

Commissioner will provide public notification of the action, which will be effective from the date of public notification. A copy of the notification will be sent to any requestor at the time the information is made available to the public.

(b) If a request to establish or amend an import tolerance is denied, a notification of the denial will be made publicly available, and a copy of the denial letter, including the reasons for such action, will be sent to the requester.

(c) A tolerance established in an approved NADA or conditionally approved CNADA will supersede an existing import tolerance. In the event the conditionally approved CNADA is not renewed or is withdrawn, or such drug does not achieve approval under section 512 of the Federal Food, Drug, and Cosmetic Act within 5 years following the date of the conditional approval, the Agency will reinstate the import tolerance unless § 510.210(a)(1) or (a)(2) is applicable at that time.

#### **§ 510.210 Revocation of an import tolerance.**

(a) The Commissioner, on his or her own initiative or on the petition of an interested person, under § 10.25 of this chapter, may revoke an import tolerance if:

(1) Scientific evidence shows an import tolerance to be unsafe; or

(2) Information demonstrates that the use of a new animal drug under actual use conditions results in food being imported into the United States with residues exceeding the import tolerance.

(b) The Commissioner will provide public notification under § 510.207(b) that will specify the basis for the decision and will be effective at the time the information is made available to the public.

(c) A petition for revocation must be submitted in the form specified in § 10.30 of this chapter.

#### **§ 510.212 Administrative reconsideration of action.**

(a) The Commissioner may at any time, on his or her own initiative or on the petition of an interested person under part 10 of this chapter, reconsider part or all of a decision to establish, not establish, amend, or revoke an import tolerance.

(b) A petition for reconsideration must be submitted in accordance with § 10.20 of this chapter and in the form specified in § 10.33 of this chapter no later than 30 days after the date of public notification of the decision involved. The Commissioner may, for good cause, permit a petition to be filed

more than 30 days after public notification of the decision. The petition for reconsideration must demonstrate that relevant information contained in the administrative record was not previously or not adequately considered by the Commissioner. No new information may be included in a petition for reconsideration.

(c) An interested person who wishes to rely on information not included in the administrative record shall submit either a petition to amend an import tolerance under § 510.205 or to revoke an import tolerance under § 510.210 and § 10.25 of this chapter.

#### **§ 510.213 Administrative stay of action.**

(a) The Commissioner may at any time, on his or her own initiative or on the request of an interested person under part 10 of this chapter, stay or extend the effective date of a decision to establish, not establish, amend, or revoke an import tolerance.

(b) A request for stay must be submitted in accordance with § 10.20 of this chapter and in the form specified in § 10.35 of this chapter no later than 30 days after public notification of the decision involved. The Commissioner may, for good cause, permit a petition to be filed more than 30 days after public notification of the decision.

Dated: September 10, 2021.

**Janet Woodcock,**

*Acting Commissioner of Food and Drugs.*

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## **DEPARTMENT OF LABOR**

### **Wage and Hour Division**

#### **29 CFR Part 791**

#### **RIN 1235-AA37**

#### **Rescission of Joint Employer Status Under the Fair Labor Standards Act Rule: Delay of Effective Date**

**AGENCY:** Wage and Hour Division (WHD), Department of Labor (DOL).

**ACTION:** Final rule; delay of effective date.

**SUMMARY:** This action delays until October 5, 2021, the effective date of the rule titled “Rescission of Joint Employer Status Under the Fair Labor Standards Act Rule,” published in the **Federal Register** on July 30, 2021, to conform to the effective date requirements of the Congressional Review Act.

**DATES:** The effective date of the rule published at 86 FR 40939 on July 30, 2021, is delayed to October 5, 2021.

#### **FOR FURTHER INFORMATION CONTACT:**

Amy DeBisschop, Division of Regulations, Legislation, and Interpretation, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW, Washington, DC 20210; telephone: (202) 693-0406 (this is not a toll-free number). Copies of this final rule may be obtained in alternative formats (Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, large print, braille, audiotape, compact disc, or other accessible format), upon request, by calling (202) 693-0675 (this is not a toll-free number). TTY/TDD callers may dial toll-free 1-877-889-5627 to obtain information or request materials in alternative formats.

Questions of interpretation and/or enforcement of the agency’s regulations may be directed to the nearest WHD district office. Locate the nearest office by calling WHD’s toll-free help line at (866) 4US-WAGE ((866) 487-9243) between 8 a.m. and 5 p.m. in your local time zone, or logging onto WHD’s website for a nationwide listing of WHD district and area offices at <http://www.dol.gov/whd/america2.htm>.

**SUPPLEMENTARY INFORMATION:** On July 30, 2021, the Department published a final rule titled “Rescission of Joint Employer Status Under the Fair Labor Standards Act Rule” (Joint Employer Rescission Final Rule) to rescind the final rule titled “Joint Employer Status Under the Fair Labor Standards Act,” which had been published on January 16, 2020, 86 FR 40939 (July 30, 2021). The effective date set forth in the Joint Employer Rescission Final Rule is September 28, 2021, 60 days after publication.

Pursuant to the Congressional Review Act (CRA), the Department submitted the required report and information on the Joint Employer Rescission Final Rule to each House of the Congress and the Comptroller General. 5 U.S.C. 801(a)(1)(A)-(B). The Department has been informed that the Senate did not receive the submission until August 6, 2021. The Office of Information and Regulatory Affairs (OIRA) designated the Joint Employer Rescission Final Rule as a major rule, as defined by 5 U.S.C. 804(2). Accordingly, in order to conform to the effective date requirements of the CRA, the Department in this final rule is extending the effective date of the Joint Employer Rescission Final Rule to October 5, 2021, 60 days after the Senate received the Department’s submission. 5 U.S.C. 801(a)(3).

Section 553(b)(3)(B) of the Administrative Procedure Act (APA)

provides that an agency is not required to publish a notice of proposed rulemaking in the **Federal Register** and solicit public comments when the agency has good cause to find that doing so would be “impracticable, unnecessary, or contrary to the public interest.” 5 U.S.C. 553(b)(3)(B). The Department finds that good cause exists to dispense with the notice and public comment procedures for this final rule, as it concludes that such procedures are unnecessary because this rule merely extends the effective date of the Joint Employer Rescission Final Rule by 7 days in order to comply with the effective date requirements of the CRA for major rules. Moreover, the Joint Employer Rescission Final Rule was promulgated pursuant to notice and comment rulemaking, and this rule does not make any changes to that rule other than the brief delay of the effective date. 86 FR 40939 (July 30, 2021). Therefore, the Department is issuing this delay of effective date as a final rule.

Section 553(d) of the APA also provides that substantive rules should take effect not less than 30 days after the date they are published in the **Federal Register** unless “otherwise provided by the agency for good cause found[.]” 5 U.S.C. 553(d)(3). Since this rule merely delays the effective date of the Joint Employer Rescission Final Rule by 7 days as required by the CRA, and makes no other changes to that rule, the Department finds that it is unnecessary to delay the effective date of this action by 30 days. Accordingly, the Department finds that good cause exists to make this delay of effective date action effective on the date of publication.

Section 808 of the CRA provides that a rule shall take effect at the time determined by the promulgating agency when the agency for good cause finds that “notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.” 5 U.S.C. 808(2). The Department finds that good cause exists to dispense with notice and public procedure for this final rule, as it concludes that such procedures are unnecessary. As noted above, the Joint Employer Rescission Final Rule was published on July 30, 2021, with an effective date of September 28, 2021, and this rule merely delays the effective date of that rule by 7 days to comply with the requirements of the CRA. Therefore, the Department finds that good cause exists to make this delay of effective date effective on the date of publication. However, consistent with the CRA, the Department will submit to Congress and the Comptroller General the reports

required by the Act. 5 U.S.C. 801(a)(1)(A)–(B).

Signed on September 10, 2021.

**Jessica Looman,**

*Acting Administrator, Wage and Hour Division.*

[FR Doc. 2021–20100 Filed 9–20–21; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG–2021–0726]

#### Safety Zones; Annual Events

#### Requiring Safety Zones in the Captain of the Port Lake Michigan Zone—Corn Festival Fireworks, Morris, IL

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce a safety zone for the Corn Festival Fireworks event on a portion of the Illinois River in Morris, IL. This action is intended to protect personnel, vessels, and the marine environment from potential hazards created by the fireworks display. During the enforcement period listed below, entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Lake Michigan or a designated representative.

**DATES:** The regulation in Title 33 Code of Federal Regulations (CFR) 165.929 Table 1, Event (19) will be enforced from 8:15 p.m. through 9 p.m. on September 25, 2021.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notice of enforcement, call or email LT James Fortin, Waterways Management Division, Marine Safety Unit Chicago, U.S. Coast Guard; telephone: (630) 986–2155, email: *D09-DG-MSUChicago-Waterways@uscg.mil*.

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the Safety Zone; Corn Festival Fireworks listed as Event (19) in Table 1 of 33 CFR 165.929. Section 165.929 lists many annual events requiring safety zones in the Captain of the Port Lake Michigan zone. This safety zone consists of all waters of the Illinois River within a 560-foot radius from approximate launch position at 41°21.173' N, 088°25.101' W. This safety zone will be enforced from 8:15 p.m. through 9 p.m. on September 25, 2021.

All vessels must obtain permission from the Captain of the Port Lake Michigan, or his or her designated on-scene representative to enter, move within, or exit this safety zone during the enforcement times listed in this notice of enforcement. Requests must be made in advance and approved by the Captain of the Port before transits will be authorized. Approvals will be granted on a case-by-case basis. Vessels and persons granted permission to enter the safety zone shall obey all lawful orders or directions of the Captain of the Port Lake Michigan or a designated on-scene representative.

This notice of enforcement is issued under the authority of 33 CFR 165.929, Safety Zone; annual events requiring safety zones in the Captain of the Port Lake Michigan Zone and 5 U.S.C.

552(a). In addition to this notification of enforcement in the **Federal Register**, the Coast Guard will provide the maritime community with notification of this enforcement period via Broadcast Notice to Mariners. The Captain of the Port Lake Michigan or a designated on-scene representative may be contacted via VHF Channel 16 or (414) 747–7182.

Dated: September 15, 2021.

**Donald P. Montoro,**

*Captain, U.S. Coast Guard, Captain of the Port, Lake Michigan.*

[FR Doc. 2021–20360 Filed 9–20–21; 8:45 am]

**BILLING CODE 9110–04–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R07–OAR–2019–0708; FRL–8711–02–R7]

#### Air Plan Approval; Iowa; Polk County; State Implementation Plan

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving revisions to the Iowa State Implementation Plan (SIP) to include changes to the Polk County Board of Health Rules and Regulations in addition to revisions from past submittals. The revisions update definitions and references to the effective dates of Federal rules approved into the State's SIP, prohibit burning of demolished buildings, update references to methods and procedures for performance test/stack test and continuous monitoring systems, and revise permitting exemptions. These revisions will not adversely impact air