

requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Dated: August 17, 2023.

Debbie-Anne A. Reese,
Deputy Secretary.

[FR Doc. 2023-18109 Filed 8-22-23; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[CERCLA-02-2023-2003; FRL-11171-01-R2]

Proposed CERCLA Cost Recovery Settlement for the Frankfort Asbestos Superfund Site, Village of Frankfort, Herkimer County, New York

AGENCY: Environmental Protection Agency.

ACTION: Notice; request for public comment.

SUMMARY: In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), notice is hereby given by the U.S. Environmental Protection Agency ("EPA"), Region 2, of a proposed cost recovery settlement agreement ("Settlement") pursuant to CERCLA, with Crown Container Transfer Station Co., Inc. ("Settling Party") for the Frankfort Asbestos Superfund Site ("Site"), located in the Village of Frankfort, Herkimer County, New York. **DATES:** Comments must be submitted on or before September 22, 2023.

ADDRESSES: Requests for copies of the proposed Settlement and submission of comments must be via electronic mail. Comments should reference the Frankfort Asbestos Superfund Site, Frankfort, Herkimer County, New York, Index No. CERCLA-02-2023-2003. For those unable to communicate via

electronic mail, please contact the EPA employee identified below.

FOR FURTHER INFORMATION CONTACT:

Jocelyn Scott, Attorney, Office of Regional Counsel, New York/Caribbean Superfund Branch, U.S. Environmental Protection Agency, 290 Broadway, 17th Floor, New York, NY 10007-1866. Email: scott.jocelyn@epa.gov Telephone: 212-637-3179.

SUPPLEMENTARY INFORMATION: The Settling Party will pay \$55,000 to the EPA Hazardous Substance Superfund in partial reimbursement of EPA's past response costs paid in connection with the Site. This payment shall be made within 30 days of the Effective Date of the Settlement. The Settlement includes a covenant by EPA not to sue or to take administrative action against the Settling Party pursuant to section 107(a) of CERCLA, 42 U.S.C. 9607(a), with regard to EPA's past response costs as provided in the Settlement. For thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the Settlement. EPA will consider all comments received and may modify or withdraw its consent to the Settlement if comments received disclose facts or considerations that indicate that the proposed Settlement is inappropriate, improper, or inadequate. EPA's response to any comments received will be available for public inspection at EPA Region 2, 290 Broadway, New York, New York 10007-1866.

Pasquale Evangelista,

Director, Superfund & Emergency Management Division U.S. Environmental Protection Agency Region 2.

[FR Doc. 2023-18097 Filed 8-22-23; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0967; FR ID 164365]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995 (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections.

Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

DATES: Written PRA comments should be submitted on or before October 23, 2023. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email to PRA@fcc.gov and to Cathy.Williams@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

SUPPLEMENTARY INFORMATION: The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

OMB Control No.: 3060-0967.

Title: Section 79.2, Accessibility of Programming Providing Emergency Information, and Emergency Information; Section 79.105, Audio Description and Emergency Information Accessibility Requirements for All Apparatus; Section 79.106, Audio Description and Emergency Information Accessibility Requirements for Recording Devices.

Form No.: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Individuals or households; Business or other for-profit; Not-for-profit institutions; and State, Local, or Tribal Government.

Number of Respondents and Responses: 158 respondents; 261 responses.

Estimated Time per Response: 0.5 to 5 hours.

Frequency of Response: Annual and on occasion reporting requirements;

Recordkeeping requirement; Third party disclosure requirement.

Obligation to Respond: Voluntary. The statutory authority for the collection is contained in the Twenty-First Century Communications and Video Accessibility Act of 2010, Public Law 111–260, 124 Stat. 2751, and sections 4(i), 4(j), 303, 330(b), 713, and 716 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 303, 330(b), 613, and 617.

Total Annual Burden: 275 hours.

Annual Cost Burden: \$15,300.

Needs and Uses: In 2000, the Commission adopted rules to require video programming distributors (VPDs) to make emergency information provided in the audio portion of the programming accessible to viewers who have hearing disabilities. *Second Report and Order*, MM Docket No. 95–176, FCC 00–136. Later that year, to ensure that televised emergency information is accessible to viewers who are blind or visually impaired, the Commission modified its rules to require VPDs to make emergency information audible when provided in the video portion of a regularly scheduled newscast or a newscast that interrupts regular programming, and to provide an aural tone when emergency information is provided visually during regular programming (e.g., through screen crawls or scrolls). *Report and Order*, MM Docket No. 99–339, FCC 00–258.

In 2013, the Commission adopted rules related to accessible emergency information and apparatus requirements for emergency information and video description. *Report and Order and Further Notice of Proposed Rulemaking*, MB Docket Nos. 12–107 and 11–43, FCC 13–45. Specifically, the Commission's rules require that VPDs and video programming providers (VPPs) (including program owners) make emergency information accessible to individuals who are blind or visually impaired by using a secondary audio stream to convey televised emergency information aurally, when such information is conveyed visually during programming other than newscasts. The Commission's rules also require certain apparatus that receive, play back, or record video programming to make available audio description services and accessible emergency information.

In 2015, the Commission adopted rules to require the following: (1) apparatus manufacturers must provide a mechanism that is simple and easy to use for activating the secondary audio stream to access audible emergency information; and (2) starting no later than July 10, 2017, multichannel video programming distributors (MVPDs)

must pass through the secondary audio stream containing audible emergency information when it is provided on linear programming accessed on second screen devices (e.g., tablets, smartphones, laptops and similar devices) over their networks as part of their MVPD services. *Second Report and Order and Second Further Notice of Proposed Rulemaking*, MB Docket No. 12–107, FCC 15–56.

Finally, in 2020, the Commission adopted rules that included modernizing the term “video description” in the subject rules to the more widely understood “audio description.” *Report and Order*, MB Docket No. 11–43, FCC 20–155. These rules are codified at 47 CFR 79.2, 79.105, and 79.106.

Information Collection Requirements

(a) Complaints alleging violations of the emergency information rules.

Section 79.2(c) of the Commission's rules provides that a complaint alleging a violation of § 79.2 of its rules, may be transmitted to the Consumer and Governmental Affairs Bureau by any reasonable means, such as the Commission's online informal complaint filing system, letter, facsimile transmission, telephone (voice/TRS/TTY), internet email, audio-cassette recording, Braille, or some other method that would best accommodate the complainant's disability. After the Commission receives the informal complaint, the Commission notifies the VPD or VPP of the complaint, and the VPD or VPP has 30 days to reply.

(b) Complaints alleging violations of the apparatus emergency information and audio description requirements.

Complaints alleging violations of the rules containing apparatus emergency information and audio description requirements, 47 CFR 79.105–79.106, may be transmitted to the Consumer and Governmental Affairs Bureau by any reasonable means, such as the Commission's online informal complaint filing system, letter in writing or Braille, facsimile transmission, telephone (voice/TRS/TTY), email, or some other method that would best accommodate the complainant's disability. Given that the population intended to benefit from the rules adopted will be blind or visually impaired, if a complainant calls the Commission for assistance in preparing a complaint, Commission staff will document the complaint in writing for the consumer. The Commission will forward such complaints, as appropriate, to the named manufacturer or provider for its response, as well as to any other entity that Commission

staff determines may be involved, and may request additional information from any relevant parties when, in the estimation of Commission staff, such information is needed to investigate the complaint or adjudicate potential violations of Commission rules.

(c) Requests for Commission determination of technical feasibility of emergency information and audio description apparatus requirements.

The requirements pertaining to apparatus designed to receive or play back video programming apply only to the extent they are “technically feasible.” Parties may raise technical infeasibility as a defense when faced with a complaint alleging a violation of the apparatus requirements or they may file a request for a ruling under section 1.41 of the Commission's rules as to technical infeasibility before manufacturing or importing the product.

(d) Requests for Commission determination of achievability of emergency information and audio description apparatus requirements.

The requirements pertaining to certain apparatus designed to receive, play back, or record video programming apply only to the extent they are achievable. Manufacturers of apparatus that use a picture screen of less than 13 inches in size and of recording devices may petition the Commission, pursuant to 47 CFR 1.41, for a full or partial exemption from the audio description and emergency information requirements before manufacturing or importing the apparatus. Alternatively, manufacturers may assert that a particular apparatus is fully or partially exempt as a response to a complaint, which the Commission may dismiss upon a finding that the requirements of this section are not achievable. A petition for exemption or a response to a complaint must be supported with sufficient evidence to demonstrate that compliance with the requirements is not achievable (meaning with reasonable effort or expense), and the Commission will consider four specific factors when making such a determination.

(e) Petitions for purpose-based waivers of emergency information and audio description apparatus requirements.

The Commission may waive emergency information and audio description apparatus requirements for any apparatus or class of apparatus that is (a) primarily designed for activities other than receiving or playing back video programming transmitted simultaneously with sound, or (b) designed for multiple purposes, capable of receiving or playing video programming transmitted

simultaneously with sound but whose essential utility is derived from other purposes. The Commission will address any requests for a purpose-based waiver on a case-by-case basis, and waivers will be available prospectively for manufacturers seeking certainty prior to the sale of a device.

(f) Submission and review of consumer eligibility to receive an accessible set-top box.

The Commission granted DIRECTV a waiver with respect to the set-top box models on which it is not able to implement audio functionality for emergency information, but conditioned such relief by requiring DIRECTV to provide, upon request and at no additional cost to customers who are blind or visually impaired, a set-top box model that is capable of providing aural emergency information. DIRECTV may require customers who are blind or visually impaired to submit reasonable documentation of disability to DIRECTV as a condition to providing the box at no additional cost.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2023-18091 Filed 8-22-23; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[MB Docket No. 23-267; DA 23-678; FR ID 165332]

Designating Applications To Renew Low Power Television Stations Licensed to Jennifer Juarez

AGENCY: Federal Communications Commission.

ACTION: Notice; Hearing Designation Order/Order to Show Cause

SUMMARY: In this document, the Media Bureau of the Federal Communications Commission commences a hearing proceeding to determine, among other things, if the named licensee, Jennifer Juarez, and Antonio Cesar Guel, former licensee through his ownership of Hispanic Christian Community Network, Inc. (HCCN): lacked candor and misrepresented material facts to the Commission; abused FCC processes by engaging in a sham assignment of stations that apparently allowed Guel's improper and continued control of them; possess the requisite character qualifications to be a Commission licensee and, as a result, whether the stations' renewal applications should be denied/dismissed and the stations cancelled or revoked, whether to impose

forfeitures against the parties, and whether to issue an order directing Guel/HCCN to cease and desist from violating provisions of Commission rules and the Communications Act of 1934, as amended.

DATES: Each party to the proceeding (except for the Chief, Enforcement Bureau), in person or by counsel, shall file with the Commission, by August 31, 2023, a written appearance stating the party will appear on the date fixed for hearing and present evidence on the issues specified herein.

FOR FURTHER INFORMATION CONTACT:

Dana E. Leavitt, Video Division, Media Bureau at (202) 418-1317 or Dana.Leavitt@fcc.gov. For additional information concerning the Paperwork Reduction Act (PRA) information collection requirements contained in this document, contact Cathy Williams at 202-418-2918, or Cathy.Williams@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Bureau's HDO in MB Docket No. 23-267, DA 23-678, adopted and released on August 10, 2023. The full text of this document is available for download at <https://docs.fcc.gov/public/attachments/DA-23-678A1.pdf>. To request materials in accessible formats (braille, large print, computer diskettes, or audio recordings), please send an email to FCC504@fcc.gov or call the Consumer & Government Affairs Bureau at (202) 418-0530 (VOICE), (202) 418-0432 (TTY).

Synopsis

Hearing Designation Order to Determine, Inter Alia, Whether HCCN and/or Antonio Cesar Guel are Real Parties in Interest in Pending Applications to Renew Authorizations for Low-Power Television Stations Licensed to Jennifer Juarez; Whether the Parties Engaged in a Sham Transaction to Allow HCCN/Guel Continued Control of the Stations and Abused Commission Processes; Whether the Parties Engaged in Misrepresentation and/or Lack of Candor Before the Commission; Whether the Parties Possess the Requisite Character Qualifications to be Licensees; and Whether Forfeitures Should be Imposed and a Cease and Desist Order Should be Issued Against HCCN and/or Guel

In this *Order to Show Cause Why A Cease and Desist Order Should Not Be Issued, Order to Show Cause Why an Order of Revocation Should Not Be Issued, Hearing Designation Order, Notice of Opportunity for Hearing, and Notice of Apparent Liability for Forfeiture* (HDO), the Media Bureau (Bureau) of the Federal Communications

Commission (Commission or FCC) asks the ALJ to determine the character qualifications of the three designated entities, Hispanic Christian Community Network, Inc., Antonio Cesar Guel, and Jennifer Juarez and whether they possess the requisite character qualifications to hold broadcast licenses, whether to cancel or revoke 7 low power TV (LPTV) stations, and whether to issue a cease and desist order against HCCN and Antonio Cesar Guel to stop violating the Act and our rules. The HDO is the result of an investigation that began in 2018 to explore the extent to which Hispanic Christian Community Network, Inc. (HCCN), Antonio Cesar Guel (Guel), and Jennifer Juarez (Juarez) may have violated provisions of the Communications Act of 1934, as amended (the Act), and our rules pertaining to foreign ownership limits, unauthorized transfers of control/real-party-in-interest issues, and truthful statements made to the FCC. The HDO also provides notice of apparent liability against the entities for their respective violations and failures to disclose material information in their assignment application, and lack of candor and misrepresentation of material facts in responding to Bureau inquiries.

1. Background

The Parties: Jennifer Juarez, aka "Jenifer" Juarez, is the named licensee of the Stations. Juarez states she had no broadcast experience when she agreed in 2010 to acquire the stations from HCCN, which was 100% directly owned by Antonio Cesar Guel, her uncle. She avers that "Antonio Cesar Guel helps us with keeping the stations on air. He provides programming from some of the churches or pastors that he knows and is also our representative with some advertising agencies." Juarez further avers she has no personnel but that Guel "provides a lot of the technical assistance and advice I need" and she receives "a great deal of help from my uncle in getting help with contacts in the industry, contracts, programming, building the stations, moving the stations, etc." Juarez also states that she relies on and receives a great deal of help from her cousin Maria and some help from her cousin Ana (Antonio Guel's daughters), "as they also are in the broadcast business. As a result, I have not really had to put much time into the stations." Juarez further avers she receives "a great deal of help from my attorney and outside engineer," neither of whom she names.

Guel has been a broadcast licensee since 2005. He was the 100% owner of HCCN, which applied for and bought