

## II. What information collection activity or ICR does this action apply to?

*Title:* Reporting and Recordkeeping for Asbestos Abatement Worker Protection.

*ICR number:* EPA ICR No. 1246.13.

*OMB control number:* OMB Control No. 2070-0072.

*ICR status:* This ICR is currently scheduled to expire on August 31, 2017. 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. The OMB control numbers for EPA's regulations in title 40 of the Code of Federal Regulations (CFR), after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers for certain EPA regulations is consolidated in 40 CFR part 9.

*Abstract:* EPA's asbestos worker protection rule is designed to provide occupational exposure protection to state and local government employees who are engaged in asbestos abatement activities in states that do not have state plans approved by the Occupational Safety and Health Administration (OSHA). The rule provides protection for public employees not covered by the OSHA standard from the adverse health effects associated with occupational exposure to asbestos. Specifically, the rule requires state and local governments to monitor employee exposure to asbestos, take action to reduce exposure to asbestos, monitor employee health and train employees about asbestos hazards.

The rule includes a number of information reporting and recordkeeping requirements. State and local government agencies are required to provide employees with information about exposures to asbestos and the associated health effects. The rule also requires state and local governments to notify EPA before commencing any asbestos abatement project. State and local governments must maintain medical surveillance and monitoring records and training records on their employees, must establish a set of written procedures for respirator programs and must maintain procedures and records of respirator fit tests. EPA will use the information to monitor compliance with the asbestos worker protection rule. This request addresses these reporting and recordkeeping requirements.

Responses to the collection of information are mandatory (see 40 CFR 763 Subpart G). EPA will disclose information that is covered by a claim of confidentiality only to the extent permitted by, and in accordance with, the procedures in the Toxic Substances Control Act (TSCA) and 40 CFR part 2.

*Burden statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to average 0.32 hours per response. Burden is defined in 5 CFR 1320.3(b).

The ICR, which is available in the docket along with other related materials, provides a detailed explanation of the collection activities and the burden estimate that is only briefly summarized here:

*Respondents/Affected Entities:* Entities potentially affected by this ICR are state and local government employers in 24 states, the District of Columbia, and certain U.S. Territories that have employees engaged in asbestos-related construction, custodial and brake and clutch repair activities without OSHA-approved state plans.

*Estimated total number of potential respondents:* 23,437.

*Frequency of response:* On occasion.

*Estimated total average number of responses for each respondent:* 49.9.

*Estimated total annual burden hours:* 372,969 hours.

*Estimated total annual costs:* \$ 15,763,007. This includes an estimated burden cost of \$ 15,763,007 and an estimated cost of \$ 0 for capital investment or maintenance and operational costs.

## III. Are there changes in the estimates from the last approval?

There is an overall increase of 9,452 hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This change reflects an increase of 24,371 hours to account for updates made from previous ICRs to standardize methodology and a decrease of 14,919 hours due to Maine's new status of having an OSHA-approved state plan whereby its entities are no longer covered under this ICR. This change is an adjustment.

## IV. What is the next step in the process for this ICR?

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 pursuant to 5 CFR 1320.12. EPA will issue another **Federal Register** document pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the

submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

*Authority:* 44 U.S.C. 3501 *et seq.*

Dated: December 22, 2016.

**James Jones,**

*Assistant Administrator, Office of Chemical Safety and Pollution Prevention.*

[FR Doc. 2016-31821 Filed 12-30-16; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2016-0776; FRL 9957-83-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 hereby given of a proposed consent decree to address a lawsuit filed by Citizens for Clean Air and Sierra Club ("Plaintiffs") in the United States District Court for the Western District of Washington: *Citizens for Clean Air, et al. v. McCarthy, et al.* No. 2:16-cv-01594-RAJ (W.D. WA.). On October 11, 2016, Plaintiffs filed a lawsuit alleging that Gina McCarthy, in her official capacity as Administrator of the United States Environmental Protection Agency and Dennis McLerran, in his official capacity as Regional Administrator of the United States Environmental Protection Agency, Region 10 (collectively, "EPA"), failed to perform a duty mandated by CAA to make a determination as to whether the Fairbanks North Star Borough nonattainment area in Alaska attained the 2006 24-hour PM<sub>2.5</sub> NAAQS by December 31, 2015, and to publish a notice of that determination within six months of that date. If EPA determines that the area did not attain the 2006 24-hour PM<sub>2.5</sub> NAAQS by December 31, 2015, then the nonattainment area will be reclassified from "moderate" to a "serious" for these NAAQS. The proposed consent decree would establish deadlines for EPA to take certain specified actions.

**DATES:** Written comments on the proposed consent decree must be received by February 2, 2017.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA–HQ–OGC–2016–0776, online at [www.regulations.gov](http://www.regulations.gov). For comments submitted at [www.regulations.gov](http://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [www.regulations.gov](http://www.regulations.gov). The 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 EPA generally will 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, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

**FOR FURTHER INFORMATION CONTACT:** Geoffrey L. Wilcox, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone: (202) 564–5601; fax number: (202) 564–5603; email address: [wilcox.geoffrey@epa.gov](mailto:wilcox.geoffrey@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Additional Information About the Proposed Consent Decree**

The proposed consent decree would resolve a lawsuit filed by the Plaintiffs seeking to compel EPA to make a determination required under CAA section 188(b)(2), as to whether the Fairbanks North Star Borough nonattainment area in Alaska attained the 2006 24-hour PM<sub>2.5</sub> NAAQS by December 31, 2015. Under the terms of the proposed consent decree, no later than April 28, 2017, EPA will be required to sign a notice of final rulemaking determining whether the Fairbanks North Star Borough area attained the 2006 24-hour PM<sub>2.5</sub> NAAQS by December 31, 2015. If EPA determines that the area did not attain the NAAQS by that date, then EPA must reclassify the area as a “serious” nonattainment area for the 2006 24-hour PM<sub>2.5</sub> NAAQS pursuant to CAA section 188(b)(2). By statute, reclassification

from “moderate” to “serious” is required by operation of law for an area that fails to attain the NAAQS by the outermost permissible attainment date for moderate nonattainment areas. This reclassification would obligate the State of Alaska to submit an attainment plan for the area that meets statutory and regulatory requirements applicable to a serious nonattainment area for these NAAQS. Under the proposed consent decree, EPA will also be required to deliver the signed final notice to the Office of Federal Register for review and publication within 15 business days after signature. See the proposed consent decree for the specific details.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed consent decree from persons who are not named as parties or intervenors to the litigation in question. 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. Unless EPA or the Department of Justice determines that consent to this proposed consent decree should be withdrawn, the terms of the consent decree will be affirmed.

**II. Additional Information About Commenting on the Proposed Consent Decree**

*A. How can I get a copy of the proposed consent decree?*

The official public docket for this action (identified by EPA–HQ–OGC–2016–0776) contains a copy of the proposed consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OEI Docket is (202) 566–1752.

An electronic version of the public docket is available through [www.regulations.gov](http://www.regulations.gov). You may use [www.regulations.gov](http://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”.

It is important to note that EPA’s policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing online at [www.regulations.gov](http://www.regulations.gov) without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket. EPA’s policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA’s electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

*B. How and to whom do I submit comments?*

You may submit comments as provided in the **ADDRESSES** section. 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.

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 and with any disk or CD–ROM you submit. 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 [www.regulations.gov](http://www.regulations.gov) Web site 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. In contrast to EPA's electronic public docket, EPA's electronic mail (email) system is not an "anonymous access" system. If you send an email comment directly to the Docket without going through [www.regulations.gov](http://www.regulations.gov), your email address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: December 22, 2016.

**Gautam Srinivasan,**

*Acting Associate General Counsel.*

[FR Doc. 2016-31822 Filed 12-30-16; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2011-0855; FRL-9955-72]

### Paraquat Dichloride Human Health Mitigation Decision; Notice of Availability

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of EPA's human health mitigation decision for the pesticide paraquat dichloride, case 0262. Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, that the pesticide can perform its intended function without causing unreasonable adverse effects on human health or the environment. Through this program, EPA is ensuring that each pesticide's registration is based on current scientific and other knowledge, including its effects on human health and the environment. EPA may pursue mitigation at any time during the registration review process if it finds that a pesticide poses unreasonable adverse effects to human health or the environment. Based on the number and severity of paraquat human health incidents, the EPA believes that the mitigation measures outlined in this human health mitigation decision are necessary to address identified human health risk concerns.

**FOR FURTHER INFORMATION CONTACT:** *For pesticide specific information, contact:* Marianne Mannix, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (703) 347-0275;

email address: [Mannix.marianne@epa.gov](mailto:Mannix.marianne@epa.gov).

*For general information on the registration review program, contact:* Richard Dumas, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (703) 308-8015; email address: [dumas.richard@epa.gov](mailto:dumas.richard@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this action apply to me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, farm worker, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the pesticide specific contact person listed under **FOR FURTHER INFORMATION CONTACT**.

###### B. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2011-0855, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

##### II. What action is the agency taking?

Pursuant to 40 CFR 155.58(c), this notice announces the availability of EPA's human health mitigation decision for paraquat dichloride, case 0262. Paraquat is a widely used broad spectrum herbicide for the control of weeds in many agricultural and non-agricultural settings. It is also used as a desiccant on crops, prior to harvest. It is classified as restricted use due to high toxicity. An estimated 1.5 teaspoons

(tsp) can be lethal if ingested and there is no known antidote. Paraquat dichloride is associated with a disproportionately high number of incidents including accidental ingestions typically leading to fatalities as well as occupational spills, splashes, and leaks resulting in severe and often damaging dermal or ocular contact. Paraquat is known to be corrosive to skin and eyes. EPA recently reviewed all available incident information and determined that mitigation measures to address these human health risk concerns are necessary.

In addition to the human health mitigation decision document, the registration review docket for paraquat dichloride also includes other relevant documents related to the registration review of this case. The proposed human health mitigation decision was posted to the docket in March 2016, and the public was invited to submit any comments or new information.

During the 60-day comment period, comments were received that resulted in changes to the Agency's human health mitigation decision, including that backpack and hand-held application methods will remain, but will require the development of special containers as part of a 'closed system' that prevents spills, mixing, pouring or other actions that could lead to paraquat exposure.

Pursuant to 40 CFR 155.58(c), the registration review case docket for paraquat dichloride will remain open until registration review has been completed.

Background on the registration review program is provided at: <http://www2.epa.gov/pesticide-reevaluation>. Links to earlier documents related to the registration review of this pesticide are provided at: <http://www.epa.gov/ingredients-used-pesticide-products/paraquat>.

**Authority:** 7 U.S.C. 136 *et seq.*

Dated: December 7, 2016.

**Yu-Ting Guilaran,**

*Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.*

[FR Doc. 2016-31832 Filed 12-30-16; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-ORD-2015-0765; FRL-9957-77-ORD]

### Board of Scientific Counselors Executive Committee; Notification of Public Meeting and Public Comment

**AGENCY:** Environmental Protection Agency.