

the Review Plan rule, however, EPA has encountered issues that, cumulatively, make reaching this target highly unlikely. Consequently, consistent with TSCA section 8(b)(4)(E)(ii)(I) and 40 CFR 710.55(e) which permit EPA to extend the review period by up to two years, EPA is extending the target review completion date until February 19, 2025. As this extended deadline approaches, EPA will re-evaluate the Review Plan progress and will further extend the deadline, as necessary to complete the Review Plan reviews, up to February 19, 2026.

Several issues and factors caused delays that are expected to prevent EPA from completing its review within the five-year period. Firstly, the volume of claims is significant. EPA received and is reviewing CBI claims for the specific chemical identity of more than 4,805 chemical substances in 5,787 submissions under the Review Plan. At the same time, the Agency is maintaining its CBI review program for new CBI claims under TSCA section 14(g). This involves reviewing numerous and varied types of TSCA submissions, containing a wide array of CBI claims of differing complexity. The Agency receives approximately 600 submissions with multiple CBI claims requiring review under TSCA section 14(g) each year. Also concurrent with these CBI review activities, EPA is processing denied and withdrawn CBI claims for chemical identity so that those chemical identities may be disclosed on the public portion of the TSCA Inventory, consistent with the requirements of TSCA sections 8(b) and 14.

Secondly, adapting the Agency's information technology (IT) systems to complete these reviews has presented issues and contributed to delays as part of processing the voluminous amount of CBI claims. For example, in its reviews, EPA observed duplication of and inconsistencies between confidentiality claims for the same chemicals across and between submissions. Limitations with existing IT tools have made identifying and resolving such issues a largely manual process, which consumes resources and delays Agency reviews. In addition, the size (*i.e.*, very large file size) and other features of certain submissions have caused IT difficulties that have halted the CBI review process for more than six months and these issues have not yet been resolved as available resources have been prioritized to address more critical IT needs.

Finally, EPA could not start its Review Plan reviews until after a delay of approximately six months to a year as

a result of the decision of the U.S. Court of Appeals for the District of Columbia Circuit in *Environmental Defense Fund v. EPA*, 922 F.3d 446 (D.C. Cir. 2019). The Court's decision meant that any company who had voluntarily provided substantiation in their initial Notice of Activity filing (mostly made in 2018) had to ensure those prior submissions included information regarding reverse engineering (generally by answering two additional substantiation questions), and that EPA had to provide a reporting period for doing so prior to beginning any Review Plan reviews. EPA published a supplement to the proposed Review Plan rule to address the Court's decision on November 8, 2019 (84 FR 60363 (FRL-10001-44)). The final rule required substantiation or supplemental substantiation by November 2020 (see 40 CFR 710.47). The additional reporting requirement created confusion among some reporting entities, the resolution of which has further slowed the review process.

These issues and factors together justify extending the review period deadline by at least one year, consistent with TSCA section 8(b)(4)(E)(ii)(I).

Authority: 15 U.S.C. 2607(b).

Dated: January 18, 2024.

Michal Freedhoff,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-ORD-2023-0240; FRL-10973-01-ORD]

Scientific Integrity Policy Draft for Public Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public comment period.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is announcing a 30-day public comment period on the draft updates to its Scientific Integrity (SI) Policy. In accordance with the requirements of the 2021 *Presidential Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-based Policymaking*, EPA is revising our SI Policy. The updated SI Policy will adopt a new Federal definition of scientific integrity and meaningfully strengthen several policy elements that will help ensure a culture of scientific integrity at the Agency. It will incorporate the model scientific

integrity policy from the National Science and Technology Council's *A Framework for Federal Scientific Integrity Policy and Practice* (2023), lessons learned over the years, and the results of previous surveys of EPA staff on scientific integrity.

DATES: The 30-day public comment period begins January 24, 2024 and ends February 23, 2024. Comments must be received on or before February 23, 2024 to be considered by EPA.

ADDRESSES: You may send comments, identified by Docket ID No. EPA-HQ-ORD-2023-0240, by any of the following methods:

- **Federal eRulemaking Portal:** <https://www.regulations.gov/> (our preferred method). Follow the online instructions for submitting comments.

- **Mail:** U.S. Environmental Protection Agency, EPA Docket Center, Office of Research and Development Docket, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

- **Hand Delivery or Courier:** EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center's hours of operations are 8:30 a.m. to 4:30 p.m., Monday through Friday (except Federal Holidays).

Instructions: All submissions received must include the Docket ID No. 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, see the "Public Participation" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: For information on the public comment period, contact the ORD Docket at the EPA Headquarters Docket Center; telephone: 202-566-1752; facsimile: 202-566-9744; or email: Docket_ORD@epa.gov. For technical information on the draft guidelines or information on the public comment period, contact Dr. Francesca Grifo, via email at: grifo.francesca@epa.gov; or via phone/voicemail at 202-657-8575.

SUPPLEMENTARY INFORMATION:

I. Public Participation

Written Comments: Submit your comments, identified by Docket ID No. EPA-HQ-ORD-2023-0240, at <https://www.regulations.gov/> (our preferred method), or the other methods identified in the **ADDRESSES** section. Once submitted, comments cannot be edited or removed from the docket. The 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), Proprietary Business Information (PBI), 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). Please visit <https://www.epa.gov/dockets/commenting-epa-dockets> for additional submission methods; the full EPA public comment policy; information about CBI, PBI, or multimedia submissions; and general guidance on making effective comments.

II. Background

EPA issued its first Scientific Integrity Policy in 2012 and the Agency appointed its first full time Scientific Integrity Official (SIO) in 2013 based on requirements in both the *2009 Scientific Integrity Presidential Memorandum* and the *2010 Office of Science and Technology Policy (OSTP) Presidential Memorandum on Scientific Integrity*. Those documents together with the *2021 Presidential Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-based Policymaking* guided the draft updates of the 2023 Scientific Integrity (SI) Policy. The draft updates are derived from these documents, the collective experience of Federal agencies, and the informed engagement of stakeholders both inside and outside of government captured in the actions of the 2022 National Science and Technology Council Scientific Integrity Fast Track Action Committee and their report, *Protecting the Integrity of Government Science (SI-FTAC Report)* and the National Science and Technology Council 2023 *A Framework for Federal Scientific Integrity Policy and Practice*.

The draft SI Policy updates include but are not limited to the adoption of a new Federal definition of scientific integrity as well as the introduction and clarification of roles and responsibilities, such as the new role of the EPA Chief Scientist. In addition, the draft policy updates will significantly strengthen several policy elements (e.g., protecting scientific processes, reviewing science, ensuring the free flow of scientific information, supporting decision making processes,

ensuring accountability, etc.) that will help ensure a culture of scientific integrity at the Agency.

III. How will comments be used?

EPA values external knowledge and experience with scientific integrity and looks forward to comments pertaining to policy content. Public comment received on the SI Policy will be reviewed and considered to be incorporated into or modify text in the final revised SI Policy. The final revised SI Policy will undergo internal EPA review and revision and be posted on EPA's website.

Maureen R. Gwinn,
EPA Chief Scientist.

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FEDERAL MARITIME COMMISSION

[Docket No. FMC-2024-0003]

Informal Public Hearing on the Impact of Current Conditions in the Red Sea and Gulf of Aden Regions

AGENCY: Federal Maritime Commission.

ACTION: Notice of informal public hearing and request for information.

SUMMARY: The Federal Maritime Commission will hold an informal public hearing on February 7, 2024, and continuing February 8, 2024, if needed, to examine how conditions in the Red Sea and Gulf of Aden regions are impacting commercial shipping and global supply chains. At this hearing, the Commission will hear from stakeholders in the supply chain on how operations have been disrupted by attacks on commercial shipping, steps taken in response to these events, and the resulting effects.

DATES: The informal public hearing will be held on February 7, 2024, beginning at 10 a.m. EST, and continuing February 8, 2024, at 10 a.m. EST, if needed. This hearing will be open for public attendance and will be streamed live. Stakeholders who wish to present testimony at the hearing must send a request to testify by email addressed to secretary@fmc.gov and received no later than 5 p.m. EST on January 31, 2024. Submission of written testimony by hearing stakeholders is optional; any such written testimony, and written comments by any other interested persons, must be submitted to the Commission by email at secretary@fmc.gov and received no later than 5 p.m. EST on January 31, 2024.

ADDRESSES: The informal public hearing will be held in the Hearing Room at the

Surface Transportation Board, 395 E Street SW, Washington, DC 20423, and will be streamed live. All requests to present testimony at the hearing, and submissions of written testimony and comments for the hearing should be addressed to the Commission and emailed to secretary@fmc.gov.

FOR FURTHER INFORMATION CONTACT:

David Eng, Secretary; Phone: (202) 523-5725; Email: secretary@fmc.gov.

SUPPLEMENTARY INFORMATION:

I. Background

The Commission will hold an informal public hearing to examine how conditions in the Red Sea and Gulf of Aden regions are impacting commercial shipping and global supply chains. The hearing will allow stakeholders in the supply chain to communicate with the Commission regarding how operations have been disrupted by attacks on commercial shipping, steps taken in response to these events, and the resulting effects. In addition, the hearing will allow the Commission to gather information and identify any new issues related to these disruptions that might be subject to Commission statutes and regulations.

The hearing will be held on February 7, 2024, beginning at 10 a.m. EST, and continuing February 8, 2024, at 10 a.m. EST, if needed, in the Hearing Room at the Surface Transportation Board. This hearing will be open for public attendance and will also be streamed live. More information about accessing the live stream will be posted on the Commission's web page at www.fmc.gov. If technical issues prevent the Commission from streaming live, the Commission will post a recording of the meeting as soon as possible on the Commission's web page at www.fmc.gov. Any person wishing to attend the hearing in person should report to the Surface Transportation Board with enough time to clear building security procedures before the scheduled start time.

II. Public Participation at the Hearing

How do I participate at the hearing?

This hearing will be open for public attendance and will also be streamed live. Stakeholders who wish to present testimony at the hearing must send a request to testify by email addressed to secretary@fmc.gov and received no later than 5 p.m. EST on January 31, 2024. The request should include the name, company name and job title, street address, email address, phone number of the requester, a summary of how operations have been disrupted by attacks on commercial shipping, steps