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**SUPPLEMENTARY INFORMATION:** This notice is being provided pursuant to 40 CFR 2.209(d) to inform affected businesses that EPA, via DOJ, will provide certain information to the parties and the Court in the matter of *In Re: Aqueous Film-Forming Foams Products Liability Litigating* (MDL No. 2:18-mn-2873-RMG) (D.S.C.) (“AFFF litigation”). The information is contained in documents that have been submitted to EPA pursuant to FIFRA, the FFDCA, and/or TSCA by pesticide registrants or other data-submitters, including information that has been claimed to be, or determined to potentially contain, CBI.

The AFFF Litigation is Multidistrict Litigation established in December 2018 involving over 1,000 consolidated Per- and polyfluoroalkyl substances (PFAS) cases in the U.S. District Court for the District of South Carolina, primarily alleging tort claims against private parties, including manufacturers, for products liability, public nuisance, and negligence concerning the manufacture and use of Aqueous Film-Forming Foams (AFFF).

Although the primary focus of the litigation is on the manufacturers of AFFF, the United States is a party to 24 lawsuits relating to discharges of AFFF that allegedly contaminated drinking water at various federal sites, such as Air Force bases. The primary federal agencies named as defendants are the Air Force, the National Guard Bureau, and the Department of Defense, but EPA is a named defendant in one *pro se* case.

EPA is under an obligation to respond to Requests for Production (RFPs) in *In Re: Aqueous Film-Forming Foams Products Liability Litigating* (MDL No. 2:18-mn-2873-RMG) (D.S.C.). The case has entered the discovery phase, and although a final Scheduling Order has not yet been entered, the Court has ordered expedited discovery. The documents being produced may include “Confidential Business Information” such as any material or words with rights that may be protected under the U.S. Copyright Act of 1976, Public Law 94-553, 90 Stat. 2541, codified, as amended, at Title 17 of the U.S. Code; trade secrets and/or confidential business information protected from disclosure by Section 14 of the TSCA, 15 U.S.C. 2613(a); and/or documents submitted with pesticide registration applications and may include CBI under FIFRA section 10, 7 U.S.C. 136h, including scientific studies subject to

the disclosure restrictions of FIFRA section 10(g), 7 U.S.C. 136h(g).

All documents that may be subject to release restrictions under federal law will be designated as “Confidential Information,” “Highly Confidential Information,” and/or “Export Control Information” in the Protective Order (“Case Management Order 4.A”) already filed and publicly available in the AFFF litigation. EPA would only produce such documents in accordance with the Protective Order, which would require that such documents would be filed under seal and would not be available for public review, unless the information contained in the document has been determined to not be subject to protected status and all CBI has been redacted.

**Authority:** 7 U.S.C. 301 *et seq.*; 15 U.S.C. 2601 *et seq.*; 21 U.S.C. 301 *et seq.*

Dated: June 28, 2021.

**Pamela Myrick,**

*Director, Program Management and Operations Division, Office of Pollution Prevention and Toxics.*

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## EXPORT-IMPORT BANK

[Public Notice: 2021-6013]

### Agency Information Collection Activities: Comment Request

**AGENCY:** Export-Import Bank of the U.S.

**ACTION:** Submission for OMB review and comments request.

**SUMMARY:** The Export-Import Bank of the United States (Ex-Im Bank), as a part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995.

**DATES:** Comments should be received on or before August 30, 2021 to be assured of consideration.

**ADDRESSES:** Comments may be submitted electronically on <http://www.regulations.gov> or by mail to Mardel West, Export-Import Bank of the United States, 811 Vermont Avenue NW, Washington, DC 20571.

Comments submitted in response to this notice may be made available to the public through the [WWW.REGULATIONS.GOV](http://WWW.REGULATIONS.GOV). For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information.

If you send an email comment, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. Please note that responses to this public comment request containing any routine notice about the confidentiality of the communication will be treated as public comments that may be made available to the public notwithstanding the inclusion of the routine notice.

**FOR FURTHER INFORMATION CONTACT:** To request additional information, please contact Tiffin Caverly <[tiffin.caverly@exim.gov](mailto:tiffin.caverly@exim.gov)>, 202-565-3564.

**SUPPLEMENTARY INFORMATION:** This collection will provide information needed to determine compliance and creditworthiness for transaction requests involving previously-owned equipment submitted to Ex-Im Bank under its insurance, guarantee, and direct loan programs. Information presented in this form will be considered in the overall evaluation of the transaction, including Export-Import Bank’s determination of the appropriate term for the transaction.

The form can be viewed at: <https://www.exim.gov/sites/default/files/pub/pending/eib11-03.pdf>.

**Titles and Form Number:** EIB 11-03, Used Equipment Questionnaire.

**OMB Number:** 3048-0039.

**Type of Review:** Regular.

**Need and Use:** The information collected will provide information needed to determine compliance and creditworthiness for transaction requests involving previously-owned equipment submitted to the Export Import Bank under its insurance, guarantee, and direct loan programs.

**Affected Public:** This form affects entities involved in the export of U.S. goods and services.

**Annual Number of Respondents:** 1,000.

**Estimated Time per Respondent:** 15 minutes.

**Annual Burden Hours:** 250 hours.

**Frequency of Reporting or Use:** As needed.

**Government Expenses:**

**Reviewing Time per Year:** 250 hours.

**Average Wages per Hour:** \$42.50.

**Average Cost per Year:** \$10,625 (time\*wages).

**Benefits and Overhead:** 20%.

**Total Government Cost:** \$12,750.

**Bassam Doughman,**  
*IT Specialist.*

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