

and July 22, 2016, specific to Round 2 and Round 3 processes and schedules, respectively.¹¹

An updated designations guidance document was issued by the EPA on September 5, 2019, to better reflect the Round 4 2010 SO₂ NAAQS designations process and to supplement, where necessary, prior designations guidance documents.¹² This memorandum identifies factors that the EPA intends to evaluate in determining whether areas are in violation of the 2010 SO₂ NAAQS. The document also contains the factors that the EPA intends to evaluate in determining the boundaries for all remaining undesignated areas in the country. These factors include: (1) Air quality characterization via ambient monitoring and/or dispersion modeling results; (2) emissions-related data; (3) meteorology; (4) geography and topography; and (5) jurisdictional boundaries.¹³

VI. What air quality information has the EPA used for these intended designations?

These intended designations are based on the EPA's application of the nationwide analytical approach to, and preliminary technical assessment of, the weight of evidence for each area, including but not limited to available air quality monitoring data and air quality modeling results. With respect to air quality monitoring data, the EPA has considered data from at least the most recent 3 full calendar years, *i.e.*, 2017–2019. The 1-hour primary SO₂ standard is violated at an ambient air quality

monitoring site when the 3-year average of the annual 99th percentile of the daily maximum 1-hour average concentrations of SO₂ exceeds 75 ppb, as determined in accordance with Appendix T of 40 CFR part 50.

In the EPA's September 2019 memorandum, we noted that Round 4 area designations will be based primarily on ambient monitoring data, including data from existing and new EPA-approved monitors that have collected data at least from January 2017 forward, pursuant to the DRR. In addition, EPA may evaluate air dispersion modeling submitted by state air agencies for two specific circumstances. First, states may submit air dispersion modeling of actual or allowable emissions to support the geographic extent of a nonattainment boundary. Second, states may submit air dispersion modeling of allowable emissions to demonstrate that new permanent and federally enforceable SO₂ emissions limits that subject sources are meeting provide for attainment of the NAAQS and represent a more accurate characterization of current air quality at the time of designation than does monitoring data reflecting past air quality that does not account for compliance with new limits and associated enforceable emissions reductions.

VII. How do the Round 4 designations affect Indian country?

There are no violating monitors for areas of Indian country, so no areas of Indian country are being designated as nonattainment as part of this round. Any other parts of Indian country being designated as attainment/unclassifiable or unclassifiable are being designated along with the surrounding state area.

VIII. Where can I find information forming the basis for these intended designations and exchanges between the EPA and states related to these intended designations?

Information providing the basis for this intended action are provided in a technical support document (TSD)¹⁴ included in the docket. The TSD, technical assistance documents, applicable EPA guidance memoranda, and copies of correspondence regarding this process between the EPA and the

states, territories, tribes, and other parties, are available for review at the public docket for these SO₂ designations at <https://www.regulations.gov> under Docket ID No. EPA–HQ–OAR–2020–0037, at the EPA Docket Center listed in the **FOR FURTHER INFORMATION CONTACT** section of this document, and on the Agency's SO₂ Designations website at <https://www.epa.gov/sulfur-dioxide-designations>. Air dispersion modeling input and output files are too large to post in the docket or on the website and must be requested from the EPA Docket Office or the Regional office contacts listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

Dated: August 13, 2020.

Panagiotis Tsirigotis,

Director, Office of Air Quality Planning & Standards.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OGC–2020–0399; FRL–10013–98–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 section 113(g) of the Clean Air Act, as amended (CAA or the Act), notice is given of a proposed consent decree in *Center for Biological Diversity, et al., v. Wheeler*, No. 3:20–cv–00448 (N.D. Cal.). On January 22, 2020 and February 19, 2020, the Center for Biological Diversity and the Center for Environmental Health (collectively, Plaintiffs) filed a complaint and a first amended complaint, respectively, in the United States District Court for the Northern District of California, alleging that the Administrator of the United States Environmental Protection Agency (EPA) failed to perform certain non-discretionary duties. First, Plaintiffs allege that EPA failed to issue a finding of failure to submit for state implementation plans (SIPs) addressing reasonably available control technology (RACT) for volatile organic compounds (VOC) from sources covered by the 2016 Oil and Gas control techniques guideline (CTG) for the 2008 ozone National Ambient Air Quality Standards (NAAQS) for states and areas listed in the First Amended Complaint within six months after the SIP due date. Second,

¹¹ See “Updated Guidance for Area Designations for the 2010 Primary Sulfur Dioxide National Ambient Air Quality Standard,” memorandum to Regional Air Division Directors, Regions 1–10, from Stephen D. Page, dated March 20, 2015, available at <https://www.epa.gov/sites/production/files/2016-04/documents/20150320so2designations.pdf>, and “Area Designations for the 2010 Primary Sulfur Dioxide National Ambient Air Quality Standard—Round 3,” memorandum to Regional Air Division Directors, Regions 1–10, dated July 22, 2016, available at <https://www.epa.gov/sites/production/files/2016-07/documents/areadesign.pdf>.

¹² See “Area Designations for the 2010 Primary Sulfur Dioxide National Ambient Air Quality Standard—Round 4,” memorandum to Regional Air Division Directors, Regions 1–10, from Peter Tsirigotis, dated September 5, 2019, available at https://www.epa.gov/sites/production/files/2019-09/documents/round_4_so2_designations_memo_09-05-2019_final.pdf.

¹³ The EPA supplemented this guidance with documents first made available to states and other interested parties in 2013 and updated in 2016. See SO₂ NAAQS Designations Source-Oriented Monitoring Technical Assistance Document (February 2016), available at <https://www.epa.gov/sites/production/files/2016-06/documents/so2monitoringtd.pdf>, and SO₂ NAAQS Designations Modeling Technical Assistance Document (August 2016), available at <https://www.epa.gov/sites/production/files/2016-06/documents/so2modelingtd.pdf>.

¹⁴ The single TSD for this action consists of a few sections with information that applies to all affected areas or to certain groups of areas with some common features, and many sections that are specific to individual states. For convenience, the term “TSD” is also used generically to refer to these state-specific sections. For informational purposes, these individual state-specific TSDs are available for separate downloading from the indicated EPA website.

Plaintiffs allege that EPA failed to take final action to approve or disapprove, in whole or in part, Oil and Gas CTG SIPs for the 2008 and/or 2015 ozone NAAQS submitted by various states for the nonattainment areas and ozone transport region (OTR) states listed in the First Amended Complaint. 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 September 21, 2020.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2020-0399, 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 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: Derek Mills, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone: (202) 564-3341; email address: mills.derek@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-2020-0399) 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, which would fully resolve a lawsuit filed by the Center for Biological Diversity and the Center for Environmental Health, would require the EPA to take action under the CAA to make a finding of failure to submit for SIPs addressing RACT for VOC from sources covered by the 2016 Oil and Gas CTG pursuant to 42 U.S.C. 7410(k)(1)(B) for the 2008 ozone NAAQS for certain states and areas as listed in the proposed consent decree. The proposed consent decree would also require the Administrator, 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 SIP submissions addressing the 2016 Oil and Gas CTG for the 2008 and/or 2015 ozone NAAQS submitted by various states for the nonattainment areas and OTR states as listed in the proposed consent decree.

Under the terms of the proposed consent decree, EPA shall sign a notice or notices finding that the states identified as such in the consent decree have failed to submit a SIP or SIP revision addressing RACT for VOC sources covered by the Oil and Gas RACT CTG for the 2008 ozone NAAQS for the nonattainment area or state listed in the proposed consent decree by the established deadline. In addition, under the proposed consent decree, EPA shall sign a notice of proposed and/or final rulemaking to approve, disapprove, conditionally approve, or approve in part and conditionally approve or disapprove in part, Oil and Gas RACT CTG SIPs for the 2008 and/or 2015 ozone NAAQS for the nonattainment areas and OTR states as listed and identified as such in the proposed

consent decree by the established deadlines.

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-2020-0399, via <https://www.regulations.gov>. Once submitted, comments cannot be edited or removed from this docket. The 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. The 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. 2020-18393 Filed 8-20-20; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

[FRS 17000]

Radio Broadcasting Services; AM or FM Proposals To Change the Community of License

AGENCY: Federal Communications Commission.

ACTION: Notice.

DATES: The agency must receive comments on or before October 20, 2020.

ADDRESSES: Federal Communications Commission, 445 12th Street SW, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Rolanda F. Smith, 202-418-2054.

SUPPLEMENTARY INFORMATION: The following applicants filed AM or FM proposals to change the community of license: GERARD MEDIA, LLC, WHFB(AM), Fac. ID No. 72174, From BENTON HARBOR-ST. JO, MI, File No. BP-20200715AAH; GEORGIA-CAROLINA RADIOCASTING COMPANY, LLC, WHTD(AM), Fac. ID No. 54562, From ELBERTON, GA, To COLBERT, GA, File No. BP-20200728AAE; KMSR, INC., KMSR(AM), Fac. ID No. 54336, From MAYVILLE, ND, To NORTHWOOD, ND, File No. BP-20200615AAN; LAKE HARTWELL RADIO, INC., WYPJ(FM),

Fac. ID No. 166080, From DUE WEST, SC, To BOWMAN, GA, File No. 0000117873; RADIO TRAINING NETWORK, INC, WAHP(FM), Fac. ID No. 67212, From BELTON, SC, To DUE WEST, SC, File No. 0000117827; and MILESTONE RADIO II LLC, KBGY(FM), Fac. ID No. 84475, From FARIBAULT, MN, To ELKO NEW MARKET, MN, File No. 0000116370. The full text of these applications is available electronically via the Media Bureau's Consolidated Data Base System, https://licensing.fcc.gov/prod/cdbs/pubacc/prod/app_sear.htm or Licensing and Management System (LMS), <https://apps2int.fcc.gov/dataentry/public/tv/publicAppSearch.html>.

Federal Communications Commission.
Nazifa Sawez,
Assistant Chief, Audio Division, Media Bureau.

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BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0463; 3060-1124; FRS 17012]

Information Collections Being Submitted for Review and Approval to Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Pursuant to the Small Business Paperwork Relief Act of 2002, the FCC seeks specific comment on how it can further reduce the information collection burden for small business concerns with fewer than 25 employees. **DATES:** Written comments and recommendations for the proposed information collection should be submitted on or before September 21, 2020.

ADDRESSES: Comments should be sent to 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. Your comment must be submitted into www.reginfo.gov per the above instructions for it to be

considered. In addition to submitting in www.reginfo.gov also send a copy of your comment on the proposed information collection to Cathy Williams, FCC, via email to PRA@fcc.gov and to Cathy.Williams@fcc.gov. Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy Williams at (202) 418-2918. To view a copy of this information collection request (ICR) submitted to OMB: (1) Go to the web page <http://www.reginfo.gov/public/do/PRAMain>, (2) look for the section of the web page called "Currently Under Review," (3) click on the downward-pointing arrow in the "Select Agency" box below the "Currently Under Review" heading, (4) select "Federal Communications Commission" from the list of agencies presented in the "Select Agency" box, (5) click the "Submit" button to the right of the "Select Agency" box, (6) when the list of FCC ICRs currently under review appears, look for the Title of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: The Commission 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. As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), the FCC invited the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: (a) 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; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) 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. Pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4), the FCC seeks specific comment on how