Sunday, August 16, 2020. The deadline to sign up to speak during the public comment period, or to submit written public comments, is 11:59 p.m., Eastern Daylight Time on Sunday, August 16, 2020. When registering, please provide your name, organization, city and state, and email address for follow up. Please also indicate whether you would like to provide public comment during the meeting, and whether you are submitting written comments by the Sunday, August 16, 2020, deadline.

A. Public Comment

Individuals or groups making remarks during the public comment period will be limited to three (3) minutes. To accommodate the number of people who want to address the NEJAC, only one representative of a particular community, organization, or group will be allowed to speak. Written comments can also be submitted for the record. The suggested format for individuals providing public comments is as follows: Name of speaker; name of organization/community; city and state; and email address; brief description of the concern, and what you want the NEJAC to advise EPA to do. Written comments received by registration deadline, will be included in the materials distributed to the NEJAC prior to the teleconference. Written comments received after that time will be provided to the NEJAC as time allows. All written comments should be sent to Karen L. Martin, EPA, via email at *nejac@epa.gov.*

B. Information About Services for Individuals With Disabilities or Requiring English Language Translation Assistance

For information about access or services for individuals requiring assistance, please contact Karen L. Martin, at (202) 564–0203 or via email at *nejac@epa.gov.* To request special accommodations for a disability or other assistance, please submit your request at least fourteen (14) working days prior to the meeting, to give EPA sufficient time to process your request. All requests should be sent to the address, email, or phone number listed in the **FOR FURTHER INFORMATION CONTACT** section.

Dated: July 21, 2020.

Matthew Tejada,

Director for the Office of Environmental Justice.

[FR Doc. 2020–16882 Filed 8–3–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OW–2020–0282; FRL–10012–44–OW]

State Formula Allocations for Sewer Overflow and Stormwater Reuse Grants

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; request for information.

SUMMARY: The Environmental Protection Agency (EPA) is announcing the proposed allotment formula for the Sewer Overflow and Stormwater Reuse Municipal Grants Program as required by the Clean Water Act. EPA is required to establish a formula to allocate proportional shares of the amount appropriated to state entities to fund actions that will help manage combined sewer overflows, sanitary sewer overflows, and stormwater. EPA was directed to develop a formula based on the relevant infrastructure needs submitted in the latest Clean Watersheds Needs Survey along with additional information considered appropriate by the EPA Administrator. A summary of the formula is included in this document. This document announces that EPA is seeking feedback from the public on the formula.

DATES: Comments on these items must be received on or before September 3, 2020.

ADDRESSES: You may send comments, identified by Docket ID No. EPA–HQ–OW–2020–0282, by the following method:

- *Federal eRulemaking Portal: https://www.regulations.gov/.* Follow the online instructions for submitting comments.

Instructions: All submissions received must include the Docket ID No. for this notification. 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 ''Public Participation'' heading of the 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 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* or email, 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.*

FOR FURTHER INFORMATION CONTACT: For additional information, please contact Michael Goralczyk, Office of Water (Mail Code 4204M), Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460; telephone number: 202–564–7347; or email: *Goralczyk.Michael@epa.gov* (preferred).

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Public Participation

Submit your comments, identified by Docket ID No. EPA–HQ–OW–2020–0282, at *https://www.regulations.gov/.* Once submitted, comments cannot be edited or removed from the docket. EPA may publish any comment received to its public docket. Do not submit electronically 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 Agency 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.*

EPA is temporarily suspending its Docket Center and Reading Room for public visitors, 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 or couriers will be

received by scheduled appointment only. For further information and updates on EPA Docket Center services, please visit us online at *https://www.epa.gov/dockets.*

EPA continues to carefully and continuously monitor information from the Centers for Disease Control and Prevention, local area health departments, and our Federal partners so that we can respond rapidly as conditions change regarding COVID–19.

II. Background

The America's Water Infrastructure Act (AWIA) of 2018 aims to improve water quality, expand infrastructure investments, enhance public health, increase jobs, and bolster the economy. Section 4106 of the AWIA amended Section 221 of the Clean Water Act (CWA) to re-authorize the Sewer Overflow and Stormwater Reuse Municipal Grants Program. This amended statute directs EPA to award grants to the states, the District of Columbia, and U.S. territories (collectively referred to as ''states'') for the purpose of providing grants to a municipality or municipal entity for planning, design, and construction of:

1. Treatment works to intercept, transport, control, treat, or reuse municipal combined sewer overflows (CSOs), sanitary sewer overflows (SSOs), or stormwater; and

2. any other measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water.

III. Statutory Language for the Allotment Formula

According to the CWA, funds appropriated for this program shall be allocated to the states according to their total proportional needs for municipal CSOs, SSOs, and stormwater as identified in the most recent Clean Watersheds Needs Survey (CWNS) and any other additional information considered appropriate by the EPA Administrator. This is described in Section 221(g)(2) of the CWA:

> ''the Administrator shall use the amounts appropriated to carry out this section for fiscal year 2020 and each fiscal year thereafter for making grants to States under subsection (a)(1) in accordance with a formula to be established by the Administrator, after providing notice and an opportunity for public comment, that allocates to each State a proportional share of such amounts based on the total needs of the State for municipal combined sewer overflow controls, sanitary sewer overflow controls, and stormwater identified in the most recent detailed estimate and comprehensive study submitted pursuant to section 516 of this title and any other information the Administrator considers appropriate.''

The CWNS includes documented infrastructure needs. However, the most recent CWNS in 2012 did not include complete CSO, SSO, and stormwater infrastructure needs for every state and territory. In order to equitably allocate appropriated funds based on existing infrastructure needs, as directed in the amended Section 221 of the CWA, it is appropriate to include additional factors to fully characterize needs for CSOs, SSOs, and stormwater management. EPA consulted with state representatives and EPA regional coordinators experienced in managing EPA grants at the state level on a series of supplemental factors. With the feedback of these partners, EPA selected three additional factors based on the common availability of data across the states and the ability of these factors to serve as surrogates for CSO, SSO, and stormwater infrastructure needs. The three additional proposed factors are annual average precipitation, total population, and urban population. The rationale for these additional factors includes the following:

(1) Annual average precipitation is a proposed factor because higher amounts of precipitation lead to greater CSO, SSO, and stormwater infrastructure needs to manage greater flows.

(2) Total population is a proposed factor because the larger the population of a state, the more infrastructure is generally required to serve them.

(3) Urban population is a proposed factor because there are relatively higher CSO, SSO, and stormwater infrastructure needs in urban environments from increased impervious surfaces, which generate increased wet weather flows during precipitation events.

When combined with the needs determined in the CWNS, these three proposed factors improve the representation of the CSO, SSO, and stormwater infrastructure needs in each state. This collective approach for assessing CSO, SSO, and stormwater infrastructure needs is the basis for this proposal on how to derive an allocation formula for appropriating funds for this program.

IV. Proposed Allotment Formula

EPA is proposing to use the following methodology to allocate appropriated funds to the states for the Sewer Overflow and Stormwater Reuse Municipal Grant Program. A graphical depiction of the methodology is shown in Figure 1.

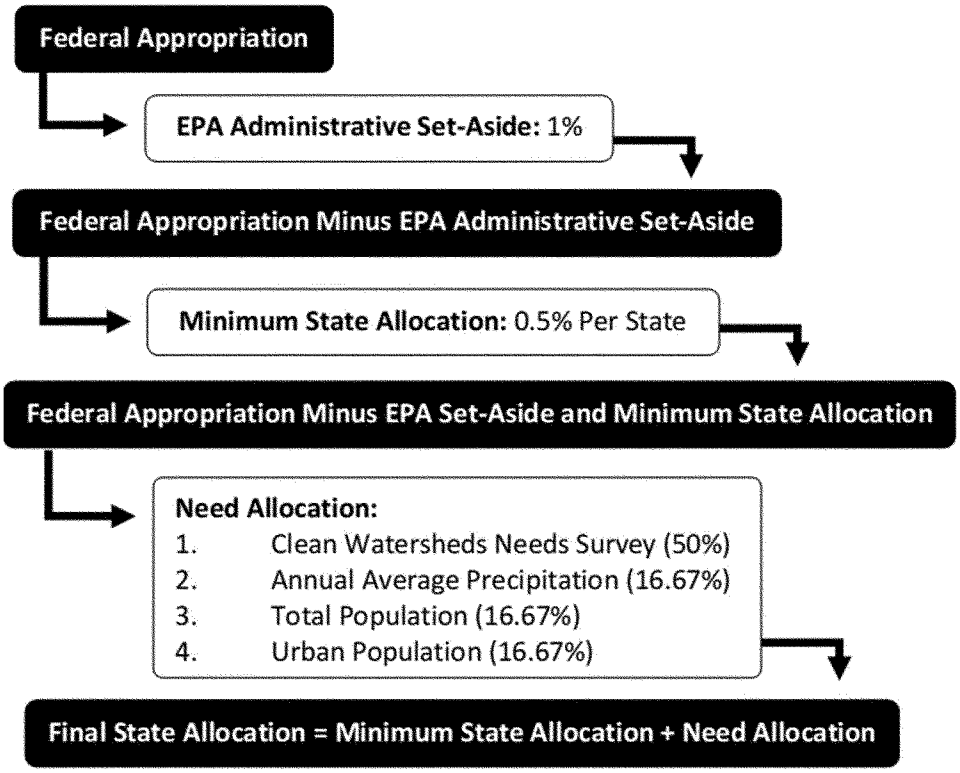

Fig. 1: Proposed Formula Structure for the Sewer Overflow and Stormwater Reuse Municipal Grant Program.

Proposed Methodology

1. Reserve 1% of the federal appropriation for EPA's administrative expenses per Section 221(h) of the CWA.

2. Allocate 0.5% of the remaining amount (federal appropriation minus EPA administrative set-aside) to each state to represent the ''minimum state allocation.''

3. Allocate the remaining amount (federal appropriation minus EPA administrative set-aside and minimum state allocation) based on several factors to characterize the ''need allocation'' of each state. In addition to the most recent CWNS and as allowed by Section 221(g)(2) of the CWA, EPA chose additional objective factors to help characterize the infrastructure needs of each state. EPA assigned weights to each of the factors in the allocation formula. The CWNS needs are weighted at 50% and the additional factors are weighted evenly to collectively account for the remaining 50%. The combination of the following factors forms the need allocation for each state.

- *Clean Watersheds Needs Survey:* This factor is included as the statute directs EPA to use the needs survey submitted pursuant to Section 516 of the CWA. EPA will use the latest available CWNS information that provides a comprehensive assessment of CSOs, SSOs, and stormwater infrastructure needs. This factor represents 50% of the need allocation as these needs were directly identified in the survey.
- *Annual Average Precipitation:* This factor is included to account for the volume of annual precipitation a state receives which suggests the amount of stormwater runoff that needs to be managed. This factor represents 16.67% of the need allocation.
- *Total Population:* This factor is included to represent the proportional need of each state's population size acknowledging that higher populations generally have greater infrastructure needs. This factor represents 16.67% of the need allocation.
- *Urban Population:* This factor is included to represent the needs that urban centers have for CSOs, SSOs, and stormwater management due to high concentrations of impervious surfaces. This factor represents 16.67% of the need allocation.

4. For each state, the minimum state allocation and the need allocation are combined to equal the final state allocation.

V. Data Sources for the Proposed Allotment Formula

- *Clean Watersheds Needs Survey:* The CWNS includes and documents identified capital investment needs for Sanitary Sewer Overflow Correction (Categories I–IV where states have shown a designated SSO need), Combined Sewer Overflow Correction (Category V), and Stormwater Management (Category VI). Information for this factor will be taken from the most recent published CWNS [1] and will be updated accordingly.
- *Annual Average Precipitation:* The proposed precipitation factor for each state is the annual average amount of precipitation collected from the past 10 years of data from the National Oceanographic and Atmospheric Association (NOAA) National Centers for Environmental Information, Climate at a Glance: Statewide Time Series. These data will be updated annually to form a 10-year rolling average.[2] Due to

[1] *Clean Watersheds Need Survey 2012 Report to Congress,* January 2016. *https://www.epa.gov/cwns/clean-watersheds-needs-survey-cwns-2012-report-and-data.*

[2] NOAA National Centers for Environmental information, Climate at a Glance: Statewide Time Series, accessed April 2020, *https://www.ncdc.noaa.gov/cag/statewide/time-series.*

data limitations, alternative data sources are proposed to be used for the following states:

—*Hawaii:* The past 10 years of data for annual average precipitation will be collected from the Hilo Area, Honolulu Area, Kahului Area, and Lihue Area from the Honolulu Forecast Office of NOAA.[3] These sources constitute the most complete data set in the relevant timeframe and are considered the best available representation for Hawaii.

—*District of Columbia:* The past 10 years of data for annual average precipitation will be collected from the Washington Area from the Baltimore/Washington Forecast Office of NOAA. This is the most complete data set in the relevant timeframe and is considered the best available representation for the District of Columbia.[4]

—*Puerto Rico:* The past 10 years of data for annual average precipitation will be collected from the San Juan Area and Ensenada and Morovis weather stations from the San Juan Forecast Office of NOAA. These sources constitute the most complete data set in the relevant timeframe and are considered the best available representation for Puerto Rico.[5]

—*American Samoa:* The past 10 years of data for annual average precipitation will be collected from the Pago Pago Area from the Pago Pago Forecast Office of NOAA. This is the most complete data set in the relevant timeframe and is considered the best available representation for American Samoa.[6]

—*Guam:* The past 10 years of data for annual average precipitation will be collected from the Guam Area from the Tiyan Forecast Office of NOAA. This is the most complete data set in the relevant timeframe and is considered the best available representation for Guam.[7]

—*Northern Mariana Islands:* The past 10 years of data for the annual average precipitation will be collected from the Guam Area from the Tiyan Forecast Office of NOAA. There are no available weather stations in the Northern Mariana Islands. However, the Northern Mariana Islands are covered by the Tiyan Forecast Office and Guam is located approximately 130 miles away. It has been determined that data from the Guam Area can be considered an acceptable surrogate for precipitation amounts in the Northern Mariana Islands.[8]

—*U.S. Virgin Islands:* The past 10 years of data for the annual average precipitation will be collected from the Christiansted Airport and St. Thomas weather stations from the San Juan Forecast Office of NOAA. These sources constitute the most complete data set in the relevant timeframe and are considered the best available representation for the U.S. Virgin Islands.[9]

▪ *Total Population:* Data for the proposed total population factor will be from the most recent published U.S. Census Bureau decennial census. The initial allocation will be based on the 2010 U.S. Census and will be updated accordingly.

—The states, the District of Columbia, and Puerto Rico population data will be taken from the U.S. Census Bureau State Population Totals and Components of Change.[10]

—American Samoa, Guam, Northern Mariana Islands, and U.S. Virgin Islands population data will be taken from the U.S. Census Bureau Island Area Tables.[11]

▪ *Urban Population:* The proposed urban population factor for each state will be based on the available data from the most recent U.S. Census Bureau decennial census.[12] The initial formula will be based on the 2010 U.S. Census and data will be updated as future decennial censuses are published. Urban population estimates for American Samoa, Guam, Northern Mariana Islands, and the U.S. Virgin Islands are not available through the Census. The following alternative data sources will be used and updated as needed.

—*American Samoa:* Data from the Central Intelligence Agency World Factbook will be used. The percentage of the total population considered to be urban (currently 87.2%) will be multiplied by the total population.[13]

—*Guam:* Data from the Central Intelligence Agency World Factbook will be used. The percentage of the total population considered to be urban (currently 94.9%) will be multiplied by the total population.[14]

—*Northern Mariana Islands:* Data from the Central Intelligence Agency World Factbook will be used. The percentage of the total population considered to be urban (currently 91.8%) will be multiplied by the total population.[15]

—*U.S. Virgin Islands:* Data from the Central Intelligence Agency World Factbook will be used. The percentage of the total population considered to be urban (currently 95.9%) will be multiplied by the total population.[16]

VI. Request for Public Comment

It is important to EPA that its programs respond to the water quality needs of communities around the country. EPA seeks to ensure that the development of its grant programs complies with the applicable statutory language and legislative intent. EPA developed the proposed allotment formula for the Sewer Overflow and Stormwater Reuse Municipal Grants Program to best address CSO, SSO, and stormwater needs for each state as determined by the data from the latest CWNS and additional relevant factors. EPA is requesting comment on the methodology of this proposed allotment formula including the factors and data used in determining CSO, SSO, and stormwater infrastructure needs. Feedback on ways to more holistically assess CSO, SSO, and stormwater needs will be appreciated and evaluated for the initial and future formulas. EPA is also seeking input on the collection method, frequency, and source of the information used for the proposed allotment formula. EPA seeks to balance any burden the collection would impose on the public with the benefit the

[3] NOAA, Honolulu Forecast Office, Hilo Area, Honolulu Area, Kahului Area, and Lihue Area Data, *https://w2.weather.gov/climate/xmacis.php?wfo=hnl.*

[4] NOAA, Baltimore/Washington Forecast Office, Washington Area Data, *https://w2.weather.gov/climate/xmacis.php?wfo=lwx.*

[5] NOAA, San Juan Forecast Office, San Juan Area and Ensenada, and Morovis Weather Station Data. *https://w2.weather.gov/climate/xmacis.php?wfo=sju.*

[6] NOAA, Pago Pago Forecast Office, Pago Pago Area Data, *https://w2.weather.gov/climate/xmacis.php?wfo=samoa.*

[7] NOAA, Tivan Forecast Office, Guam Area Data, *https://w2.weather.gov/climate/xmacis.php?wfo=guam.*

[8] Ibid.

[9] NOAA, San Juan Forecast Office, Christiansted Airport and St. Thomas Weather Station Data, *https://w2.weather.gov/climate/xmacis.php?wfo=sju.*

[10] U.S. Census Bureau, State Population Totals and Components of Change 2010–2019, *https://www.census.gov/data/tables/time-series/demo/popest/2010s-state-total.html.*

[11] U.S. Census Bureau, 2010 Island Area Tables, *https://www.census.gov/data/tables/2010/dec/2010-island-areas.html.*

[12] U.S. Census Bureau, Census Urban and Rural Classification and Urban Area Criteria, *https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural/2010-urban-rural.html.*

[13] Central Intelligence Agency, World Factbook, American Samoa, *https://www.cia.gov/library/publications/the-world-factbook/geos/aq.html.*

[14] Central Intelligence Agency, World Factbook, Guam, *https://www.cia.gov/library/publications/the-world-factbook/geos/gq.html.*

[15] Central Intelligence Agency, World Factbook, Northern Mariana Islands, *https://www.cia.gov/library/publications/the-world-factbook/geos/cq.html.*

[16] Central Intelligence Agency, World Factbook, U.S. Virgin Islands, *https://www.cia.gov/library/publications/the-world-factbook/geos/vq.html.*

information would provide to the Agency in making allocations to the states under the Sewer Overflow and Stormwater Reuse Municipal Grants Program.

David Ross,

Assistant Administrator, Office of Water.

[FR Doc. 2020–16866 Filed 8–3–20; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[GN Docket No. 18–122, IB Docket No. 20–205; DA 20–802; FRS 16974]

Wireless Telecommunications Bureau Releases Final Cost Category Schedule for 3.7–4.2 GHz Band Relocation Expenses and Announces Process and Deadline for Lump Sum Elections

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Wireless Telecommunications Bureau (Bureau) releases the 3.7 GHz Transition Final Cost Category Schedule of Potential Expenses and Estimated Costs, announces the optional lump sum payment amounts for which incumbent Fixed Satellite Service earth station operators are eligible, and details the process and deadline for electing to receive lump sum payments.

DATES: Optional Lump Sum Elections are due August 31, 2020.

ADDRESSES: You may submit elections, identified by IB Docket No. 20–205, by any of the following methods:

- *Electronic Filers:* Elections may be filed electronically using the internet by accessing the ECFS: *http://apps.fcc.gov/ecfs/* in docket number IB 20–205.
- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing.

Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.U.S.
- Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street SW, Washington, DC 20554.
- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID–19. *See FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy,* Public Notice, DA 20–304 (March 19, 2020). *https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy.*
- During the time the Commission's building is closed to the general public and until further notice, if more than one docket or rulemaking number appears in the caption of a proceeding, paper filers need not submit two additional copies for each additional docket or rulemaking number; an original and one copy are sufficient.

FOR FURTHER INFORMATION CONTACT: Susan Mort, Wireless Telecommunications Bureau, at *Susan.Mort@fcc.gov* or 202–418–2429.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document (*Public Notice*), GN Docket No. 18–122, IB Docket No. 20–205; DA 20–802, released on July 30, 2020. The complete text of this document and the attached Cost Catalog is available on the Commission's website at *https://www.fcc.gov/document/wtb-releases-final-c-band-cost-category-and-lump-sum-public-notice* or by using the search function for GN Docket No. 18–122 or IB Docket No. 20–205 on the Commission's ECFS web page at *www.fcc.gov/ecfs.*

Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file elections on or before the date indicated on the first page of this document.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (tty).

Synopsis

With the *Public Notice,* the Wireless Telecommunications Bureau (the Bureau) releases the 3.7 GHz Transition Final Cost Category Schedule of Potential Expenses and Estimated Costs (Cost Catalog), announces the optional lump sum payment amounts for which incumbent Fixed Satellite Service (FSS) earth station operators are eligible, and provides the process and deadline for electing to receive lump sum payments.

In the *3.7 GHz Band Report and Order,* the Commission adopted rules to make 280 megahertz of mid-band spectrum available for flexible use, plus a 20 megahertz guard band, throughout the contiguous United States by transitioning existing services out of the lower portion and into the upper 200 megahertz of the C-band. The *3.7 GHz Report and Order* established that new 3.7 GHz Service licensees will reimburse the reasonable relocation costs of eligible incumbents, including incumbent FSS earth station operators, to transition to the upper 200 megahertz of the band. The *3.7 GHz Report and Order* established that incumbent FSS earth station operators may either accept: (1) Reimbursement for their actual reasonable relocation costs by maintaining satellite reception; or (2) a lump sum reimbursement ''based on the average, estimated costs of relocating all of their incumbent earth stations'' to the upper 200 megahertz of the C-band. The *3.7 GHz Report and Order* directed the Bureau to establish a cost category schedule of the types of expenses that incumbents may incur.

The Commission engaged a third-party contractor, RKF Engineering Solutions, LLC (RKF), to assist in identifying costs that incumbents might incur and to assist with the development of a cost category schedule. With assistance from RKF, the Bureau developed the 3.7 GHz Transition Preliminary Cost Category Schedule of Potential Expenses and Estimated Costs (Preliminary Cost Catalog), which proposed classes of earth stations eligible for lump sum payments but did not specify the amounts. The Bureau sought comment on the earth station classes and specific costs and prices that should ultimately be included in the lump sums in the *Cost Catalog Public Notice.* In response, commenters proposed additional classes of earth stations, including a separate category for multichannel video programming distributor (MVPD) earth stations. Some commenters offered methodologies for calculating the lump sum amounts and proposed lump sum amounts. Commenters also identified additional transition costs to be included in the calculation, such as modulation and encoding technology.

After considering the comments received in response to the *Cost Catalog Public Notice,* the Bureau, with assistance from RKF, has updated the classes of earth stations and developed proposed lump sum amounts for each class of earth station. After review of the record, the Bureau issued the *Lump Sum Comment Public Notice* seeking further comment on a revised list of earth station classes, preliminary lump sum payment amounts, and the