/North Front Range Moderate nonattainment area with respect to the 2015 Ozone NAAQS (which is now classified as Serious); revisions to the State’s Regulation 3 including processing fees, hazardous air pollutants, and other revisions; revisions to the State’s Regulation 7

including SIP strengthening measures, gasoline tank truck testing requirements, and other revisions; revisions to the Common Provisions; and revisions to the Motor Vehicle Emissions Budgets and Transportation Conformity with respect to the 2015 Ozone NAAQS. The deadlines for action on different portions of the June 23, 2026 Colorado SIP submission include July 9, 2027; August 31, 2027; and December 17, 2027. See the proposed consent decree located in the docket for this rulemaking for a full list of the SIP revisions on which the appropriate EPA official will sign a final action and each associated deadline.

2. A notice of final rulemaking to approve a SIP revision submitted to the EPA by the State of Colorado, promulgate a Federal Implementation Plan (FIP), or approve in part a revised SIP revision and promulgate a partial FIP to address the deficiencies identified in the EPA’s limited disapproval of certain portions of SIP submissions submitted by the State of Colorado on May 14, 2018; May 13, 2020; March 22, 2021; May 18, 2021; and May 20, 2022, which were intended to address certain Reasonably Available Control Technology (RACT) requirements for the Denver-Boulder-Greeley-Ft. Collins-Loveland, Colorado area’s prior status as a Serious nonattainment area for the 2008 Ozone NAAQS, see 88 FR 29827 (May 9, 2023), no later than August 31, 2027.

3. A notice of final rulemaking to approve a SIP revision submitted to the EPA by the State of California, promulgate a FIP, or approve in part a revised SIP revision and promulgate a partial FIP to address the deficiencies identified in the EPA’s limited disapproval of CARB’s Oil and Gas Methane Rule, see 87 FR 59314, no later than March 15, 2028.

The proposed consent decree would also require the EPA to send notice of each action to the Office of the Federal Register for review and publication in the **Federal Register** no later than 15 business days after signature.

In accordance with section 113(g) of the CAA, for a period of thirty (30) days following the date of publication of this document, the EPA will accept written comments relating to the proposed consent decree. The 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.

III. Additional Information About Commenting on the Proposed Consent Decree

Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2026-7625, via <https://www.regulations.gov>. Once submitted, comments cannot be edited or removed from this docket. The EPA may publish any comment received to its public docket. Do not submit to the 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. 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, 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. Note that written comments containing CBI and submitted by mail may be delayed and deliveries or couriers will be received by scheduled appointment only.

If you submit an electronic comment, the 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 the EPA to contact you in case the 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 the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not be able to consider your comment.

Use of the <https://www.regulations.gov> website to submit comments to the EPA electronically is the EPA's preferred method for

receiving comments. The electronic public docket system is an "anonymous access" system, which means the 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." The EPA is not required to consider these late comments.

Gautam Srinivasan,
Associate General Counsel.

[FR Doc. 2026-19497 Filed 9-23-26; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2008-0150; FRL-13648-01-OFA]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Establishing No-Discharge Zones (NDZs) Under Clean Water Act Section 312 (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) has submitted an information collection request (ICR), Establishing No-Discharge Zones (NDZs) Under Clean Water Act Section 312 (EPA ICR Number 1791.10, OMB Control Number 2040-0187), 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 September 30, 2026. Public comments were previously requested via the **Federal Register** on April 6, 2026, 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 October 26, 2026.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA-HQ-OW-2008-0150, to EPA online using www.regulations.gov (our preferred method) 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:

Catherine Brady, Oceans, Wetlands and Communities Division, Office of Wetlands, Oceans and Watersheds, 4504T, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: 202-566-2424; email address: brady.catherine@epa.gov.

SUPPLEMENTARY INFORMATION: This is a proposed extension of the ICR, which is currently approved through September 30, 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 April 6, 2026, during a 60-day comment period (91 FR 17272). 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: Pursuant to Clean Water Act (CWA) section 312, states are authorized to petition EPA for more stringent requirements to apply within state waters for sewage discharges from all vessels, as well as certain discharges from vessels of the Armed Forces. This ICR covers the information collection activities associated with CWA section 312(f) and 312(n).

(A) *Sewage No-Discharge Zones:* CWA section 312(f) and the implementing regulations in 40 CFR part 140 identify the information that must be included in a state's application to EPA to establish a no-discharge zone (NDZ) for vessel sewage for some or all of the