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Patricia S. McKenna,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2021–07183 Filed 4–6–21; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

Notice of Opportunity To Comment on Proposed Consent Decree Under the Clean Air Act

On April 1, 2021, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Eastern District of Washington in the lawsuit entitled *United States v. Multistar Industries, Inc.*, Civil Action No. 2:21–cv–130–SMJ.

This Consent Decree settles claims against Multistar Industries, Inc. (“Multistar”) set forth in the Complaint filed contemporaneously with the lodging of the Consent Decree. The complaint includes claims under Section 113 of the Clean Air Act (CAA) for violations of the risk management program requirements of CAA Section 112(r) and Section 113(a)(3) for violations of an administrative compliance order. These violations occurred at Multistar’s chemical storage and distribution facility in Othello, Washington.

The Consent Decree resolves these claims by requiring a penalty payment of \$135,000 plus the decree establishes a three year stipulated penalty structure wherein Multistar is obligated to submit reports as to its operations and comply with the risk management program requirements of CAA § 112(r)(7) or be subject to stipulated penalties.

This publication of this notice holds opens the period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Multistar Industries, Inc.*, Civil Action No. 2:21–cv–130–SMJ, D.J. Ref. No. 90–5–2–1–12000/1. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$9.50 (25 cents per page reproduction cost) payable to the United States Treasury.

Susan M. Akers,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2021–07134 Filed 4–6–21; 8:45 am]

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2019–0008]

Ballard Marine Construction; Withdrawal of Application for Variance and Revocation of Interim Order

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the revocation of the Interim Order granted to the applicant, Ballard Marine Construction (Ballard), from provisions of OSHA’s standard for work in compressed air environments, and further announces the applicant’s withdrawal of the application for a permanent variance.

DATES: The revocation of the interim order specified by this notice becomes effective on April 7, 2021.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor; telephone: (202) 693–1999; email: meilinger.francis2@dol.gov.

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor; telephone: (202) 693–2110; email: robinson.kevin@dol.gov.

SUPPLEMENTARY INFORMATION:

I. Notice of Withdrawal of Application for Permanent Variance and Revocation of Interim Order

On January 19, 2021, OSHA granted Ballard an Interim Order (86 FR 5253), which permitted the employer to comply with alternative conditions instead of complying with the requirements of the OSHA’s compressed air standard, 29 CFR 1926.803. Further, the Interim Order stated that it was to remain in effect through the duration of the Suffolk County Outfall Tunnel Project. Ballard notified OSHA by letter dated February 17, 2021 (OSHA–2019–0008–0012) that its portion of the Suffolk County Outfall Tunnel Project was complete, and that for this reason, the applicant was withdrawing their application for a permanent variance.

OSHA hereby revokes the Interim Order granted to Ballard on January 19, 2021 (86 FR 5253).

II. Authority and Signature

James S. Frederick, Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue NW, Washington, DC 20210, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to Section 29 U.S.C. 655(6)(d), Secretary of Labor’s Order No. 8–2020 (85 FR 58393; Sept. 18, 2020), and 29 CFR 1905.11.

Signed at Washington, DC, on March 31, 2021.

James S. Frederick,

Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2021–07133 Filed 4–6–21; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2006–0040]

SGS North America, Inc.: Application for Expansion of Recognition and Proposed Modification to the NRTL Program’s List of Appropriate Test Standards

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the application of SGS North America, Inc., for expansion of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the application. Additionally, OSHA proposes to add five test standards to the NRTL Program's list of appropriate test standards.

DATES: Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before April 22, 2021.

ADDRESSES: Submit comments by any of the following methods:

Electronically: You may submit comments and attachments electronically at: <https://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

Facsimile: If your comments, including attachments, are not longer than 10 pages, you may fax them to the OSHA Docket Office at (202) 693-1648.

Mail, hand delivery, express mail, messenger, or courier service: When using this method, you must submit a copy of your comments and attachments to the OSHA Docket Office, Docket No. OSHA-2006-0040, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DC 20210. *Please note:* While OSHA's docket office is continuing to accept and process submissions by regular mail, due to the COVID-19 pandemic, the Docket Office is closed to the public and not able to receive submissions to the rulemaking record by express delivery, hand delivery, and messenger service.

Instructions: All submissions must include the agency name and the OSHA docket number (OSHA-2006-0040). OSHA places comments and other materials, including any personal information, in the public docket without revision, and these materials will be available online at <http://www.regulations.gov>. Therefore, the agency cautions commenters about submitting statements they do not want made available to the public, or submitting comments that contain personal information (either about themselves or others) such as Social

Security numbers, birth dates, and medical data.

Docket: To read or download comments or other material in the docket, go to <https://www.regulations.gov> or the OSHA Docket Office at the above address. All documents in the docket (including this **Federal Register** notice) are listed in the <https://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office.

Extension of comment period: Submit requests for an extension of the comment period on or before April 22, 2021 to the Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room N-3653, Washington, DC 20210, or by fax to (202) 693-1644.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor, telephone: (202) 693-1999; email: meilinger.francis2@dol.gov.

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, phone: (202) 693-2110 or email: robinson.kevin@dol.gov.

SUPPLEMENTARY INFORMATION:**I. Notice of the Application for Expansion**

The Occupational Safety and Health Administration is providing notice that SGS North America, Inc. (SGS) is applying for an expansion of current recognition as a NRTL. SGS requests the addition of five test standards to the NRTL scope of recognition.

OSHA recognition of a NRTL signifies that the organization meets the requirements specified in 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing

and certification of the specific products covered within the scope of recognition. Each NRTL's scope of recognition includes: (1) The type of products the NRTL may test, with each type specified by the applicable test standard; and (2) the recognized site(s) that has/have the technical capability to perform the product-testing and product-certification activities for test standards within the NRTL's scope. Recognition is not a delegation or grant of government authority; however, recognition enables employers to use products approved by the NRTL to meet OSHA standards that require product testing and certification.

The agency processes applications by a NRTL for initial recognition and for an expansion or renewal of this recognition, following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the agency publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application and provides a preliminary finding. In the second notice, the agency provides the final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational web page for each NRTL, including SGS, which details the NRTL's scope of recognition. These pages are available from the OSHA website at <http://www.osha.gov/dts/otpca/nrtl/index.html>.

SGS currently has nine facilities (sites) recognized by OSHA for product testing and certification, with the headquarters located at: SGS North America, Inc., 620 Old Peachtree Road, Suwanee, Georgia 30024. A complete list of SGS's scope of recognition is available at <https://www.osha.gov/dts/otpca/nrtl/sgs.html>.

II. General Background on the Application

SGS submitted an application to OSHA to expand recognition as a NRTL to include five additional test standards on May 16, 2019 (OSHA-2006-0040-0058). OSHA staff performed a detailed analysis of the application packets and reviewed other pertinent information. OSHA did not perform any on-site reviews in relation to these applications.

Table 1 lists the appropriate test standards found in SGS's application for expansion for testing and certification of products under the NRTL Program.

TABLE 1—PROPOSED LIST OF APPROPRIATE TEST STANDARDS FOR INCLUSION IN SGS’S NRTL SCOPE OF RECOGNITION

Test standard	Test standard title
* UL 62841–2–1	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery—Part 2–1: Particular Requirements for Hand-Held Drills and Impact Drills.
* UL 62841–2–10	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery—Part 2–10: Particular Requirements for Hand-Held Mixers.
* UL 62841–2–21	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery—Part 2–21: Particular Requirements for Hand-Held Drain Cleaners.
* UL 62841–3–13	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery—Part 3–13: Particular Requirements for Transportable Drills.
* UL 60745–2–23	Hand-Held Motor-Operated Electric Tools—Safety—Part 2–23: Particular Requirements for Die Grinders and Small Rotary Tools.

* Represents the standards that OSHA proposes to add to the NRTL Program’s List of Appropriate Test Standards.

III. Proposal To Add New Test Standards to the NRTL Program’s List of Appropriate Test Standards

Periodically, OSHA will propose to add new test standards to the NRTL list of appropriate test standards following an evaluation of the test standard document. To qualify as an appropriate test standard, the agency evaluates the document to: (1) Verify it represents a product category for which OSHA requires certification by a NRTL; (2) verify the document represents an end product and not a component; and (3) verify the document defines safety test specifications (not installation or

operational performance specifications). OSHA becomes aware of new test standards through various avenues. For example, OSHA may become aware of new test standards by: (1) Monitoring notifications issued by certain Standards Development Organizations; (2) reviewing applications by NRTLs or applicants seeking recognition to include new test standard in their scopes of recognition; and (3) obtaining notification from manufacturers, manufacturing organizations, government agencies, or other parties. OSHA may determine to include a new test standard in the list, for example, if

the test standard is for a particular type of product that another test standard also covers or it covers a type of product that no standard previously covered.

In this notice, OSHA proposes to add five new test standards to the NRTL Program’s list of appropriate test standards. Table 2, below, lists the test standards that are new to the NRTL Program. OSHA preliminarily determined that these test standards are appropriate test standards and proposes to include them in the NRTL Program’s list of appropriate test standards. OSHA seeks public comment on this preliminary determination.

TABLE 2—STANDARDS OSHA IS PROPOSING TO ADD TO THE NRTL PROGRAM’S LIST OF APPROPRIATE TEST STANDARDS

Test standard	Test standard title
UL 62841–2–1	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery—Part 2–1: Particular Requirements for Hand-Held Drills and Impact Drills.
UL 62841–2–10	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery—Part 2–10: Particular Requirements for Hand-Held Mixers.
UL 62841–2–21	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery—Part 2–21: Particular Requirements for Hand-Held Drain Cleaners.
UL 62841–3–13	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery—Part 3–13: Particular Requirements for Transportable Drills.
UL 60745–2–23	Hand-Held Motor-Operated Electric Tools—Safety—Part 2–23: Particular Requirements for Die Grinders and Small Rotary Tools.

IV. Preliminary Findings on the Application

SGS submitted an acceptable application for expansion of the scope of recognition. OSHA’s review of the application files and pertinent documentation indicates that SGS can meet the requirements prescribed by 29 CFR 1910.7 for expanding the recognition to include the addition of these five test standards for NRTL testing and certification listed above. This preliminary finding does not constitute an interim or temporary approval of SGS’s application.

OSHA welcomes public comment as to whether SGS meets the requirements of 29 CFR 1910.7 for expansion of the

recognition as a NRTL. OSHA additionally welcomes comments on the proposal to add five additional test standards to the NRTL Program’s list of appropriate test standards. Comments should consist of pertinent written documents and exhibits. Commenters needing more time to comment must submit a request in writing, stating the reasons for the request. Commenters must submit the written request for an extension by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer period. OSHA may deny a request for an extension if the request is not adequately justified. To obtain or review copies of the exhibits identified in this notice, as well as comments

submitted to the docket, contact the Docket Office, Room N–3653, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address. These materials also are available online at <http://www.regulations.gov> under Docket No. OSHA–2006–0040.

OSHA staff will review all comments to the docket submitted in a timely manner and, after addressing the issues raised by these comments, will make a recommendation to the Assistant Secretary for Occupational Safety and Health whether to grant SGS’s application for expansion of the scope of recognition. The Assistant Secretary will make the final decision on granting the application. In making this decision,

the Assistant Secretary may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7.

OSHA will publish a public notice of the final decision in the **Federal Register**.

V. Authority and Signature

James S. Frederick, Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue NW, Washington, DC 20210, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to Section 29 U.S.C. 655(6)(d), Secretary of Labor's Order No. 8–2020 (85 FR 58393; Sept. 18, 2020), and 29 CFR 1905.11.

Signed at Washington, DC, on March 31, 2021.

James S. Frederick,

Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2021–07131 Filed 4–6–21; 8:45 am]

BILLING CODE 4510–26–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–424 and 50–425; NRC–2021–0088]

Southern Nuclear Operating Company, Inc; Vogtle Electric Generating Plant, Units 1 and 2

AGENCY: Nuclear Regulatory Commission.

ACTION: Environmental assessment and finding of no significant impact; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of exemptions that would permit the Southern Nuclear Operating Company, Inc. (SNC, the licensee) to make changes to the Vogtle Electric Generating Plant (Vogtle), Unit 1 and 2, licensing basis. Specifically, the licensee is seeking exemptions that would allow the use of both a risk-informed approach to address safety issues discussed in Generic Safety Issue (GSI)–191 and to close Generic Letter (GL) 2004–02. The NRC staff is issuing a final Environmental Assessment (EA) and final Finding of No Significant Impact (FONSI) associated with the proposed exemptions.

DATES: The EA and FONSI referenced in this document are available on April 7, 2021.

ADDRESSES: Please refer to Docket ID NRC–2021–0088 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available

information related to this document using any of the following methods:

- **Federal Rulemaking Website:** Go to <https://www.regulations.gov> and search for Docket ID NRC–2021–0088. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: Stacy.Schumann@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin Web-based ADAMS Search.” For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email at pdr.resource@nrc.gov. For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the “Availability of Documents” section.

- **Attention:** The PDR, where you may examine and order copies of public documents, is currently closed. You may submit your request to the PDR via email at pdr.resource@nrc.gov or call 1–800–379–4209 or 301–415–4737, between 8:00 a.m. and 4:00 p.m. (EST), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: John G. Lamb, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–3100, email: John.Lamb@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC is considering issuance of exemptions and license amendments of Renewed Facility Operating Licenses NPF–68 and NPF–81, issued to Southern Nuclear Operating Company (SNC, the licensee), for operation of the Vogtle Electric Generating Plant (Vogtle), Units 1 and 2, located in Burke County, Georgia. The license amendments and regulatory exemptions would allow SNC to incorporate the use of a risk-informed approach to address safety issues discussed in GSI–191 and to close GL 2004–02. Therefore, as required by section 51.21 of title 10 of the *Code of Federal Regulations* (10 CFR), “Criteria for and identification of licensing and regulatory actions requiring environmental assessments,” the NRC performed an EA. Based on the results of the EA that follows, and in

accordance with 10 CFR 51.31(a), the NRC has determined not to prepare an environmental impact statement for the proposed licensing action and is issuing a FONSI.

The NRC established GSI–191 to determine whether the transport and accumulation of debris from a loss-of-coolant accident (LOCA) in the pressurized-water reactor (PWR) containment structure would impede the operation of the emergency core cooling system (ECCS) or containment spray system (CSS). A LOCA within the containment structure is assumed to be caused by a break in the primary coolant loop piping. Water discharged from the pipe break and debris would collect on the containment structure floor and within the containment emergency sump. During this type of accident, the ECCS and CSS would initially draw cooling water from the refueling water storage tank (RWST). However, realigning the ECCS pumps to the containment emergency sump would provide long-term cooling of the reactor core. Therefore, successful long-term cooling depends on the ability of the containment emergency sump to provide adequate flow to the residual heat removal (RHR) recirculation pumps for extended periods of time.

One of the concerns addressed by the implementation of GSI–191 is that material, such as insulation installed on piping and components, within the containment structure could be dislodged by jets of high-pressure water and steam during the LOCA. Water, along with debris, would accumulate at the bottom of the containment structure and flow towards the emergency sumps. Insulation and other fibrous material could block the emergency sump screens and suction strainers, which in turn could prevent the containment emergency sump from providing adequate water flow to the residual heat removal pumps (for more information, see NUREG–0897, “Containment Emergency Sump Performance,” Revision 1).

By letter dated September 30, 2019, the NRC issued the “Final Staff Evaluation for Vogtle Electric Generating Plant, Units 1 and 2, Systematic Risk-Informed Assessment of Debris Technical Report (EPID L–2017–TOP–0038).” SNC proposes to use the “Final Staff Evaluation for Vogtle Electric Generating Plant, Units 1 and 2, Systematic Risk-Informed Assessment of Debris Technical Report” to demonstrate compliance with 10 CFR 50.46 through both plant-specific testing and a risk-informed approach (described in more detail in the following paragraphs). Since the use of a risk-