ENVIRONMENTAL PROTECTION AGENCY

[FRL–8756–01–R6]

Clean Air Act Operating Permit Program; Petitions for Objection to State Operating Permit for Sandy Creek Services LLC, Sandy Creek Energy Station, Brazoria County, Texas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final order on petition for objection to Clean Air Act title V operating permit.

SUMMARY: The Environmental Protection Agency (EPA) Administrator signed an Order dated June 30, 2021, granting a Petition dated January 16, 2018 from the Environmental Integrity Project and Sierra Club dated January 16, 2018, from the Environmental Integrity Project and Sierra Club, the Petition requested that the EPA object to a Clean Air Act (CAA) title V operating permit issued by the Texas Commission on Environmental Quality (TCEQ) to Sandy Creek Services LLC (Sandy Creek) for its Sandy Creek Energy Station located in McLennan County, Texas.

ADDRESSES: The EPA requests that you contact the individual listed in the FOR FURTHER INFORMATION CONTACT section to view copies of the final Order, the Petition, and other supporting information. Out of an abundance of caution for members of the public and our staff, the EPA Region 6 office is currently closed to the public to reduce the risk of transmitting COVID–19. Please call or email the contact listed below if you need alternative access to the final Order and Petition, which are available electronically at: https://www.epa.gov/title-v-operating-permits/title-v-operating-permit-database.

FOR FURTHER INFORMATION CONTACT: Aimee Wilson, EPA Region 6 Office, Air Permits Section, (214) 665–7596, wilson.aimee@epa.gov.

SUPPLEMENTARY INFORMATION: The CAA affords EPA a 45-day period to review and object to, as appropriate, operating permits proposed by state permitting authorities under title V of the CAA. Section 505(b)(2) of the CAA authorizes any person to petition the EPA Administrator to object to a title V operating permit within 60 days after the expiration of the EPA’s 45-day review period if the EPA has not objected on its own initiative. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or unless the grounds for the issue arose after this period.

The EPA received the Petition from the Environmental Integrity Project and Sierra Club dated January 16, 2018, requesting that the EPA object to the issuance of operating permit no. O3336, issued by TCEQ to the Sandy Creek Energy Station in McLennan County, Texas. The Petition claims the proposed permit failed to incorporate certified permits by rule (PBR) registrations as applicable requirements, and fails to include monitoring, recordkeeping, and reporting requirements that assure compliance with incorporated PBRs.

On June 30, 2021, the EPA Administrator issued an Order granting the Petition. The Order explains the basis for EPA’s decision.

Dated: July 22, 2021.

David Garcia,
Director, Air and Radiation Division, Region 6.

(FR Doc. 2021–16206 Filed 7–28–21; 8:45 am)
notice to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. Abstract: This consolidated Information Collection Request (ICR) renews the National Pollutant Discharge Elimination System (NPDES) Program ICR. It calculates the information collection burden and costs associated with the NPDES program, identifies the types of activities regulated under the NPDES program, describes the roles and responsibilities of state governments and the Agency, and presents the program areas that address the various types of regulated activities. This ICR renewal (Office of Management and Budget (OMB) control no. 2040–0004, EPA ICR no. 0229.24, expiration date 03/31/2022) consolidates the information collection burden and costs associated with activities previously reported in 18 of the NPDES program or NPDES-related ICRs. This renewal documents the addition of the burden and costs for the four existing NPDES ICRs listed below. Once this renewal ICR is approved, the following ICRs will be discontinued (each originally would have been effective for three years).

- Public Notification Requirements for Combined Sewer Overflows (CSOs) in the Great Lakes Basin (OMB control no. 2040–0084, EPA ICR 2562.03, expiration date 04/30/2024)

Supplementary Information:

Supporting documents which explain in detail the information that the EPA will collect are available in the public docket for this ICR. The docket can be viewed online at www.regulations.gov or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC 20460; telephone number: (202) 564–2277; email address: Baehr.Joshua@epa.gov.

Pursuant to section 3506(c)(2)(A) of the Paperwork Reduction Act (PRA), EPA is soliciting comments and information to enable it to: (i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; (ii) evaluate the accuracy of the Agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval. At that time, EPA will issue another Federal Register

 calculates government burden and cost for both authorized states and EPA. See Appendix F.1 for a copy of the authorizing regulation.

Form Numbers: EPA Form 13510–1; EPA Form 3510–2A; EPA Form 3510–2B; EPA Form 3510–2C; EPA Form 3510–2D; EPA Form 3510–2E; EPA Form 3510–2F; EPA Form 3510–2S.

Respondents/affected entities: Any point source discharger of pollutants, including but not limited to publicly owned and privately owned treatment works (POTWs and PrOTWs), industrial dischargers to POTWs and PrOTWs, industrial and commercial dischargers to water of the United States, sewage sludge management and disposal operations, large vessels, dischargers of stormwater, construction sites, municipalities, pesticide applicators, local and state governments.

Respondent’s obligation to respond: Sections 301, 302, 304, 306, 307, 308, 316(b), 401, 402, 403, 405, and 510 of the CWA; the 1987 National Pollutant Discharge Elimination System (NPDES) Act (QWA) revisions to CWA section 402(p); 40 CFR parts 122, 123, 124, and 125 (and parts 501 and 503 for Biosolids); and the Great Lakes Critical Programs Act (CPA).

Estimated number of respondents: 829,419 (total). (Includes 637 States/Tribes/Territories.)

Frequency of response: The frequency of response varies depending on the specific response activity and can range from ongoing and monthly to once every five years.

Total estimated burden: 31,147,981 hours (per year). Burden is defined at 5 CFR 1320.03(b).

Total estimated cost: $1,732,564,878 (per year), includes $22,999,181 annualized capital or operation and maintenance costs (O&M).

Changes in Estimates: The current OMB-approved burden for the existing NPDES ICR (OMB control no. 2040–0004, EPA ICR no. 0229.24) is 28,221,350 hours. The current combined OMB-approved burden for the existing NPDES ICR and the four ICRs being consolidated into this ICR is 28,661,318 hours. The combined burden requested in this ICR renewal is 31,147,981 hours. Overall, the burden requested in this ICR is 2,486,663 hours (9 percent) more than the combined previously approved burdens of the component ICRs. The majority of this burden hour increase occurred as a result of an increase in EPA’s estimates of permittee respondents. The increases in EPA’s estimates of the number of permittee respondents is largely attributed to improvements in the current NPDES Integrated Compliance Information
The proposed consent decree would establish deadlines for EPA to take action on these six SIP submissions.

**DATES:** Written comments on the proposed consent decree must be received by August 30, 2021.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–HQ–OGC–2021–0444, online at https://www.regulations.gov (EPA’s preferred method). Follow the online instructions for submitting comments.

**Instructions:** All submissions received must include the Docket ID number for this action. Comments received may be posted without change to https://www.regulations.gov, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the “Additional Information about Commenting on the Proposed Consent Decree” heading under the SUPPLEMENTARY INFORMATION section of this document. Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room are closed to the public, with limited exceptions, to reduce the risk of transmitting COVID–19. Our Docket Center staff will continue to provide remote customer service via email, phone, and webform. We encourage the public to submit comments via https://www.regulations.gov, as there may be a delay in processing mail and faxes. Hand-deliveries and couriers may be received by scheduled appointment only. For further information on EPA Docket Center services and the current status, please visit us online at https://www.epa.gov/dockets.

The proposed consent decree would establish deadlines for EPA to take action pursuant to CAA section 110(k) on certain SIP submissions addressing the requirements of CAA section 110(a)(2)(D)(i)(I), 42 U.S.C. 7410(a)(2)(D)(i)(I) (the good neighbor provision), to resolve a lawsuit filed by the States of New York, Connecticut, Delaware, Massachusetts, and New Jersey, and the City of New York.

Pursuant to CAA section 110(k), 42 U.S.C. 7410(k), SIP submission are deemed complete by operation of law 6 months after receipt by EPA. EPA must approve or disapprove, in whole or in part, SIP submissions within 12 months of being deemed complete.

The proposed consent decree would require the EPA, pursuant to CAA sections 110(k)(2)–(4), 42 U.S.C. 7410(k)(2)–(4), to take final action to approve or disapprove, in whole or in part, the portion of six 2015 ozone NAAQS infrastructure SIP submissions addressing the good neighbor provision from the States of Indiana, Kentucky, Michigan, Ohio, Texas, and West Virginia.

EPA received the good neighbor SIP submissions at issue on the following dates: Indiana on November 2, 2018, Kentucky on January 9, 2019, Michigan on March 8, 2019,