

manufacturing process under TSCA Section 8(b). 15 U.S.C. 2607(b)(10)(D)(i). The Agency promulgated reporting under 40 CFR part 713. In order to avoid duplication, EPA coordinated the reporting with the Interstate Mercury Education and Reduction Clearinghouse (IMERC). 15 U.S.C. 2607(b)(10)(D)(ii).

Regulated entities may claim some of the information given to EPA as CBI. Reporting requirements will contain information for respondents on how to make a claim to EPA that all or part of their submitted information is CBI. EPA handles claims of confidentiality pursuant to established CBI procedures, as found in TSCA section 14, 40 CFR part 2, and the Agency's TSCA CBI Manual. CBI is also protected under the Freedom of Information Act (5 U.S.C. 525).

*Form Number:* 9600-024.

*Respondents/affected entities:*

Persons who manufacture (including import) mercury, mercury-added products, and persons who otherwise intentionally use mercury in a manufacturing process.

*Respondent's obligation to respond:* Mandatory, 40 CFR part 713.

*Estimated number of respondents:* 756 (total).

*Frequency of response:* Every three years.

*Total estimated burden:* 17,348 hours (per year). Burden is defined at 5 CFR 1320.3(b).

*Total estimated cost:* \$1,384,999 million (per year), includes no annualized capital or operation & maintenance.

*Changes in the estimates:* There is a decrease of 6,841 hours per year in the estimated respondent burden compared with the ICR currently approved by OMB. This change reflects a decrease in rule familiarization burden, a decrease in form completion burden due to mercury export prohibitions, and changes in the number of estimated respondents. This change is an adjustment.

**Courtney Kerwin,**

*Director, Regulatory Support Division.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2021-0725; FRL-9152-01-OGC]

### Proposed Consent Decree, Clean Air Act Citizen Suit

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

**ACTION:** Notice of proposed consent decree; request for public comment.

**SUMMARY:** In accordance with the Clean Air Act, as amended (CAA or the Act), notice is given of a proposed consent decree in *Our Children's Earth Foundation v. Regan*, No. 20-cv-8530 (N.D. Cal.). On December 2, 2020 and July 9, 2021, Our Children's Earth Foundation filed a complaint and an amended complaint, respectively, in the United States District Court for the Northern District of California, to compel the Administrator to assemble, publish, and publish notice of comprehensive documents setting forth the requirements of the state implementation plans ("SIPs") for all 50 states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands (collectively the "States"). The proposed consent decree would establish deadlines for EPA to take specified actions.

**DATES:** Written comments on the proposed consent decree must be received by November 22, 2021.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2021-0725, 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>.

EPA continues to carefully and continuously monitor information from the CDC, local area health departments, and our federal partners so that we can respond rapidly as conditions change regarding COVID-19.

**FOR FURTHER INFORMATION CONTACT:**

Charles Starrs, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone (202) 564-1996; email address [starrs.charles@epa.gov](mailto:starrs.charles@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Obtaining a Copy of the Proposed Consent Decree**

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2021-0725) contains a copy of the proposed consent decree.

The electronic version of the public docket for this action contains a copy of the proposed consent decree and is available through <https://www.regulations.gov>. You may use <https://www.regulations.gov> to submit or view public comments, access the index listing of the contents of the official public docket, and access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select "search."

**II. Additional Information About the Proposed Consent Decree**

The proposed consent decree would fully resolve *Our Children's Earth Foundation v. Regan*, No. 20-cv-8530 (N.D. CA.) (the Litigation). The Litigation claimed that CAA section 110(h)(1) required EPA to periodically publish comprehensive documents setting out the States' SIP requirements and also required EPA to periodically publish notice in the **Federal Register** of the availability of such documents. The Litigation also claimed that EPA had failed to comply with the requirements of CAA section 110(h)(1). Under the terms of the proposed consent decree, no later than December 31, 2021, EPA will assemble and publish online on EPA-managed or controlled websites the "SIP Rules" for all States, except for California, Connecticut, North Carolina, Wisconsin, Puerto Rico, and the U.S. Virgin Islands. The information published by that date will include SIP Rule revisions and submittals finally approved by EPA and published in the **Federal Register** on or before November 30, 2021. In addition, under the terms of the proposed consent decree, no later than September 30, 2022, EPA will

assemble and publish online on EPA-managed or controlled websites the SIP Rules, including SIP Rule revisions and submittals finally approved by EPA and published in the **Federal Register** on or before August 31, 2022, for every State. The proposed consent decree does not require EPA to publish "SIP Plans," consisting of various nonregulatory or quasi-regulatory plans or material, as distinct from SIP Rules. The proposed consent decree also provides that, not later than November 30, 2022, EPA shall submit to the Office of the Federal Register, for publication in the **Federal Register**, a notice of availability of the SIP Rules information published by EPA on EPA-managed or controlled websites. See the proposed consent decree in the docket for other terms and conditions.

In accordance with section 113(g) of the CAA, for a period of thirty (30) days following the date of publication of this document, the Agency will accept written comments relating to the proposed consent decree. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

### III. Additional Information About Commenting on the Proposed Consent Decree

Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2021-0725, via <https://www.regulations.gov>. Once submitted, comments cannot be edited or removed from this docket. EPA may publish any comment received to its public docket. Do not submit to EPA's docket at <https://www.regulations.gov>

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. 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 <https://www.epa.gov/dockets/commenting-epa-dockets>. For additional information about submitting information identified as CBI, please contact the person listed

in the **FOR FURTHER INFORMATION CONTACT** section of this document. Note that written comments containing CBI and submitted by mail may be delayed and deliveries or couriers will be received by scheduled appointment only.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an email address or other contact information in the body of your comment. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the <https://www.regulations.gov> website to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, email address, or other contact information unless you provide it in the body of your comment.

Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

**Gautam Srinivasan,**

*Associate General Counsel.*

[FR Doc. 2021-23042 Filed 10-21-21; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2020-0616; FRL-9173-01-OMS]

### Information Collection Request Submitted to OMB for Review and Approval; Comment Request; User Fees for the Administration of the Toxic Substances Control Act (Renewal)

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) has submitted an

information collection request (ICR), User Fees for the Administration of the Toxic Substances Control Act (EPA ICR Number 2569.04, OMB Control Number 2070-0208) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. This is a proposed extension of the ICR, which is currently approved through October 31, 2021. Public comments were previously requested via the **Federal Register** on March 19, 2021 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 may be submitted on or before November 22, 2021.

**ADDRESSES:** Submit your comments to EPA, referencing Docket ID No. EPA-HQ-OPPT-2020-0616, online using [www.regulations.gov](https://www.regulations.gov) (our preferred method), by email to [sleasman.katherine@epa.gov](mailto:sleasman.katherine@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460. 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.

Submit written comments and recommendations to OMB for the proposed information collection within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](https://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** Marc Edmonds, Existing Chemicals Risk Management Division (7407M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: (202) 566-0758; email address: [edmonds.marc@epa.gov](mailto:edmonds.marc@epa.gov).

**SUPPLEMENTARY INFORMATION:** Supporting documents, which explain in detail the information that the EPA