

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### 24 CFR Parts 5 and 576

[Docket No. FR-6152-N-02]

RIN 2506-AC53

#### Making Admission or Placement Determinations Based on Sex in Facilities Under Community Planning and Development Housing Programs; Withdrawal; Regulatory Review

**AGENCY:** Office of the General Counsel, Department of Housing and Urban Development (HUD).

**ACTION:** Withdrawal of proposed rule.

**SUMMARY:** In accordance with the Presidential directive as expressed in the memorandum of January 20, 2021 from the Assistant to the President and Chief of Staff, entitled “Regulatory Freeze Pending Review,” HUD is reviewing all its pending proposed rules to determine which should move forward. HUD has identified a proposed rule, “Making Admission or Placement Determinations Based on Sex in Facilities Under Community Planning and Development Housing Programs” that is inconsistent with the Executive Order entitled “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government” and the Executive Order entitled “Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation.” This document informs the public that HUD has determined not to pursue this proposed rule previously published in the **Federal Register**. HUD will proceed to formally withdraw the rule from HUD’s upcoming Spring 2021 Unified Agenda of Regulatory and Deregulatory Actions.

**DATES:** The proposed rule published at 85 FR 44811, July 24, 2020, is withdrawn as of April 27, 2021.

**ADDRESSES:** Department of Housing and Urban Development, 451 7th Street SW, Room 10282, Washington, DC 20410.

#### FOR FURTHER INFORMATION CONTACT:

Samuel F. Pearson-Moore, Assistant General Counsel, Office of Regulations, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW, Room 10282, Washington, DC 20410; telephone number 202-402-5138 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the Federal Relay Service at 800-877-8339 (this is a toll-free number).

**SUPPLEMENTARY INFORMATION:** In a memorandum dated January 20, 2021 and published in the **Federal Register** on January 28, 2021, the Assistant to the President and Chief of Staff, on behalf of the President, directed the heads of Executive Departments and Agencies to review “rules<sup>1</sup> that have been published in the **Federal Register**, or rules that have been issued in any manner, but have not taken effect . . . for the purpose of reviewing any questions of fact, law, and policy the rules may raise.” 86 FR 7424. On January 20, 2021, President Biden also issued Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, which provides “that the Federal Government should pursue a comprehensive approach to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality.” 86 FR 7009. Executive Order 13985 specifically defines “equity” to mean “consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely

<sup>1</sup> Rule has the definition set forth in 5 U.S.C. 551(4), to include any substantive action by an agency (normally published in the **Federal Register**) that promulgates or is expected to lead to the promulgation of a final rule or regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking.

affected by persistent poverty or inequality.”

On January 20, 2021, President Biden also issued Executive Order 13988, Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation, which states that “[p]eople should be able to . . . secure a roof over their heads without being subjected to sex discrimination [and] . . . [a]ll persons should receive equal treatment under the law, no matter their gender identity or sexual orientation.” 86 FR 7023. In addition, Executive Order 13988 clarifies that “[i]n *Bostock v. Clayton County*, 590 U.S. \_\_\_\_ (2020), the Supreme Court held that Title VII’s prohibition on discrimination “because of . . . sex” covers discrimination on the basis of gender identity and sexual orientation . . . [and] [u]nder *Bostock*’s reasoning, laws that prohibit sex discrimination—including . . . the Fair Housing Act, as amended (42 U.S.C. 3601 *et seq.*), along with their respective implementing regulations—prohibit discrimination on the basis of gender identity or sexual orientation . . .”

In accordance with the Regulatory Freeze Memorandum, HUD is reviewing its proposed rules and has identified a proposed rule that is inconsistent with Executive Order 13985 and Executive Order 13988: Making Admission or Placement Determinations Based on Sex in Facilities Under Community Planning and Development Housing Programs (85 FR 44811, July 24, 2020). This document informs the public that HUD has determined not to pursue this proposed rule previously published in the **Federal Register**.

#### HUD’s Withdrawal of Proposed Rule

Accordingly, HUD will proceed to formally withdraw the following proposed rule from its Spring 2021 Unified Agenda of Regulatory and Deregulatory Actions: Making Admission or Placement Determinations Based on Sex in Facilities Under Community Planning and Development Housing Programs (85 FR 44811, July 24, 2020) (RIN 2506-AC53).

HUD’s Unified Agenda of Regulatory and Deregulatory Actions is available on [Reginfo.gov](https://www.reginfo.gov) and can be accessed at

<https://www.reginfo.gov/public/do/eAgendaMain>.

**Sasha Samberg-Champion,**

*Deputy General Counsel, Office of Deputy General Counsel for Enforcement and Fair Housing.*

[FR Doc. 2021-08513 Filed 4-26-21; 8:45 am]

**BILLING CODE 4210-67-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 271

[EPA-R04-RCRA-2021-0229; FRL-10021-98-Region 4]

### Georgia: Final Authorization of State Hazardous Waste Management Program Revisions

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to authorize changes to Georgia's hazardous waste program under the Resource Conservation and Recovery Act (RCRA). These changes were outlined in an application to the EPA and correspond to certain Federal rules promulgated between July 1, 2004 and June 30, 2020. The EPA reviewed Georgia's application and has determined that these changes satisfy all requirements needed to qualify for final authorization. Therefore, in the "Rules and Regulations" section of this **Federal Register**, we are authorizing Georgia for these changes as a direct final rule without a prior proposed rule. If we receive no adverse comment, we will not take further action on this proposed rule.

**DATES:** Comments must be received on or before May 27, 2021.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R04-RCRA-2021-0229, at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [www.regulations.gov](https://www.regulations.gov). The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) 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). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www.epa.gov/dockets/commenting-epa-dockets>.

The EPA encourages electronic submittals, but if you are unable to submit electronically or need other assistance, please contact Kelly Adams, the contact listed in the Please also contact Kelly Adams if you need assistance in a language other than English or if you are a person with disabilities who needs a reasonable accommodation at no cost to you.

All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. Publicly available docket materials are available electronically in [www.regulations.gov](http://www.regulations.gov). For alternative access to docket materials, please contact Kelly Adams, the contact listed in the **FOR FURTHER INFORMATION CONTACT** provision below.

**FOR FURTHER INFORMATION CONTACT:** Kelly Adams; RCRA Programs and Cleanup Branch; Land, Chemicals and Redevelopment Division; U.S. Environmental Protection Agency; Atlanta Federal Center, 61 Forsyth Street SW, Atlanta, Georgia 30303-8960; telephone number: (404) 562-8431; fax number: (404) 562-9964; email address: [adams.kelly@epa.gov](mailto:adams.kelly@epa.gov).

**SUPPLEMENTARY INFORMATION:** This document proposes to take action on Georgia's changes to its hazardous waste management program under the Resource Conservation and Recovery Act (RCRA), as amended. We have published a direct final rule authorizing these changes in the "Rules and Regulations" section of this **Federal Register** because we view this as a noncontroversial action and anticipate no adverse comment. We have explained our reasons for this action in the preamble to the direct final rule.

If we receive no adverse comment, we will not take further action on this proposed rule. If we receive adverse comment, we will withdraw the direct final rule and it will not take effect. We would then address all public comments in a subsequent final rule and base any further decision on the authorization of the State program changes after considering all comments received during the comment period.

We do not intend to institute a second comment period on this action. Any parties interested in commenting must

do so at this time. For further information, please see the information provided in the **ADDRESSES** section of this document.

Dated: April 20, 2021.

**John Blevins,**

*Acting Regional Administrator, Region 4.*

[FR Doc. 2021-08762 Filed 4-26-21; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MB Docket No. 21-151; RM-11898; DA 21-423; FR ID 22592]

### Television Broadcasting Services Eugene, Oregon

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** In this document, the Federal Communications Commission (Commission) has before it a petition for rulemaking filed by Sinclair Eugene Licensee, LLC (Petitioner), the licensee of KVAL-TV (CBS), channel 13, Eugene, Oregon. The Petitioner requests the substitution of channel 28 for channel 13 at Eugene, Oregon in the DTV Table of Allotments.

**DATES:** Comments must be filed on or before May 27, 2021 and reply comments on or before June 11, 2021.

**ADDRESSES:** You may submit comments, identified by MB Docket No. 21-151, by any of the following methods:

- *Federal Communications Commission's website:* <http://apps.fcc.gov/ecfs/>. Follow the instructions for submitting comments.
- *People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202-418-0530 or TTY: 202-418-0432.

In addition to filing comments with the FCC, interested parties should serve counsel for the Petitioner as follows: Paul A. Cicelski, Esq., Lerman Senter, PLLC, 2001 L Street NW, Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Andrew Manley, Media Bureau, at (202) 418-0596; or Andrew Manley, Media Bureau, at [Andrew.Manley@fcc.gov](mailto:Andrew.Manley@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rulemaking, in MB Docket No. 21-151; RM-11898; DA 21-423, adopted and released on April 14, 2021.