

denied a petition from the American Fuel & Petrochemical Manufacturers (AFPM) for a partial waiver of the 2023 cellulosic biofuel standard under the Renewable Fuel Standard (RFS) program. EPA is providing this notice for public awareness of, and the basis for, EPA's decision issued on March 15, 2024.

DATES: March 26, 2024.

FOR FURTHER INFORMATION CONTACT: Lauren Michaels, Office of Transportation and Air Quality, Compliance Division, Environmental Protection Agency, 2000 Traverwood Drive, Ann Arbor, MI 48105; telephone number: (734) 214-4640; email address: michaels.lauren@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

The Clean Air Act (CAA) provides that EPA, in consultation with the Secretary of Agriculture and the Secretary of Energy, may waive the volume requirements under the RFS program, in whole or in part, under specified circumstances, including when EPA finds that “there is an inadequate domestic supply” or that the RFS volume requirements “would severely harm the economy or environment of a State, a region, or the United States” (“severe economic harm”).¹ Section 211(o)(7)(A) is structured to allow any person subject to the requirements of the RFS program to petition EPA to waive, in whole or in part, the volume requirements.

On December 22, 2023, AFPM requested that EPA issue a partial waiver of the 2023 cellulosic biofuel standard under CAA section 211(o)(7)(D) and CAA section 211(o)(7)(A)(i).² On March 4, 2024, AFPM submitted an update to its original petition.³

II. Decision

Our assessment of the volume of 2023 cellulosic RINs and 2022 cellulosic carryover RINs indicates that obligated parties will be able to readily comply with the existing 2023 cellulosic biofuel standard. Moreover, obligated parties will still be able to comply by carrying a cellulosic RIN deficit into 2024, if necessary. On the other hand, a partial waiver of the 2023 cellulosic biofuel standard would be injurious to the RFS program because it would be disruptive

to program participants and could result in reduced future demand for cellulosic biofuel production. For these and all other reasons described in the AFPM Petition Denial Action, and after consultation with the Secretary of Agriculture and the Secretary of Energy under CAA section 211(o)(7)(A), the RFS program is best served by maintaining the existing 2023 cellulosic biofuel standard and we are denying the AFPM Petition.

III. Judicial Review

Section 307(b)(1) of the CAA governs judicial review of final actions by EPA. This section provides, in part, that petitions for review must be filed only in the United States Court of Appeals for the District of Columbia Circuit: (i) when the agency action consists of “any other nationally applicable. . . final action taken by the Administrator,” or (ii) when a final action is locally or regionally applicable but “such action is based on a determination of nationwide scope or effect and if in taking such action the Administrator finds and publishes that such action is based on such a determination.” The CAA reserves to EPA the complete discretion to decide whether to invoke the exception in (ii) described in the preceding sentence.⁴

This final action is “nationally applicable” within the meaning of CAA section 307(b)(1). Whether an action is “nationally applicable” is a narrow inquiry based only on the “face” of the action.⁵ The question is whether the action itself is nationally applicable, not whether the nature and scope of the arguments raised or relief sought by a petitioner challenging the action are nationally applicable.⁶ On its face, this final action is nationally applicable because it denies a petition to waive a portion of the nationally applicable 2023 cellulosic biofuel standard promulgated in the Set Rule for all parties who qualify as obligated parties⁷ and thus are subject to the requirements of the RFS program no matter their location across the country. Parties that have registered with EPA as obligated

parties under the RFS program are located in all states except Alaska, which is not subject to the RFS program.⁸ In denying this petition, EPA applied a consistent interpretation of the relevant CAA provisions and the Agency’s “common, nationwide analytical method” for evaluating the fuels available, the fuels market data, and the RIN data to determine whether a partial waiver is necessary to enable compliance with the 2023 cellulosic biofuel standard.⁹ This final action applies equally to all obligated parties.

For these reasons, this final action is nationally applicable. Under CAA section 307(b)(1), petitions for judicial review of this action must be filed in the United States Court of Appeals for the District of Columbia Circuit by May 28, 2024.

Joseph Goffman,

Assistant Administrator, Office of Air and Radiation.

[FR Doc. 2024-06375 Filed 3-25-24; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2023-0580; FRL-11359-01-OW]

Proposed Information Collection Request; Comment Request; POTW Influent PFAS Study Data Collection

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is planning to submit an information collection request, “U.S. Environmental Protection Agency POTW Influent PFAS Study Data Collection” (EPA ICR No. 2799.01, OMB Control No. 2040-NEW) to the Office of Management and Budget for review and approval in accordance with the Paperwork Reduction Act (PRA). Before doing so, the EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a request for approval of a new collection. This notice allows for 60 days for public comments.

DATES: Comments must be submitted on or before May 28, 2024.

ADDRESSES: Submit your comments, referencing Docket ID No. EPA-HQ-

¹ EPA refers to the authority in CAA section 211(o)(7)(A) as the “general waiver authority.”

² AFPM, “Petition for Partial Waiver of 2023 Cellulosic Biofuel Volumetric Requirements,” December 22, 2023 (“AFPM Petition”).

³ AFPM, “AFPM’s Petition for Partial Waiver of the 2023 Cellulosic Biofuel Volumetric Requirements—Update,” March 4, 2024.

⁴ *Sierra Club v. EPA*, 47 F.4th 738, 745 (D.C. Cir. 2022) (“EPA’s decision whether to make and publish a finding of nationwide scope or effect is committed to the agency’s discretion and thus is unreviewable”); *Texas v. EPA*, 983 F.3d 826, 834–35 (5th Cir. 2020).

⁵ *Dalton Trucking, Inc. v. EPA*, 808 F.3d 875, 881 (D.C. Cir. 2015); *Hunt Refining Co. v. EPA*, 90 F.4th 1107, 1110 (11th Cir. 2024) (“*Hunt*”).

⁶ *S. Ill. Power Coop. v. EPA*, 863 F.3d 666, 670–71 (7th Cir. 2017); *ATK Launch Sys., Inc. v. EPA*, 651 F.3d 1194, 1198–1199 (10th Cir. 2011); *RMS of Ga., LLC v. EPA*, 64 F.4th 1368, 1372–1373 (11th Cir. 2023); *Hunt*, 90 F.4th at 1110–1112.

⁷ 40 CFR 80.2 (“obligated party”), 80.1406.

⁸ CAA section 211(o)(2)(A)(i); 40 CFR 80.1407(f)(3).

⁹ *S. Ill. Power*, 863 F.3d at 671; *ATK Launch Sys.*, 651 F.3d at 1197; *Hunt*, 90 F.4th at 1112; *Oklahoma v. EPA*, ---, F.4th ---, 2024 WL 799356 at *3 (10th Cir. Feb. 27, 2024).

OW-2023-0580, online using www.regulations.gov (our preferred method), by email to OW-Docket@epa.gov, or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460.

The 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.

FOR FURTHER INFORMATION CONTACT:

Sean Dempsey, Engineering and Analysis Division, Office of Science and Technology, (4303T), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: 202-564-5088; email address: Dempsey.Sean@epa.gov.

SUPPLEMENTARY INFORMATION: This is a request for approval of a new collection. 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.

This notice allows 60 days for public comments. Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at www.regulations.gov or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202-566-1744. For additional information about the EPA's public docket, visit <http://www.epa.gov/dockets>.

Pursuant to section 3506(c)(2)(A) of the PRA, the EPA is soliciting comments and information to enable it to: (i) evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; (ii) evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate forms of information technology. The EPA will consider the comments received and amend the ICR as appropriate. The final

ICR package will then be submitted to OMB for review and approval. At that time, the EPA will issue another **Federal Register** notice to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB.

Abstract: The Clean Water Act directs the United States Environmental Protection Agency to develop national regulations known as Effluent Limitations Guidelines and Standards (ELGs) to place limits on the pollutants that are discharged by categories of industry to surface waters and publicly owned treatment works (POTWs). In addition, the EPA conducts National Sewage Sludge Surveys (NSSSs) to collect national concentration data on contaminants found in sewage sludge and biosolids (sewage sludge treated to meet the requirements in 40 CFR part 503 and intended to be applied to land as a soil amendment or fertilizer), and to help inform future risk assessments and risk management options. For many decades, industrial facilities have used and discharged per- and polyfluoroalkyl substances to POTWs. PFAS are a class of synthetic chemicals of concern to the EPA because of their widespread use and potential to accumulate in the environment. Certain PFAS are known to cause adverse ecological and human health effects. Most POTWs do not operate processes and technologies that effectively reduce or eliminate PFAS in wastewater; therefore, PFAS are subsequently discharged into surface waters and/or accumulate in sewage sludge generated by the POTW which poses a potential risk for further PFAS release depending on sewage sludge management practices.

As announced in the EPA's Effluent Guidelines Program Plan 15, published in January 2023, the EPA is conducting a POTW Influent PFAS Study to collect and analyze nationwide data on industrial discharges of PFAS to POTWs as well as PFAS in POTW influent, effluent, and sewage sludge. The EPA will require, through an OMB-approved Information Collection Request, a subset of large POTWs across the United States to complete a questionnaire and collect and analyze wastewater and sewage sludge samples. The data collection activities will produce a robust data set that will enable the EPA to characterize the type and quantity of PFAS in wastewater discharges from industrial users to POTWs (including industrial categories that the EPA has determined historically or currently use PFAS but for which there is insufficient PFAS monitoring data available) as well as POTW influent, effluent, and sewage sludge. The wastewater sampling data

will primarily be used to identify and prioritize industrial point source categories where additional study or regulations may be warranted to control PFAS discharges. The sewage sludge sampling will fulfill the EPA's data needs for the upcoming NSSS by establishing a current national data set of sewage sludge characteristics which the EPA will subsequently use to inform upcoming risk assessments and the need for future regulations and guidance pertaining to the management of sewage sludge.

This collection effort is necessary because there is only very limited publicly accessible data on PFAS discharges from industrial categories to POTWs; the relative PFAS contributions from residential, commercial, and industrial sources to POTWs; and the fate and transport of PFAS in POTW influent and sewage sludge. This collection effort is also consistent with the Agency's October 2021 PFAS Strategic Roadmap commitments to address PFAS through investment in scientific research to fill gaps in understanding of PFAS and to prevent PFAS from entering the environment.

As part of the POTW Influent PFAS Study, the EPA estimates that approximately 400 POTWs with the highest daily flow rates of all POTWs in the U.S. will complete a mandatory electronic questionnaire. The objectives of the questionnaire will be to gather POTW-specific information and data on industrial users discharging to the POTW, known or suspected sources of PFAS discharges to the POTW, and wastewater and sewage sludge management practices of the POTW. The EPA plans to use the information and data collected in the questionnaire to select a subset of 200 to 300 POTWs to participate in a two-phase sampling program. Phase 1 will require each selected POTW to collect and analyze one-time grab samples of industrial user effluent, domestic wastewater influent, POTW influent, and POTW effluent for forty specific PFAS and adsorbable organic fluorine (AOF). For each POTW selected, the EPA intends to specify no more than ten industrial users for which the POTW must collect and analyze effluent samples. The total number of industrial users sampled as part of the sampling program is not expected to exceed 2,000 facilities. Phase 2 will require selected POTWs to collect and analyze one-time grab samples of sewage sludge for forty specific PFAS and ancillary parameters.

Form Numbers: None.

Respondents/affected entities: 400 of the largest POTWs in the nation will receive the questionnaire (400 facilities)

and a subset of 200–300 facilities will be asked to conduct specific sampling, conducted in two phases.

Respondent's obligation to respond: Mandatory (Clean Water Act Section 308) (citing authority).

Estimated number of respondents: 400 (total).

Frequency of response: One-time data collection.

Total estimated respondent burden: 25,640 hours. Burden is defined at 5 CFR 1320.03(b).

Total estimated respondent cost: \$5,486,816 one-time cost.

Changes in estimates: This is a new data collection request and is a one-time temporary increase to the agency's burden.

Deborah G. Nagle,

Director, Office of Science and Technology,
Office of Water.

[FR Doc. 2024–06408 Filed 3–25–24; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0931; FR ID 209963]

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.

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.

DATES: Written PRA comments should be submitted on or before May 28, 2024. 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:

OMB Control Number: 3060–0931.

Title: Section 80.103, Digital Selective Calling (DSC) Operating Procedures—Maritime Mobile Identity (MMSI).

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Individuals or households; business or other for-profit entities and Federal Government.

Number of Respondents and Responses: 40,000 respondents; 40,000 responses.

Estimated Time per Response: .25 hours.

Frequency of Response: On occasion reporting requirement and third-party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is in 47 U.S.C. 154, 303, 307(e), 309 and 332 of the Communications Act of 1934, as amended. The reporting requirement is contained in international agreements and ITU–R M.541.9.

Total Annual Burden: 10,000 hours.

Total Annual Cost: No cost.

Needs and Uses: The information collected is necessary to require owners of marine VHF radios with Digital Selective Calling (DSC) capability to register information such as the name, address, type of vessel with a private entity issuing marine mobile service identities (MMSI). The information would be used by search and rescue personnel to identify vessels in distress and to select the proper rescue units and search methods.

The requirement to collect this information is contained in international agreements with the U.S. Coast Guard and private sector entities that issue MMSI's.

The information is used by private entities to maintain a database used to provide information about the vessel owner in distress using marine VHF radios with DSC capability. If the data were not collected, the U.S. Coast Guard would not have access to this information which would increase the time and effort needed to complete a search and rescue operation.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2024–06305 Filed 3–25–24; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–XXXX; FR ID 210779]

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 (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. 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 May 28, 2024. 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 Nicole Ongele, FCC, via email PRA@fcc.gov and to nicole.ongele@fcc.gov.