EPA Finalizes Protections for Workers and Communities from Cancer-Causing Ethylene Oxide Pollution

WASHINGTON – Today, Jan. 14, the U.S. Environmental Protection Agency released the Interim Decision for Ethylene Oxide (EtO) – a pesticide used on 50 percent of all sterilized medical devices in the United States and on approximately 30 percent of dried herbs and spices. EtO is known to cause cancer, including lymphocytic leukemia, breast cancer, non-Hodgkin lymphoma and myeloma in people. Workers who use EtO and people who work, live, or go to school or daycare near facilities that use EtO may breathe in emissions at levels that can increase cancer risk. The greatest risk is for people who work for their entire careers at facilities directly handling EtO with insufficient worker protections in place.

The Interim Decision includes mitigation measures that, in addition to the measures included in the 2024 EtO National Emissions Standards for Hazardous Air Pollutants (NESHAP), will reduce exposure to workers and nearby communities. Together, these two EPA actions provide a comprehensive approach to addressing EtO pollution concerns, including cancer risk, that will increase safety in communities and for workers while supporting ongoing supply chain needs for sterilized medical equipment. This decision advances President Biden's commitment to ending cancer as we know it as part of the Cancer Moonshot, as well as the Administration's commitment to securing environmental justice and protecting public health, including for communities that are most exposed to toxic chemicals.

"EPA continues to make important strides to protect people from dangerous chemicals like ethylene oxide," **said Assistant Administrator for the Office of Chemical Safety and Pollution Prevention Michal Freedhoff**. "These protections will reduce EtO exposures to workers and communities, while also ensuring that the chemical remains available to provide sterile life-saving medical supplies."

Ethylene Oxide

EPA regulates EtO's use as a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). EtO has both antimicrobial uses, such as sterilization of medical devices, and conventional uses, such as fumigation of dried herbs and spices. In some instances, such as with sterilization of medical devices like surgical kits, EtO is the only available option, making it essential for protecting human health. Every 15 years, EPA evaluates potential human health and environmental effects associated with the use of a pesticide through the registration review process. As part of EtO's registration review, the agency assessed cancer risk from working in sterilization and health care facilities that use EtO, living in communities near EtO facilities, and consuming dried herbs and spices treated with EtO.

After a 75-day public comment period with over 60 stakeholder meetings with industry, other federal agencies, unions, and nonprofit organizations, EPA identified a broad set of protections under FIFRA that aim to reduce exposure to all EtO sterilization facility workers and to others who work, live, or go to school near sterilization facilities. Specifically, the Decision includes a reduced EtO concentration rate limit for new medical device sterilization cycles to reduce levels

of exposure for workers; a lowered worker exposure limit of 0.5 ppm after three years, 0.25 ppm after five years, and 0.1 ppm after 10 years (compared to the current Occupational Safety and Health Administration standard of 1 ppm); phased cancellation of the use of EtO on specific dried herbs and spices; and cancellation of the use of EtO when safer and effective alternatives are available.

Interim Decision

Some of the highlights of the Interim Decision include:

Commercial Sterilizers

- Lowered worker exposure limit of 0.5 ppm by 2028, 0.25 ppm by 2030, and 0.1 ppm by 2035, as compared to the 1984 OSHA limit of 1 ppm. Any workers who could be exposed to concentrations of EtO above these limits would need to wear additional respiratory protection.
- Finalizing the ban of use for museum, library and archival materials; cosmetics; musical instruments; and beekeeping equipment.
- Immediate cancellation of the use of EtO for specific dried herbs and spices for which its use is not considered critical for food safety, and phased cancellation for specific dried herbs and spices for which EtO use is considered critical for food safety but have potential alternatives to EtO.
- Establishing a concentration limit of 600 mg/L for new medical device sterilization cycles within 10 years. If a device requires a concentration of EtO greater than 600 mg/L due to the device design, the facility must maintain records to justify the increased application rate.
- Separation of HVAC systems for areas where EtO is used and areas where EtO is not used, to reduce EtO exposure in areas such as offices.
- Requiring respirators to protect workers involved in certain high EtO exposure tasks, such as connecting and disconnecting EtO containers from sterilization process equipment.
- Continuous EtO concentration monitoring throughout sterilization facilities, including on-site storage facilities.
- Data requirements to monitor breathing zone worker exposure to EtO within commercial sterilization facilities and warehouses that store sterilized materials, both on and off-site.

Healthcare Facilities

- Require abatement devices for healthcare facilities that use more than 10 lbs. of EtO/year by comparison – c commercial sterilizers typically release tons of EtO annually.
- Ventilation of EtO through exterior ventilation stacks to reduce exposure to healthcare facility workers. Exposure to communities from EtO used in healthcare facilities is expected to be minimal because the amount of EtO used at healthcare facilities is orders of magnitude lower than at commercial sterilization facilities.

Next Steps

EPA expects that registrants will submit label amendments that include the changes outlined in the Interim Decision within 60 days after publication. The agency plans to quickly review the label amendments so that products sold and distributed by registrants will include the changes outlined in the Interim Decision. The timing for implementation for individual mitigation measures ranges from two years to 10 years, taking into consideration the costs, technology availability, potential impacts to the medical device supply chain and other logistical elements. Additionally, EPA will issue a Data Call-In (DCI) to gather information on worker exposure. Specifically, the DCI will require submission of worker exposure data for commercial sterilizers and warehouses in order to understand the worker exposure impacts of complying with EPA's Clean Air Act EtO commercial sterilization NESHAP and implementing the mitigation measures identified in this Interim Decision. EPA will reevaluate this Interim Decision within eight years, earlier than the typical 15-year cycle, based on the submitted worker exposure data, in order to identify further opportunities to reduce EtO exposures.

To view all documents related to EtO's registration review, visit docket EPA-HQ-OPP-2013-0244.

For further information: EPA Press Office (press@epa.gov)

proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID–19), issued by the President on March 13, 2020. For assistance, contact FERC Online Support.

You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Dated: April 7, 2023.

Kimberly D. Bose,

Secretary.

[FR Doc. 2023–07806 Filed 4–12–23; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas & Oil Pipeline Rate and Refund Report filings:

Filings in Existing Proceedings

Docket Numbers: RP23–621–000.

Applicants: Northern Border Pipeline Company.

Description: Report Filing: Supplement to NBPL 2023 CUS Filing to be effective N/A.

Filed Date: 4/6/23.

Accession Number: 20230406–5139.

Comment Date: 5 p.m. ET 4/18/23.

Any person desiring to protest in any the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: April 7, 2023.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2023–07777 Filed 4–12–23; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–10855–01–OMS]

Cross-Media Electronic Reporting: Authorized Program Revision Approval, New Jersey Department of Environmental Protection (NJDEP)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the Environmental Protection Agency's (EPA) approval of the New Jersey Department of Environmental Protection (NJDEP) request to revise/modify certain of its EPA-authorized programs to allow electronic reporting.

DATES: EPA approves the authorized program revisions/modifications as of April 13, 2023.

FOR FURTHER INFORMATION CONTACT: Shirley M. Miller, U.S. Environmental Protection Agency, Office of Information Management, Mail Stop 2824T, 1200 Pennsylvania Avenue NW, Washington, DC 20460, (202) 566–2908, *miller.shirley@epa.gov.*

SUPPLEMENTARY INFORMATION: On October 13, 2005, the final Cross-Media Electronic Reporting Rule (CROMERR) was published in the **Federal Register** (70 FR 59848) and codified as part 3 of title 40 of the CFR. CROMERR establishes electronic reporting as an acceptable regulatory alternative to paper reporting and establishes requirements to assure that electronic documents are as legally dependable as their paper counterparts. Subpart D of CROMERR requires that state, tribal or local government agencies that receive, or wish to begin receiving, electronic reports under their EPA-authorized programs must apply to EPA for a revision or modification of those programs and obtain EPA approval. Subpart D provides standards for such approvals based on consideration of the electronic document receiving systems that the state, tribe, or local government will use to implement the electronic reporting. Additionally, § 3.1000(b) through (e) of 40 CFR part 3, subpart D provides special procedures for program revisions and modifications to allow electronic reporting, to be used at the option of the state, tribe or local government in place of procedures available under existing program-specific authorization regulations. An application submitted under the subpart D procedures must show that the state, tribe or local government has sufficient legal authority to implement the electronic reporting components of the programs covered by the application and will use electronic document receiving systems that meet the applicable subpart D requirements.

On March 13, 2023, the New Jersey Department of Environmental Protection (NJDEP) submitted an application titled National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Tool (NeT) for revisions/modifications to its EPA-approved programs under title 40 CFR to allow new electronic reporting. EPA reviewed NJDEP's request to revise/modify its EPA-authorized programs and, based on this review, EPA determined that the application met the standards for approval of authorized program revisions/modifications set out in 40 CFR part 3, subpart D. In accordance with 40 CFR 3.1000(d), this notice of EPA's decision to approve NJDEP's request to revise/modify its following EPA-authorized programs to allow electronic reporting under 40 CFR is being published in the **Federal Register**:

Part 123: EPA-Administered Permit Programs: the National Pollutant Discharge Elimination System (NPDES) Reporting under 40 CFR 122 and 125.

NJDEP was notified of EPA's determination to approve its application with respect to the authorized programs listed above.

Dated: April 6, 2023.

Jennifer Campbell,

Director, Office of Information Management.

[FR Doc. 2023–07725 Filed 4–12–23; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2013–0244; FRL–10818–01–OCSPP]

Pesticide Registration Review; Proposed Interim Decision and Draft Risk Assessment Addendum for Ethylene Oxide; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of and solicits public comment on EPA's proposed interim registration review decision and draft risk assessment addendum for ethylene oxide.

DATES: Comments must be received on or before June 12, 2023.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPP–2013–0244, through the *Federal eRulemaking Portal* at *https://www.regulations.gov.* Follow

the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting and visiting the docket, along with more information about dockets generally, is available at *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: The Chemical Review Manager for ethylene oxide as listed in table 1.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general and may be of interest to a wide range of stakeholders including environmental and human health advocates; distributors and users of medical devices; owners and operators of commercial sterilization facilities; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the Chemical Review Manager for ethylene oxide identified in table 1 in unit IV.

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information on a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at: *https://www.epa.gov/dockets/commenting-epa-dockets.*

3. *Environmental justice.* EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low-income populations, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help address potential environmental justice issues, the Agency seeks information on any groups or segments of the population who, as a result of their location, cultural practices, or other factors, may have atypical or disproportionately high and adverse human health impacts or environmental effects from exposure to ethylene oxide (EtO) discussed in this document, compared to the general population.

II. Background

Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, the pesticide can perform its intended function without unreasonable adverse effects on human health or the environment. As part of the registration review process, the Agency has completed a proposed interim decision and draft risk assessment addendum for ethylene oxide (table 1). Through this program, EPA is ensuring that each pesticide's registration is based on current scientific and other knowledge, including its effects on human health and the environment.

III. Authority

EPA is conducting its registration review of ethylene oxide pursuant to section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Procedural Regulations for Registration Review at 40 CFR part 155, subpart C. Section 3(g) of FIFRA provides, among other things, that the registrations of pesticides are to be reviewed every 15 years. Under FIFRA, a pesticide product may be registered or remain registered only if it meets the statutory standard for registration given in FIFRA section 3(c)(5) (7 U.S.C. 136a(c)(5)). When used in accordance with widespread and commonly recognized practice, the pesticide product must perform its intended function without unreasonable adverse effects on the environment; that is, without any unreasonable risk to man or the environment, or a human dietary risk from residues that result from the use of a pesticide in or on food.

IV. What action is the Agency taking?

Pursuant to 40 CFR 155.58, this notice announces the availability of EPA's proposed interim registration review decisions for ethylene oxide and the draft risk assessment addendum and opens a 60-day public comment period on these documents.

TABLE 1—ETHYLENE OXIDE REGISTRATION REVIEW DOCKET DETAILS

Registration review case name and No.	Docket ID No.	Chemical review manager and contact information
Ethylene oxide Case Number 2275	EPA–HQ–OPP–2013–0244	Jessica Bailey *OPPethyleneoxideinquiries@epa.gov.*

The registration review docket for a pesticide includes earlier documents related to the registration review case. For example, the review opened with a Preliminary Work Plan, for public comment. A Final Work Plan was placed in the docket following public comment on the Preliminary Work Plan.

The documents in the docket describe EPA's rationales for conducting additional risk assessments for the registration review of ethylene oxide, as well as the Agency's subsequent risk findings and consideration of possible risk mitigation measures. The proposed interim registration review decision is supported by the rationale included in those documents. Following public comment, the Agency will issue an interim or final registration review decision for ethylene oxide.

The registration review final rule at 40 CFR 155.58(a) provides for a minimum 60-day public comment period on all proposed interim registration review decisions. This comment period is intended to provide an opportunity for public input and a mechanism for initiating any necessary amendments to the proposed interim decision. All comments should be submitted using the methods in **ADDRESSES** and must be received by EPA on or before the closing date. These comments will become part of the docket for ethylene oxide. Comments received after the close of the comment period will be marked ''late.'' EPA is not required to consider these late comments.

The Agency will carefully consider all comments received by the closing date and may provide a ''Response to Comments Memorandum'' in the docket. The interim registration review decision will explain the effect that any comments had on the interim decision and provide the Agency's response to significant comments.

Background on the registration review program is provided at: *https://www.epa.gov/pesticide-reevaluation.*

Authority: 7 U.S.C. 136 *et seq.*

Dated: March 28, 2023.

Anita Pease,

Director, Antimicrobials Division, Office of Pesticide Programs.

[FR Doc. 2023–07727 Filed 4–12–23; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–10881–01–OA]

Local Government Advisory Committee (LGAC) and Small Communities Advisory Subcommittee (SCAS) Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notification of public meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act (FACA), EPA herby provides notice of a meeting for the Local Government Advisory Committee (LGAC) and its Small Communities Advisory Subcommittee (SCAS) on the date and time described below. This meeting will be open to the public. For information on public attendance and participation, please see the registration information under

DATES: The LGAC will have a hybrid meeting on May 22nd 2023, from 1 to 5 p.m. Eastern Daylight Time and May 23rd, 2023 from 8:30 a.m. to 12 p.m. Eastern Daylight Time. The SCAS will have a hybrid meeting prior to the LGAC on May 22nd, 2023, from 10:30 a.m. to 12 p.m. Eastern Daylight Time.

FOR FURTHER INFORMATION CONTACT: Paige Lieberman, Designated Federal Officer (DFO), at *LGAC@epa.gov* or 202–564–9957.

Information on Accessibility: For information on access or services for individuals requiring accessibility accommodations, please contact Paige Lieberman by email at *LGAC@epa.gov.* To request accommodation, please do so five (5) business days prior to the meeting, to give EPA as much time as possible to process your request.

SUPPLEMENTARY INFORMATION:

Content

The LGAC will discuss several priority issues at EPA, including providing draft recommendations on proposed national drinking water quality standards for PFAS, continuing discussions on climate mitigation, environmental justice and risk communications regarding PFAS. The SCAS will review these issues, as well as discuss recommendations on land use and transportation issues for small communities. Both the LGAC and SCAS will hear from EPA leadership regarding several new proposed charges. Details on the charges will be posted online (link below) one week prior to the meeting.

Registration

The meeting will be held virtually as well as in person. Members of the public who wish to participate should register by contacting the Designated Federal Officer (DFO) at *LGAC@epa.gov* by May 19, 2023. Online participation will be via Microsoft Teams. In person participation will be at EPA Headquarters, 1200 Constitution Ave. NW, Washington, DC.

Once available, the agenda and other supportive meeting materials will be available online at *https://www.epa.gov/ocir/local-government-advisory-committee-lgac* and will be emailed to all registered. In the event of cancellation for unforeseen circumstances, please contact the DFO or check the website above for reschedule information.

Dated: April 3, 2023.

Paige Lieberman,

Designated Federal Officer, U.S. Environmental Protection Agency.

[FR Doc. 2023–07758 Filed 4–12–23; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality; Notice of Meetings

AGENCY: Agency for Healthcare Research and Quality (AHRQ), Department of Health and Human Services (HHS).

ACTION: Notice of Five AHRQ Subcommittee Meetings.

SUMMARY: The subcommittees listed below are part of AHRQ's Health Services Research Initial Review Group (IRG) Committee. Grant applications are to be reviewed and discussed at these meetings. Each subcommittee meeting will be closed to the public.

DATES: See below for dates of meetings:

1. *Healthcare Research Training (HCRT)*
   Date: May 18–19, 2023
   July 14, 2023
2. *Healthcare Safety and Quality Improvement Research (HSQR)*
   Date: The date of the HSQR meeting is yet to be determined and will be published in an upcoming notice.
3. *Healthcare Information Technology Research (HITR)*
   Date: June 1–2, 2023
4. *Healthcare Effectiveness and Outcomes Research (HEOR)*
   Date: June 7–8, 2023
5. *Health System and Value Research (HSVR)*
   Date: June 15–16, 2023

ADDRESSES: Agency for Healthcare Research and Quality (Virtual Review for HCRT, HEOR & HSVR) 5600 Fishers Lane, Rockville, Maryland 20857, *and* Bethesda North Marriott Hotel & Conference Center (HITR in person review), 5701 Marinelli Road, Rockville, MD 20852–2785.

FOR FURTHER INFORMATION CONTACT: (to obtain a roster of members, agenda or minutes of the non-confidential portions of the meetings.)

Jenny Griffith, Committee Management Officer, Office of Extramural Research Education and Priority Populations, Agency for Healthcare Research and Quality (AHRQ), 5600 Fishers Lane, Rockville, Maryland 20857, Telephone (301) 427–1557.

SUPPLEMENTARY INFORMATION: In accordance with section 10 (a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. 2), AHRQ announces meetings of the above-listed scientific peer review groups, which are subcommittees of AHRQ's Health Services Research Initial Review Group Committee. The subcommittee meetings will be closed to the public in accordance with the provisions set forth in 5 U.S.C. App. 2 section 10(d), 5 U.S.C. 552b(c)(4), and 5 U.S.C. 552b(c)(6). The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Agenda items for these meetings are subject to change as priorities dictate.

Dated: April 7, 2023.

Marquita Cullom,

Associate Director.

[FR Doc. 2023–07747 Filed 4–12–23; 8:45 am]

BILLING CODE 4160–90–P