

documents in the public docket that are available electronically. Once in the system, select “search,” then key in the docket ID number identified above.

EPA’s policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in [www.regulations.gov](http://www.regulations.gov) as EPA receives them and without change, unless the comment contains copyrighted material, confidential business information (CBI), or other information whose public disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in [www.regulations.gov](http://www.regulations.gov). The entire printed comment, including the copyrighted material, will be available in the public docket. Although identified as an item in the official docket, information claimed as CBI, or whose disclosure is otherwise restricted by statute, is not included in the official public docket, and will not be available for public viewing in [www.regulations.gov](http://www.regulations.gov). For further information about the electronic docket, go to [www.regulations.gov](http://www.regulations.gov).

*Title:* EPA’s Design for the Environment (DfE) Partner of the Year Awards Program.

*ICR Status:* This is a request to establish a new information collection activity.

*Abstract:* EPA has developed the Partner of the Year Awards to recognize DfE stakeholders who have furthered the goals of DfE through active and exemplary participation in and promotion of the DfE program. Making DfE’s mission known to the widest possible audience, through its safer product label and in other forms of communication, is critical to fully realizing the program’s goals of protecting human health and the environment, promoting a sustainable economy, and creating green jobs, especially in the small business sector.

The Partner of the Year Awards will be an annual event, with recognition for DfE stakeholder organizations from five broad categories: (1) Formulators/product manufacturers (of both consumer and institutional/industrial (I/I) products), (2) purchasers and distributors, (3) retailers, (4) influencers (e.g., non-governmental organizations, including environmental and health advocates, trade associations, academia, sports teams, and others), and (5) innovators (e.g., chemical manufacturers, technology developers, and others). Within these categories and based on the criteria, DfE may elect to give additional awards in the subcategories of “small business” and

“sustained excellence.” This information collection activity addresses the reporting burden associated with making application to EPA for recognition in the Partner of the Year Awards program.

Responses to this information collection are voluntary. Respondents may claim all or part of a notice as CBI. EPA will disclose information that is covered by a CBI claim only to the extent permitted by, and in accordance with, the procedures in 40 CFR part 2.

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. The OMB control numbers for EPA’s regulations in title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

*Burden Statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to average about 15 hours per response. Burden is defined in 5 CFR 1320.3(b).

*Respondents/Affected Entities:* Entities potentially affected by this action are establishments engaged in the production, use, and/or advancement of safer chemicals, that have furthered the goals of DfE through active and exemplary participation in and promotion of the program, and that wish to receive recognition for their achievements.

*Frequency of Collection:* On occasion.

*Estimated average number of responses for each respondent:* 1.

*Estimated No. of Respondents:* 110.

*Estimated Total Annual Burden on Respondents:* 1,650 hours.

*Estimated Total Annual Costs:* \$69,790.

*Changes in Burden Estimates:* Since this is a new ICR, change in respondent burden is not applicable.

**John Moses,**

*Director, Collection Strategies Division.*

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**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL–9747–8]

### 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 section 113(g) of the Clean Air Act, as amended (“CAA”), notice is hereby given of a proposed consent decree, to address a lawsuit filed by Sierra Club in the United States District Court for the District of Columbia: *Sierra Club v. Jackson*, No. 1:12–cv–00705 (CKK). On May 2, 2012, the Plaintiff filed a First Amended Complaint alleging that EPA failed to perform nondiscretionary duties under the Clean Air Act. Specifically, the Plaintiff alleged that EPA failed to take timely action to approve, disapprove, or approve in part and disapprove in part, pursuant to CAA, the state implementation plan (“SIP”) submission made by Oklahoma on July 16, 2010, that is captioned “Excess Emissions Reporting Requirements” (referred to herein as “OK SIP”). The proposed consent decree establishes deadlines for EPA to take proposed and final action on the OK SIP. The proposed consent decree also provides that once EPA has completed the actions specified in the decree the case will be dismissed with prejudice.

**DATES:** Written comments on the proposed consent decree must be received by *November 29, 2012*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA–HQ–OGC–2012–0824, online at [www.regulations.gov](http://www.regulations.gov) (EPA’s preferred method); by email to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD–ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

**FOR FURTHER INFORMATION CONTACT:** Kaytrue Ting, Air and Radiation Law Office (2344A), Office of General

Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone: (202) 564-6380; fax number (202) 564-5601; email address: [ting.kaytrue@epa.gov](mailto:ting.kaytrue@epa.gov).

#### SUPPLEMENTARY INFORMATION:

### I. Additional Information About the Proposed Consent Decree

The proposed consent decree would resolve a lawsuit filed by the Sierra Club seeking to compel the Administrator to take final action under sections 110(k)(2) and (3) of the CAA, 42 U.S.C. 7410(k)(2) and (3), on a SIP submission made by Oklahoma on July 16, 2010, regarding Excess Emissions Reporting Requirements. The proposed consent decree requires EPA to sign for publication in the **Federal Register** a notice of proposed rulemaking to act on the OK SIP no later than May 31, 2013, and requires EPA to sign for publication in the **Federal Register** a notice of final rulemaking acting on the OK SIP no later than January 31, 2014. Following signature of the proposed and final rule described in the proposed consent decree, EPA is required to send the notice to the Office of the Federal Register within fifteen business days for review and publication in the **Federal Register**. The proposed consent decree also states that after EPA fulfills its obligations under the consent decree, this case shall be dismissed with prejudice.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed consent decree from persons who were not named as parties or intervenors to the litigation in question. 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. Unless EPA or the Department of Justice determines, based on any comment submitted, that consent to this consent decree should be withdrawn, the terms of the decree will be affirmed.

### II. Additional Information About Commenting on the Proposed Consent Decree

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

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2012-0824) 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.

An electronic version of the public docket is available through [www.regulations.gov](http://www.regulations.gov). You may use the [www.regulations.gov](http://www.regulations.gov) to submit or view public comments, access the index listing of the contents of the official public docket, and to 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".

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing online at [www.regulations.gov](http://www.regulations.gov) without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

#### B. How and to whom do I submit comments?

You may submit comments as provided in the **ADDRESSES** section. 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 is not required to consider these late comments.

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 and with any disk or CD ROM you submit. 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, 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 [www.regulations.gov](http://www.regulations.gov) Web site 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. In contrast to EPA's electronic public docket, EPA's electronic mail (email) system is not an "anonymous access" system. If you send an email comment directly to the Docket without going through [www.regulations.gov](http://www.regulations.gov), your email address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: October 23, 2012.

**Lorie J. Schmidt**,  
*Associate General Counsel*.

[FR Doc. 2012-26656 Filed 10-29-12; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9747-4]

### Senior Executive Service Performance Review Board; Membership

**AGENCY:** U.S. Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given of the membership of the U.S. Environmental Protection Agency Performance Review Board for 2012.

#### FOR FURTHER INFORMATION CONTACT:

Karen D. Higginbotham, Director, Executive Resources Division, 3606A, Office of Human Resources, Office of Administration and Resources Management, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460, (202) 564-7287.

**SUPPLEMENTARY INFORMATION:** Section 4314(c)(1) through (5) of Title 5, U.S.C., requires each agency to establish in accordance with regulations prescribed by the Office of Personnel Management,