

Owners and operators of affected facilities are required to comply with reporting and record keeping requirements for the General Provisions (40 CFR part 63, subpart A), as well as the applicable standards at 40 CFR part 63, subpart EEEEE. This includes submitting initial notifications, performance tests and periodic reports and results, and maintaining records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These reports are used by EPA to determine compliance with these standards.

*Form Numbers:* None.

*Respondents/affected entities:* Iron and steel foundries.

*Respondent's obligation to respond:* Mandatory (40 CFR part 63, subpart EEEEE).

*Estimated number of respondents:* 45 (total).

*Frequency of response:* Initially, semiannually.

*Total estimated burden:* 14,000 hours (per year). Burden is defined at 5 CFR 1320.3(b).

*Total estimated cost:* \$1,880,000 (per year), which includes \$246,000 in annualized capital/startup and/or operation & maintenance costs.

*Changes in the Estimates:* There is a decrease in the total estimated burden as currently identified in the OMB Inventory of Approved Burdens. This decrease is not due to any program changes. The decrease in burden is an adjustment due to more accurate estimates of existing and anticipated new sources. The estimate of sources is based on Agency analyses conducted during the development the Risk and Technology Review for this subpart. The reduction in sources led to a decrease in burden hours and costs for labor, capital, and operation and maintenance. Activities for existing sources include continuous monitoring of pollutants and the submission of semiannual reports.

**Courtney Kerwin,**

*Director, Regulatory Support Division.*

[FR Doc. 2019-20953 Filed 9-25-19; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2013-0118; FRL-9999-42-OMS]

### Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Control of Evaporative Emissions From New and In-Use Portable Gasoline Containers (Renewal)

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) has submitted an information collection request (ICR), Control of Evaporative Emissions from New and In-Use Portable Gasoline Containers (EPA ICR Number 2213.06, OMB Control Number 2060-0597) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. This notice is a proposed extension of the Portable Fuel Container ICR, which is currently approved through September 30, 2019. Public comments were previously requested via the **Federal Register** on April 24, 2019 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. 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.

**DATES:** Additional comments must be submitted on or before October 28, 2019.

**ADDRESSES:** Submit your comments, referencing the Docket ID No. EPA-HQ-OAR-2013-0118, to (1) EPA online using [www.regulations.gov](http://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, and (2) OMB via email to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov). Address comments to OMB Desk Officer for EPA.

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.

**FOR FURTHER INFORMATION CONTACT:** Julia Giuliano, Compliance Division, Office

of Transportation and Air Quality, U.S. Environmental Protection Agency, 2000 Traverwood, Ann Arbor, Michigan 48105; telephone number: 734-214-4865; fax number 734-214-4869; email address: [giuliano.julia@epa.gov](mailto:giuliano.julia@epa.gov).

### SUPPLEMENTARY INFORMATION:

Supporting documents, which explain in detail the information that the EPA will be collecting, will be available in the public docket for this ICR. The docket can be viewed online at [www.regulations.gov](http://www.regulations.gov) or in person at the EPA Docket Center, EPA 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:* EPA is required under Section 183(e) of the Clean Air Act to regulate Volatile Organic Compound (VOC) emissions from the use of consumer and commercial products. Under regulations promulgated on February 26, 2007 (72 FR 8428) manufacturers of new portable gasoline containers are required to obtain certificates of conformity with the Clean Air Act, effective January 1, 2009. This ICR covers the burdens associated with this certification process. EPA reviews information submitted in a manufacturer's application for certification to determine if the gasoline container design conforms to applicable regulatory requirements and to verify that the required testing has been performed. The certificate holder is required to keep records on the testing and collect and retain warranty and defect information for annual reporting on in-use performance of their products. The respondent must also retain records on the units produced, apply serial numbers to individual containers, and track the serial numbers to their certificates of conformity. Any information submitted for which a claim of confidentiality is made is safeguarded according to EPA regulations at 40 CFR 2.201 *et seq.*

*Form Numbers:* None.

*Respondents/affected entities:*

Manufacturers of new portable gasoline containers from 0.25 to 10.0 gallons in capacity.

*Respondent's obligation to respond:* Mandatory (40 CFR part 59, subpart F).

*Estimated number of respondents:* 8.

*Frequency of response:* Annually for warranty reports; at least once every five years for certificate renewals.

*Total estimated burden:* 250 hours (per year). Burden is defined at 5 CFR 1320.3(b).

*Total estimated cost:* \$27,902 (per year), which includes \$14,010

annualized capital or operation & maintenance costs.

*Changes in the Estimates:* The number of manufacturers remains at eight and we do not anticipate any net changes in that figure in the next three years. The decrease in anticipated costs is due to the removal of three emissions applications.

**Courtney Kerwin,**

Director, Collection Strategies Division.

[FR Doc. 2019-20886 Filed 9-25-19; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-10000-32-OAR]

**Production of Confidential Business Information in Civil Litigation; Transfer of Information Claimed as Confidential Business Information to the United States Department of Justice and Parties to Certain Litigation**

**AGENCY:** Environmental Protection Agency (EPA)

**ACTION:** Notice.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is providing notice of disclosure of information which has been submitted to the EPA by

owners/operators of oil and natural gas facilities that is claimed to be, or has been determined to be, confidential business information (CBI), in civil litigation styled *State of New York et al. v. EPA*, No. 18-cv-773, pending in the United States District Court for the District of Columbia (Litigation). Disclosure is in response to discovery requests from Plaintiffs in this Litigation. The court has entered a Protective Order applicable to all parties that governs the treatment of CBI during and after this Litigation.

**DATES:** Access by the United States Department of Justice (DOJ) and/or the parties to this Litigation to material, including CBI, discussed in this document, will be ongoing and expected to continue during the Litigation.

**FOR FURTHER INFORMATION CONTACT:** Interested parties may contact Ms. Penny Lassiter, Office of Air Quality Planning and Standards, Sector Policies and Programs Division (D205-01), Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (888) 372-8696; email address: [icr@epa.gov](mailto:icr@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Does this action apply to me?**

Entities potentially affected by this action include owners/operators of oil

and natural gas facilities who have submitted information to the EPA that is claimed to be, or has been determined to be, CBI. There are several industry segments that may be considered oil and natural gas facilities. Those facilities that may be affected by this action include the following industry segments: Onshore petroleum and natural gas production, onshore petroleum and natural gas gathering and boosting, onshore natural gas processing, onshore natural gas transmission compression, onshore natural gas transmission pipelines, underground natural gas storage, liquefied natural gas (LNG) storage, and LNG import and export equipment.

The table below presents some examples of potentially affected entities according to the North American Industry Classification System (NAICS) code. This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities that may be impacted by this action. Other types of entities not listed in the table could also be impacted. If you have any questions regarding the applicability of this action, consult the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Category	NAICS Codes	Examples of potentially affected entities
Petroleum and Natural Gas Systems. ....	211111 211112 221210 486110 486210	Crude petroleum and natural gas extraction. Natural gas liquid extraction. Natural gas distribution. Pipeline distribution of crude oil. Pipeline transportation of natural gas.

**II. Action Description**

The Plaintiffs filed this action to compel the EPA “to comply with the nondiscretionary duty under the Clean Air Act (Act) to establish guidelines for limiting methane emissions from existing sources in the oil and natural gas sector, thereby remedying EPA’s unreasonable delay in establishing such emission guidelines.” *New York et al. v. EPA*, No. 1:18-cv-773, ECF Document No. 1 at 1 (D.D.C.). Plaintiffs in this action include the following: State of California, State of Connecticut, State of Illinois, State of Iowa, State of Maine, State of Maryland, Commonwealth of Massachusetts, State of New Mexico, State of Oregon, Commonwealth of Pennsylvania, State of Rhode Island, State of Vermont, State of Washington, District of Columbia, City of Chicago, and the Environmental Defense Fund (Plaintiff-Intervenor). Notice is being provided, pursuant to 40 CFR 2.209(d),

to inform affected businesses that the EPA intends to transmit certain information which has been submitted by owners/operators of oil and natural gas facilities that is claimed to be, or has been determined to be, CBI, to the parties in this Litigation. The information includes communications with, and information provided by owners/operators of, oil and natural gas facilities in connection with the Information Collection Request (ICR) that the EPA issued to the oil and natural gas industry in 2016. See <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry/oil-and-natural-gas-information-collection>. Such information includes, but is not limited to, information submitted during development of the ICR (including the two rounds of public comment); information submitted in response to the ICR letter, including data (e.g., completed surveys); questions about the ICR; and/or requests to the

EPA for an exemption from or an extension of the deadlines for responding to the ICR.

The treatment of this information is governed by the Protective Order entered into by the parties to this Litigation. Interested third parties may find the Protective Order in the docket for the Litigation. *New York et al. v. EPA*, No. 1:18-cv-773, ECF Document No. 53 (D.D.C.). The Protective Order governs the distribution of CBI, limits its use to this Litigation, and provides for its return or destruction at the conclusion of the Litigation. In accordance with 40 CFR 2.209(c)-(d), DOJ must disclose such information to the extent required to comply with the discovery obligations of the EPA in this Litigation, including its obligations under the Protective Order.