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 settlement agreement from persons who are not named as parties or intervenors to the litigation in question. EPA may withdraw or withhold consent to the proposed settlement agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

II. Additional Information About Commenting on the Proposed Settlement Agreement

A. How can I get a copy of the settlement agreement?

The official public docket for this action (identified by Docket ID No. EPA–HQ–OGC–2018–0767) contains a copy of the proposed settlement agreement. 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. You may use 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.”

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 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 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 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. 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, 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: June 11, 2019.

Gautam Srinivasan,
Acting Associate General Counsel.
[FR Doc. 2019–13400 Filed 6–21–19; 8:45 am]

FEDERAL TRADE COMMISSION

Information Collection Activities; Proposed Collection; Comment Request

AGENCY: Federal Trade Commission.

ACTION: Notice.

SUMMARY: The Federal Trade Commission (“FTC” or “Commission”) is seeking public comment on its proposal to extend for an additional three years the current Paperwork Reduction Act (“PRA”) clearance for information collection requirements in its Energy Labeling Rule. That clearance expires on November 30, 2019.

DATES: Comments must be submitted on or before August 23, 2019.

ADDRESSES: Interested parties may file a comment online or on paper, by following the instructions in the Request for Comment part of the SUPPLEMENTARY INFORMATION section below. Write “Energy Labeling Rule PRA Comment, FTC File No. R611004” on your comment, and file your comment online at https://www.regulations.gov by following the instructions on the web-based form. If you prefer to file your comment on paper, mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC–5610 (Annex J), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW, 5th Floor, Suite 5610 (Annex J), Washington, DC 20024.


SUPPLEMENTARY INFORMATION: Under the PRA, 44 U.S.C. 3501–3521, federal agencies must obtain approval from OMB for each collection of information they conduct or sponsor. “Collection of information” means agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. 44 U.S.C. 3502(3); 5 CFR 1320.3(c). As required by section 3506(c)(2)(A) of the PRA, the FTC is providing this opportunity for public comment before requesting that OMB extend the existing paperwork clearance for the Energy Labeling Rule, 16 CFR part 305 (OMB Control Number 3084–0069).

The Energy Labeling Rule implements the Energy Policy and Conservation Act
of 1975 ("EPCA"). The Rule establishes testing, reporting, recordkeeping, and labeling requirements for manufacturers of major household products (refrigerators, refrigerator-freezers, and freezers; dishwashers; clothes washers; water heaters; room air conditioners; furnaces; central air conditioners; heat pumps; pool heaters; fluorescent lamp ballasts; lamp products; plumbing fittings; plumbing fixtures; ceiling fans; consumer specialty lamps; and televisions). The requirements relate specifically to the disclosure of information relating to energy consumption and water usage. The Rule's testing and disclosure requirements enable consumers purchasing products to compare the efficiency or energy use of competing models. In addition, EPCA and the Rule require manufacturers to submit relevant data to the Commission regarding energy or water usage in connection with the products they manufacture. The Commission uses this data to compile ranges of comparability for covered appliances for publication in the Federal Register. These submissions, along with required records for testing data, may also be used in enforcement actions involving alleged misstatements on labels or in advertisements.

**Burden Statement**

*Estimated annual hours burden: 478,000.*

The estimated hours burden imposed by Section 324 of EPCA and the Commission’s Rule include burdens for testing (354,802 hours); reporting (1,828 hours); recordkeeping (1,019 hours); labeling (108,864 hours); retail and online catalog disclosures (6,800 hours); and online label posting (4,533 hours). The total burden for these activities is 478,000 hours (rounded to the nearest thousand).

The following estimates of the time needed to comply with the requirements of the Rule are based on census data, Department of Energy figures and estimates, general knowledge of manufacturing practices, and industry input and figures. Because the compliance burden falls almost entirely on manufacturers and importers (with a *de minimis* burden for retailers), burden estimates are calculated on the basis of the number of domestic manufacturers and/or the number of units shipped domestically in the various product categories.

<table>
<thead>
<tr>
<th>Category of manufacturer</th>
<th>Number of basic models</th>
<th>Percentage of models tested (FTC required) (%)</th>
<th>Average number of units tested per model</th>
<th>Labor hours per unit tested</th>
<th>Total annual testing burden hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Refrigerators, Refrigerator-freezers, and Freezers</td>
<td>5,134</td>
<td>25</td>
<td>4</td>
<td>4</td>
<td>20,536</td>
</tr>
<tr>
<td>Dishwashers</td>
<td>875</td>
<td>25</td>
<td>4</td>
<td>1</td>
<td>875</td>
</tr>
<tr>
<td>Clothes washers</td>
<td>599</td>
<td>25</td>
<td>4</td>
<td>2</td>
<td>1,198</td>
</tr>
<tr>
<td>Water heaters</td>
<td>3,112</td>
<td>25</td>
<td>2</td>
<td>24</td>
<td>37,344</td>
</tr>
<tr>
<td>Room air conditioners</td>
<td>1,585</td>
<td>25</td>
<td>4</td>
<td>8</td>
<td>12,680</td>
</tr>
<tr>
<td>Furnaces</td>
<td>1,800</td>
<td>25</td>
<td>2</td>
<td>8</td>
<td>7,600</td>
</tr>
<tr>
<td>Central A/C</td>
<td>1,270</td>
<td>25</td>
<td>2</td>
<td>24</td>
<td>15,240</td>
</tr>
<tr>
<td>Heat pumps</td>
<td>903</td>
<td>25</td>
<td>2</td>
<td>72</td>
<td>32,508</td>
</tr>
<tr>
<td>Pool heaters</td>
<td>215</td>
<td>25</td>
<td>2</td>
<td>12</td>
<td>1,290</td>
</tr>
<tr>
<td>Fluorescent lamp ballasts</td>
<td>454</td>
<td>25</td>
<td>4</td>
<td>3</td>
<td>1,362</td>
</tr>
<tr>
<td>Lamp products</td>
<td>5,100</td>
<td>25</td>
<td>12</td>
<td>14</td>
<td>214,200</td>
</tr>
<tr>
<td>Plumbing fittings</td>
<td>1,700</td>
<td>25</td>
<td>2</td>
<td>2</td>
<td>1,700</td>
</tr>
<tr>
<td>Plumbing fixtures</td>
<td>22,000</td>
<td>25</td>
<td>1</td>
<td>.0833</td>
<td>458</td>
</tr>
<tr>
<td>Ceiling Fans</td>
<td>6,966</td>
<td>25</td>
<td>3</td>
<td>1</td>
<td>5,225</td>
</tr>
<tr>
<td>Televisions</td>
<td>2,586</td>
<td>25</td>
<td>2</td>
<td>2</td>
<td>2,586</td>
</tr>
</tbody>
</table>

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*B. Reporting*

The Rule requires that manufacturers of covered products "shall submit annually a report for each model in current production containing the same information that must be submitted to the Department of Energy pursuant to 10 CFR part 429. In lieu of submitting the required information to the Commission as required by this section, manufacturers may submit such information to the Department of Energy via the CCMS at [https://regulations.doe.gov/ccms](https://regulations.doe.gov/ccms) as provided by 10 CFR 429.12." 16 CFR 305.8(a)(1). The Rule also requires manufacturers to furnish links to images of their EnergyGuide labels as part of these required annual reports. 16 CFR 305.8(a)(5). Manufacturers must submit data to the FTC both when they begin manufacturing new models and annually. 16 CFR 305.8(b); 42 U.S.C. 6296(b).

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1 2 The following numbers reflect estimates of the basic models in the market. The actual numbers will vary from year to year.
Reporting burden estimates are based on information from industry representatives. Manufacturers of some products, such as appliances and HVAC equipment, indicate that, for them, the reporting burden is best measured by the time needed to affix required labels. The figures below reflect these different methodologies as well as the varied time needed to affix required labels. Manufacturers of covered products—such as makers of fluorescent lamp ballasts and lamp products, state that an estimated number of annual burden hours by manufacturer is a more meaningful way to measure. The figures below reflect these different methodologies as well as the varied time needed to prepare labels, and (2) the estimated time required to report on information from industry representatives. 

The total annual reporting burden for industries covered by the Rule is 1,828 hours annually (838 + 120 + 750 + 120).

### C. Recordkeeping

The Rule requires manufacturers to keep records of the test data generated in performing the tests to derive information included on labels required by the Rule. EPCA and the Rule require manufacturers to keep records of the test data generated in performing the tests to derive information included on labels and required by the Rule. As with reporting, burden is calculated by number of models for appliances, HVAC equipment, pool heaters, and telecommunications, and by number of manufacturers for fluorescent lamp ballasts, lamp products, and plumbing products. 

#### Appliances, HVAC Equipment, Pool Heaters, and Televisions

Staff estimates that the average reporting burden for manufacturers of covered products is approximately two minutes per basic model. Based on this estimate, multiplied by a total of 14,633 basic models of these products, the annual reporting burden for the appliance, HVAC equipment, and pool heater industry is an estimated 838 hours (2 minutes × 25,145 models ÷ 60 minutes per hour).

#### Fluorescent Lamp Ballasts, Lamp Products, and Plumbing Products

The total annual reporting burden for manufacturers of fluorescent lamp ballasts, lamp products, and plumbing fixtures is based on the estimated average annual burden for each category of manufacturers, multiplied by the number of manufacturers in each respective category, as shown below:

<table>
<thead>
<tr>
<th>Category of manufacturer</th>
<th>Annual burden hours per manufacturer</th>
<th>Number of manufacturers</th>
<th>Total annual reporting burden</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fluorescent lamp ballasts</td>
<td>6</td>
<td>20</td>
<td>120</td>
</tr>
<tr>
<td>Lamp products</td>
<td>15</td>
<td>50</td>
<td>750</td>
</tr>
<tr>
<td>Plumbing products</td>
<td>1</td>
<td>120</td>
<td>120</td>
</tr>
</tbody>
</table>

The total reporting burden for industries covered by the Rule is 1,828 hours annually (838 + 120 + 750 + 120).

### D. Labeling

EPCA and the Rule require that manufacturers of covered products provide certain information to consumers through labels on covered products. The burden imposed by this requirement consists of (1) the time needed to prepare labels, and (2) the time needed to affix required labels. EPCA and the Rule specify the content, format, and specifications for the required labels, so manufacturers need only add the energy consumption figures derived from testing. In addition, most companies use automation to generate labels, and the labels do not change from year to year. Given these considerations, staff estimates that the time to prepare labels for covered products is no more than four minutes per basic model. Based on Department of Energy data, staff has estimated that manufacturers offer approximately 54,399 basic models of covered products. Based on these estimates, staff estimates that the approximate annual drafting burden involved in labeling covered products is 3,627 hours per year (54,399 [all basic models] × four minutes [drafting time per basic model] × 60 [minutes per hour]).

Based on input from industry representatives and trade associations, staff estimates that it takes approximately 4 second to affix labels to products for retail sales. Based on an average of 4 seconds per unit, the annual burden for affixing labels to covered products is 105,237 hours [4 (seconds) × 94,713,098] (the estimated number of total products shipped for 2019).
The total labeling burden for all industries covered by the Rule is 108,864 (105,237 hours for preparation plus 3,627 hours for affixing) annually.

E. Online and Retail Sales Catalog Disclosures

The Rule requires that sellers offering covered products online or through retail sales catalogs (i.e., those publications from which a consumer can order merchandise) disclose online or in the catalog energy or water consumption for each covered product. Because this information is supplied by the product manufacturers, the burden on the retailer consists of incorporating the information into the online or catalog presentation.

In the past, staff has estimated that there are 100 sellers who offer covered products through paper retail catalogs. While the Rule initially imposed a burden on catalog sellers by requiring that they draft disclosures and incorporate them into the layouts of their catalogs, paper catalog sellers now have substantial experience with the Rule and its requirements. Energy and water consumption information has obvious relevance to consumers, so sellers are likely to disclose much of the required information with or without the Rule. Accordingly, given the small number of catalog sellers, their experience with incorporating energy and water consumption data into their catalogs, and the likelihood that many of the required disclosures would be made in the ordinary course of business, staff believes that any burden the Rule imposes on these paper catalog sellers would be minimal.

Staff estimates that there are approximately 400 online sellers of covered products who are subject to the Rule’s catalog disclosure requirements. Staff estimates that these online sellers each require approximately 17 hours per year to incorporate the data into their online catalogs. This estimate is based on the assumption that entry of the required information takes 1 minute per covered product and an assumption that the average online catalog contains approximately 1,000 covered products (based on a sampling of websites of affected retailers). Given that there is a great variety among sellers in the volume of products they offer online, it is very difficult to estimate such volume with precision. In addition, this analysis assumes that information for all 1,000 products is entered into the catalog each year. This is assumption likely overstates the associated burden because the number of incremental additions to the catalog from year to year is likely to be much lower after initial start-up efforts have been completed. The total catalog disclosure burden for all industries covered by the Rule is 6,800 hours (400 sellers x 17 hours annually).

F. Online Label Posting

The Rule requires manufacturers to post images of their EnergyGuide and Lighting Facts labels online. Given approximately 54,399 total models at an estimated five minutes per model, this requirement entails a burden of 4,533 hours.

Estimated annual cost burden: $12,063,968 in labor cost and $5,672,500 in other non-labor costs.

Labor costs: Staff derived labor costs by applying estimated hourly cost figures to the burden hours described above. In calculating the cost figures, staff assumes that test procedures are conducted by skilled technical personnel at an hourly rate of $28.37, and that recordkeeping and reporting, and labeling and marking, generally are performed by clerical personnel at an hourly rate of $16.24.

Based on the above estimates and assumptions, the total annual labor costs for the five different categories of burden under the Rule, applied to all the products covered by it, is $12,064,000 (rounded to the nearest thousand).4

Activity | Burden hours per year | Wage category/hourly rate | Total annual labor cost
---|---|---|---
Testing | 354,802 | Engineering technicians ($28.37) | $10,065,733
Reporting | 1,828 | Data Entry/Information Processing ($16.24) | 29,687
Recordkeeping | 1,019 | Data Entry/Information Processing ($16.24) | 16,549
Labeling | 108,864 | Data Entry/Information Processing ($16.24) | 1,767,951
Online and Catalog disclosures | 6,800 | Data Entry/Information Processing ($16.24) | 110,432
Online Label Posting | 4,533 | Data Entry/Information Processing ($16.24) | 73,616
---|---|---|---
| | | | $12,063,968

Capital or Other Non-Estimated annual non-labor cost: $5,672,500.

Manufacturers must incur the cost of procuring labels used in compliance with the Rule. Based on estimates of 189,000,000 units shipped annually, at an average cost of three cents for each label, the total (rounded) labeling cost is $5,670,000.

The overwhelming majority of manufacturers submit required annual reports through the DOE online reporting system. However, a limited number of manufacturers submit required reports to the Commission directly (rather than through trade associations) and incur some nominal costs for paper and postage. Staff estimates that these costs do not exceed $2,500.

Request for Comment: Pursuant to Section 3506(c)(2)(A) of the PRA, the FTC invites comments on: (1) Whether the disclosure, recordkeeping, and reporting requirements are necessary, including whether the resulting information will be practically useful; (2) the accuracy of our burden estimates, including whether the methodology and assumptions used are valid; (3) how to improve the quality, utility, and clarity of the disclosure requirements; and (4) how to minimize the burden of providing the required information to consumers.

You can file a comment online or on paper. For the FTC to consider your comment, we must receive it on or before August 23, 2019. Write “Energy Labeling Rule PRA Comment, FTC File No. ” on your comment. Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online, or to send them to the Commission by courier or overnight service. To make sure that the Commission considers your online comment, you must file it through the following website by the deadline.

following the instructions on the web-based form provided. Your comment—
including your name and your state—
will be placed on the public record of
this proceeding, including the https://
www.regulations.gov website. As a
matter of discretion, the Commission
tries to remove individuals’ home
contact information from comments
before placing them on the
regulations.gov site.

If you file your comment on paper,
write “Energy Labeling Rule Comment,
FTC File No. —” on your comment
and on the envelope, and mail it to the
following address: Federal Trade
Commission, Office of the Secretary,
600 Pennsylvania Avenue NW, Suite
CC–5610 (Annex J), Washington, DC
20580, or deliver your comment to the
following address: Federal Trade
Commission, Office of the Secretary,
Constitution Center, 400 7th Street SW,
5th Floor, Suite 5610 (Annex J),
Washington, DC 20024. If possible,
submit your paper comment to the
Commission by courier or overnight
service.

Because your comment will be placed
on the publicly accessible website at
www.regulations.gov, you are solely
responsible for making sure that your
comment does not include any sensitive
or confidential information. In
particular, your comment should not
include any sensitive personal
information, such as your or anyone
else’s Social Security number; date of
birth; driver’s license number or other
state identification number, or foreign
country equivalent; passport number;
financial account number; or credit or
debit card number. You are also solely
responsible for making sure that your
comment does not include any sensitive
health information, such as medical
records or other individually
identifiable health information. In
addition, your comment should not
include any “trade secret or any
commercial or financial information
which . . . is privileged or
confidential”—as provided by Section
6(f) of the FTC Act, 15 U.S.C. 46(f), and
FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—
including in particular competitively
sensitive information such as costs,
sales statistics, inventories, formulas,
patterns, devices, manufacturing
processes, or customer names.

Comments containing material for
which confidential treatment is
requested must be filed in paper form,
must be clearly labeled “Confidential,”
and must comply with FTC Rule 4.9(c).
In particular, the written request for
confidential treatment that accompanies
the comment must include the factual
and legal basis for the request, and must
identify the specific portions of the
comment to be withheld from the public
record. See FTC Rule 4.9(c). Your
comment will be kept confidential only
if the General Counsel grants your
request in accordance with the law and
the public interest. Once your comment
has been posted publicly at
www.regulations.gov, we cannot redact
or remove your comment unless you
submit a confidentiality request that
meets the requirements for such
treatment under FTC Rule 4.9(c), and
the General Counsel grants that request.

The FTC Act and other laws that the
Commission administers permit the
perception of public comments to
consider and use in this proceeding as
appropriate. The Commission will
consider all timely and responsive
public comments that it receives on or
before August 23, 2019. For information
on the Commission’s privacy policy,
including routine uses permitted by the
Privacy Act, see https://www.ftc.gov/
site-information/privacy-policy.

Heather Hipplesley,
Deputy General Counsel.
[FR Doc. 2019–13383 Filed 6–21–19; 8:45 am]
BILLING CODE 6750–01–P

DEPARTMENT OF HEALTH AND
HUMAN SERVICES

Centers for Disease Control and
Prevention

Statement of Organization, Functions,
and Delegations of Authority

Part C (Centers for Disease Control
and Prevention) of the Statement of
Organization, Functions, and
Delegations of Authority of the
Department of Health and Human
Services (45 FR 67772–76, dated
October 14, 1980, and corrected at 45 FR
69296, October 20, 1980, as amended
most recently at 82 FR 42555, dated
September 6, 2017) is amended to
reflect the Order of Succession for the
Centers for Disease Control and
Prevention.

Section C–C, Order of Succession, is
hereby amended as follows:
Delete in its entirety Section C–C,
Order of Succession, and insert the
following:
During the absence or disability of the
Director, Centers for Disease Control
and Prevention (CDC), or in the event of
a vacancy in that office, the first official
listed below who is available shall act
as Director, except that during a
planned period of absence, the Director
may specify a different order of
succession:

1. Principal Deputy Director
2. Chief Medical Officer
3. Deputy Director for Public Health
Service and Implementation
Science
4. Deputy Director for Infectious
Diseases
5. Director, Center for Preparedness and
Response
6. Director, National Institute for
Occupational Safety and Health

heri Berger,
Chief Operating Officer, Centers for Disease
Control and Prevention.

[FR Doc. 2019–13383 Filed 6–21–19; 8:45 am]
BILLING CODE 4160–18–P

DEPARTMENT OF HEALTH AND
HUMAN SERVICES

Centers for Disease Control and
Prevention

[DOcket Number CDC–2019–0016, NIOSH–
325]

Mining Automation and Safety
Research Prioritization; Reopening of
Comment Period

AGENCY: National Institute for
Occupational Safety and Health (NIOSH) of the Centers for Disease
Control and Prevention (CDC, Department of Health and Human
Services (HHS).

ACTION: Notice and reopening of
comment period.

SUMMARY: On March 18, 2019 the
National Institute for Occupational Safety and Health (NIOSH) of the Centers for Disease
Control and Prevention (CDC) published a notice in the
Federal Register announcing that NIOSH had recently established a
research program to address the rapidly expanding area of automation and
associated technologies in mining, and that NIOSH was requesting information
to inform the prioritization of research
to be undertaken by The Institute’s
Mining Program. NIOSH is seeking
input on priority gaps in knowledge
regarding the safety and health
implications of humans working with
automated equipment and associated
technologies in mining, with an
emphasis on worker safety and health
research in which NIOSH has the
comparative advantage, and is unlikely
to be undertaken by other federal
agencies, academy, or the private
sector. Written comments were to be
received by May 17, 2019. In response
to a request from an interested party,
NIOSH is announcing the reopening of
the comment period.