

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 4W-218, Washington, DC.

Dated: July 31, 2023.

**Darwin Arceo,**

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2023-16547 Filed 8-2-23; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Extension of Public Comment Period

On July 11, 2023, the Department of Justice lodged a proposed consent decree with the United States District Court for the District of Idaho in the lawsuit entitled *United States of America v. J.R. Simplot Company*, Civil Action No. 1:23-cv-322. The United States filed this lawsuit under the Resource Conservation and Recovery Act, the Clean Air Act, the Comprehensive Environmental Response, Compensation, and Liability Act, and the Emergency Planning and Community Right-To-Know Act. The United States' complaint seeks injunctive relief and civil penalties for alleged violations of these statutes at defendant's phosphoric acid and fertilizer manufacturing plant located near Pocatello, Idaho, known as the Don Plant. The proposed consent decree requires defendant to implement injunctive relief and mitigation measures to address the alleged violations and pay a \$1.5 million civil penalty.

On July 17, 2023, the Department of Justice published notice of the proposed consent decree and published a corrected notice on July 25, 2023 (88 FR 47907). The notice started, and the corrected notice re-started, a 30-day period for the submission of comments on the proposed consent decree. The Department of Justice has received requests for an extension of the comment period. In consideration of the requests, notice is hereby given that the Department of Justice has extended the comment period on the proposed consent decree by an additional 30 days, up to and including September 25, 2023.

Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States of America v. J.R. Simplot*

*Company*, D.J. Ref. No. 90-7-1-08388/23. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email .....	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .
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: <http://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 \$127.25 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the Appendices and signature pages, the cost is \$18.25.

**Kathryn C. Macdonald,**

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

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## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2009-0035]

#### Ethylene Oxide (EtO) Standard Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

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

**ACTION:** Request for public comments.

**SUMMARY:** OSHA solicits public comments concerning the proposal to extend the Office of Management and Budget's (OMB) approval of the information collection requirements specified in the Ethylene Oxide (EtO) Standard.

**DATES:** Comments must be submitted (postmarked, sent, or received) by October 2, 2023.

**ADDRESSES:**

*Electronically:* You may submit comments and attachments

electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

*Docket:* To read or download comments or other material in the docket, go to <http://www.regulations.gov>. Documents in the docket are listed in the <http://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. Contact the OSHA Docket Office at (202) 693-2350 (TTY (877) 889-5627) for assistance in locating docket submissions.

*Instructions:* All submissions must include the agency name and OSHA docket number (OSHA-2009-0035) for the Information Collection Request (ICR). OSHA will place all comments, including any personal information, in the public docket, which may be made available online. Therefore, OSHA cautions interested parties about submitting personal information such as social security numbers and birthdates.

For further information on submitting comments, see the "Public Participation" heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:**

Seleda Perryman or Theda Kenney, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor; telephone (202) 693-2222.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Department of Labor, as part of the continuing effort to reduce paperwork and respondent (*i.e.*, employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, the collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the OSH Act or for developing information regarding the

causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires that OSHA obtain such information with minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of effort in obtaining information (29 U.S.C. 657).

The following sections describe who uses the information collected under each requirement, as well as how they use it.

The EtO Standard (29 CFR 1910.1047) specifies a number of paperwork requirements. The following is a brief description of the collection of information requirements contained in the standard.

The information collection requirements specified in the EtO Standard protect workers from the adverse health effects that may result from occupational exposure to ethylene oxide. The principal information collection requirements in the EtO Standard include conducting worker exposure monitoring, notifying workers of the exposure, implementing a written compliance program, and implementing medical surveillance of workers. Also, the examining physician must provide specific information to ensure that workers receive a copy of their medical examination results. The employer must maintain exposure-monitoring and medical records for specific periods, and provide access to these records by OSHA, the National Institute for Occupational Safety and Health (NIOSH), the affected workers, and their authorized representatives and other designated parties.

## II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the agency's functions to protect workers, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information collection, and transmission techniques.

## III. Proposed Actions

There is an overall adjustment decrease in burden hours for this ICR. The burden hours have decreased a total of 1,005 hours (from 31,257 hours to 30,252 hours). The adjusted decrease is primarily due to the estimated number of establishments covered by the standard.

OSHA will summarize the comments submitted in response to this notice and will include this summary in the request to OMB to extend the approval of the information collection requirements.

*Type of Review:* Extension of a currently approved collection.

*Title:* Ethylene Oxide Standard.

*OMB Control Number:* 1218–0108.

*Affected Public:* Business or other for-profits.

*Number of Respondents:* 2,026.

*Number of Responses:* 109,708.

*Frequency of Responses:* Initially, annually, on occasion.

*Average Time per Response:* Various.

*Estimated Total Burden Hours:* 30,252.

*Estimated Cost (Operation and Maintenance):* \$5,129,858.

## IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document as follows:

(1) electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal; (2) by facsimile (fax), if your comments, including attachments, are not longer than 10 pages you may fax them to the OSHA Docket Office at 202–693–1648; or (3) by hard copy. All comments, attachments, and other material must identify the agency name and the OSHA docket number for the ICR Docket No. OSHA–2009–0035. You may supplement electronic submissions by uploading document files electronically.

Comments and submissions are posted without change at <http://www.regulations.gov>. Therefore, OSHA cautions commenters about submitting personal information such as Social Security Numbers and dates of birth. Although all submissions are listed in the <http://www.regulations.gov> index, some information (e.g., copyrighted material) is not publicly available to read or download from this website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the <http://www.regulations.gov> website to submit comments and access the docket is available at the website's "User Tips"

link. Contact the OSHA Docket Office at (202) 693–2350, (TTY) (877) 889–5627 for information about materials not available from the website, and for assistance in using the internet to locate docket submissions.

## Authority and Signature

James S. Frederick, Deputy Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 8–2020 (85 FR 58393).

Signed at Washington, DC.

**James S. Frederick,**

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

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**BILLING CODE 4510–26–P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (23–082)]

### NASA Federal Advisory Committees; Notice of Establishment Pursuant to the Federal Advisory Committee Act

**AGENCY:** National Aeronautics and Space Administration.

The Administrator of the National Aeronautics and Space Administration (NASA) has determined that the establishment of the Biological and Physical Sciences Advisory Committee under the Federal Advisory Committee Act (FACA) is necessary and in the public interest in connection with the performance of duties imposed upon NASA by law. This determination follows consultation with the Committee Management Secretariat, General Services Administration.

*Name of Federal Advisory Committee:* Biological and Physical Sciences Advisory Committee.

*Purpose and Objectives:* This committee will advise NASA on scientific matters within the scope of its area of responsibility. Specifically, the scientific matters involve NASA research programs, policies, plans, and priorities pertaining to biological and physical sciences research. It will function solely as an advisory body and will comply fully with the provisions of FACA.

*Membership:* Membership of this committee and any subordinate groups formed under it shall consist of individual subject matter experts who will serve as Special Government Employees, Regular Government Employees, or Representatives. They