

a formal complaint acceptable under § 13.5. Most of this time would be the research required to determine which laws the subject of the complaint allegedly violated. The second largest amount of time would be devoted to writing the “concise but complete” statement of facts substantiating the complaint. After the FAA reviews the complaint and confirms it meets the requirements, each subject of the complaint would have an opportunity to submit a written answer. The FAA estimates it would take the subject of the complaint about four hours to write an answer to the complaint.

The estimated average burden on the FAA for each complaint is eight hours, broken down as follows: A complaint would take the FAA no more than four hours to review to confirm it meets the requirements as laid out in 14 CFR 13.5(b). The FAA would take an additional hour to send the complaint to the subjects of that complaint. The FAA would then take another estimated three hours to determine if an investigation would be necessary.

Estimated Total Annual Burden:¹ The FAA estimates the total annual combined (public + FAA) annual burden and cost of the information requirements to be about 112 hours and \$7,138.

For the public, the estimated total annual hourly burden would be 56 hours, and the estimated total annual cost burden would be about \$2,036. This burden to the public is calculated as follows: Based on the number of formal complaints the FAA received during the three years preceding preparation of the NPRM, the FAA estimates there would be seven complaints filed per year by seven complainants. Each complaint would take no more than four hours to complete. The annual hourly burden would be 28 hours for the public to submit formal complaints (7 complaints × 4 hours = 28 hours). After the FAA reviews the complaint and confirms it meets the requirements, each subject of the complaint would have an opportunity to submit a written answer. The FAA estimates this would take the subject four hours. The annual hourly burden to the public would be another 28 hours for the subject of the complaint to provide a written answer (7 written answers × 4 hours = 28 hours).² The

¹ For this notice and the **Federal Register** notice with the 60-day comment period, the FAA used updated figures in its estimate from those used in the NPRM.

² This assumes each formal complaint would meet the requirements as laid out in 14 CFR 13.5(b), so the FAA could send a copy of the complaint to

total annual hourly burden to the public would be 56 hours. Since a complainant and a subject of a complaint could be employed in any occupation, the FAA selected a mean hourly wage rate for all occupations in the United States. The U.S. Bureau of Labor Statistics estimates the mean hourly wage rate of all occupations was \$24.98 in May 2018.³ The FAA estimates the total burdened hourly wage rate is \$36.36 when including full employee benefits.⁴ The total annual cost burden to the public would be about \$2,036 ($\36.36×56 hours). In addition to labor hours, the complainants would incur copying and mailing costs for seven annual complaints estimated at \$102.90; or \$52.15 for complainants [($\$.50$ for a 5-page complaint, including attachments, at $\$.10$ per page⁵ + $\$6.95$ first-class certified mail with return receipt⁶) × 7] and \$50.75 for subjects of complaints [($\$.30$ for a 3-page response, including attachments, at $\$.10$ per page + $\$6.95$ first-class certified mail with return receipt) × 7].

For the FAA, the estimated total annual hourly burden would be 56 hours, and the estimated total annual cost burden would be about \$4,846. This burden to the FAA is calculated as follows: The complaint would take the FAA no more than four hours to review to confirm it meets the requirements as laid out in 14 CFR 13.5(b), which results in an annual time burden of 28 hours (7 complaints × 4 hours = 28 hours). The FAA would take an additional hour to send the complaint to the subjects of that complaint, which would add seven hours (7 complaints × 1 hour = 7 hours). The FAA would then take another estimated three hours to determine if an investigation would be necessary, adding 21 hours (7 complaints × 3 hours = 21 hours) to the FAA annual burden. This results in a total annual burden of 56 hours (28 hours + 7 hours + 21 hours = 56 hours) for the FAA. The FAA

the subject of each complaint to give them an opportunity to submit a written answer.

³ Source: U.S. Bureau of Labor Statistics, May 2018 National Occupational Employment and Wage Estimates, see Occupational Code #00-0000, All Occupations (https://www.bls.gov/oes/2018/may/oes_nat.htm).

⁴ Derived from the U.S. Bureau of Labor Statistics, Employer Costs for Employee Compensation—September 2019 (https://www.bls.gov/news.release/archives/ecec_09172019.pdf, September 17, 2019 release), which indicates that wages and salaries were 68.6% of total employee compensation (salary and benefits) providing a fringe benefit factor of about 1.4577 (=1 + 0.686). The FAA uses this factor to estimate the total “burdened” employee compensation (salary and benefits) hourly wage rate of \$36.36 (= \$24.98 × 1.4557).

⁵ https://www.gpo.gov/docs/default-source/gpoexpress-pdf-files/gpo_express_pricelist.pdf.

⁶ <https://www.usps.com/ship/insurance-extra-services.htm>.

assumes an FAA hourly wage rate of \$63.51.⁷ The FAA estimates the total burdened FAA hourly wage rate to be \$86.54 when including full civilian employee benefits.⁸ The total annual cost burden to the FAA to review and process the complaint would be \$4,846 ($\$86.54 \times 56 = \$4,846$). In addition to labor hours, the FAA would incur copying and mailing costs for seven annual complaints estimated at \$152.95; or \$52.85 for mailing complaints to subjects [($\$.60$ for a 5-page complaint with a 1-page cover letter at $\$.10$ per page + $\$6.95$ first-class certified mail with return receipt) × 7] and \$100.10 for mailing the agency’s determination to both complainants and subjects of complaints [2 × ($\$.20$ for a 2-page determination letter at $\$.10$ per page + $\$6.95$ first-class certified mail with return receipt) × 7].

Issued in Washington, DC, on September 1, 2021.

Cynthia A Dominik,

Assistant Chief Counsel for Enforcement Division.

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Intent To Prepare a Draft Environmental Impact Statement for the Interstate 405 ExpressLanes Project, in Los Angeles County, California

AGENCY: Federal Highway Administration (FHWA), Department of Transportation (DOT).

ACTION: Notice of intent (NOI) to prepare a draft environmental impact statement for the Interstate 405 (I–405) ExpressLanes project.

SUMMARY: The FHWA, on behalf of the California Department of Transportation (Caltrans), is issuing this notice to advise the public that a Draft EIS will be prepared for the I–405 ExpressLanes

⁷ The FAA assumes that 75% of the work would be performed by an FAA attorney at a grade level 14 step five hourly wage of \$60.83 and 25% by an FAA attorney at a grade level 15 step five hourly wage of \$71.56 (wages based on U.S. Office of Personnel Management General Schedule Salary Data).

⁸ The FAA uses a civilian fringe benefit cost factor of 36.25% (or 1.3625) to estimate the total “burdened” FAA employee compensation (salary and benefits) hourly wage rate of \$86.54 (= \$63.51 × 1.3625). The civilian fringe benefit cost factor is based on guidance from the U.S. Office of Management and Budget (<https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2008/m08-13.pdf>).

project, a proposed highway project in Los Angeles County, California.

DATES: The formal scoping period has been extended and will occur from August 3 through October 1, 2021. The deadline for comments is 5:00 p.m. on October 1, 2021. Three virtual public scoping meetings have been held on:

- Saturday, August 14, 2021; 10 a.m.–12 p.m.
- Tuesday, August 17, 2021; 6–8 p.m.
- Wednesday, August 18, 2021; 11:30 a.m.–1:30 p.m.

ADDRESSES: The virtual meeting link was made available on the project website at www.metro.net/405expresslanes. A recording of one of the public scoping meetings, in English and in Spanish, is available for viewing via the interactive StoryMap on the project website.

FOR FURTHER INFORMATION CONTACT: For Caltrans, contact Ronald Kosinski, Deputy District Director, Division of Environmental Planning, Caltrans District 7, 100 S Main Street, MS 16A, Los Angeles, CA, 90012, (213) 507–4301, or email ron.kosinski@dot.ca.gov. For FHWA, contact David Tedrick, telephone (916) 498–5024, or email David.tedrick@dot.gov.

SUPPLEMENTARY INFORMATION: Effective July 1, 2007, FHWA assigned, and Caltrans assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Caltrans, as the assigned National Environmental Policy Act (NEPA) agency, will prepare a Draft EIS on a proposal for a highway improvement project in Los Angeles County, California.

The Project proposes to improve traffic conditions on Interstate 405 (I–405) starting in the south at Interstate 10 (I–10) and terminating in the north at U.S. Highway 101 (US–101). The proposed Project will reduce congestion, encourage carpooling and transit, improve trip reliability, reduce degradation of the carpool and general-purpose lanes, increase person throughput, and apply technology to help manage traffic. The range of improvements may include, but not be limited to, converting existing HOV lanes to ExpressLanes or adding an additional Express Lane in each direction and converting existing HOV lanes to ExpressLanes.

Currently, the following alternatives are being considered, all approximately 10 miles in length:

- **Alternative 1:** The No-Build/No Action Alternative does not include improvements to the existing lanes along I–405 between I–10 and US–101.
- **Alternative 2:** Convert Existing HOV to One ExpressLane (Standard

Lane and Shoulder Widths). This build alternative would convert the existing HOV lane in each direction, along I–405 between I–10 and US–101, to an ExpressLane. The northbound and southbound directions of the freeway would be restriped within the existing footprint to accommodate one 12-foot wide ExpressLane with a 4-foot wide buffer separating the ExpressLane from the 12-foot wide general-purpose lanes. Dynamic pricing would be deployed in the ExpressLane to ensure trip reliability and traffic flow. Installation of toll and communication infrastructure and modification/ installation of overhead signs would be required. Alternative 2 proposes to widen the freeway, where necessary, to accommodate an additional weave lane at ExpressLane ingress/egress locations and maintain stopping sight distance at curves. Non-standard inside shoulders would be maintained in a few locations where constraints exist, and standard 10-foot outside shoulders would be provided where possible. Retaining walls would be provided where required to minimize and avoid right-of-way (ROW) acquisition. Other improvements include construction of retaining walls and sound walls, utility improvements, and drainage improvements.

- **Alternative 3:** Convert Existing HOV Lane to Two ExpressLanes (Non-Standard Lane and Shoulder Widths). This build alternative would convert the existing HOV lane to an ExpressLane and add a second ExpressLane in each direction between I–10 and US–101. The freeway would be widened and restriped to accommodate the two ExpressLanes with a buffer separating the ExpressLanes from the general-purpose lanes. Dynamic pricing would be deployed in the ExpressLanes to ensure trip reliability and traffic flow. Installation of toll and communication infrastructure and modification/ installation of overhead signs would be required. Alternative 3 proposes to widen the freeway to the outside in order to accommodate the proposed two-lane ExpressLane facility as described. Non-standard lanes and shoulders would be provided to accommodate for the addition of the new ExpressLanes as part of Alternative 3. Retaining walls would be provided where required to minimize and avoid ROW acquisition. The reduction of shoulder and lane widths allows for accommodation of the proposed two-lane ExpressLane facility without significant proposed roadway widening. However, in locations with the

following conditions, additional roadway widening may be required:

- 12-foot wide weaving lane at ExpressLane ingress/egress locations.
- Widening of inside/outside shoulders to maintain sight distance.

Other improvements include construction of retaining walls and sound walls, utility improvements, and drainage improvements.

- **Alternative 4:** Convert Existing HOV Lane to Two ExpressLanes (Standard Lanes and Shoulder Widths). This build alternative would convert the existing HOV lane, between I–10 and US–101, to an ExpressLane in each direction, and a second ExpressLane in each direction would also be added, while providing standard lane widths, shoulder widths and stopping sight distances. The freeway would be widened and restriped to accommodate the two ExpressLanes with a buffer separating the ExpressLanes from the general-purpose lanes. Dynamic pricing would be deployed in the ExpressLanes to ensure trip reliability and traffic flow. Installation of toll and communication infrastructure and modification/ installation of overhead signs would be required. Alternative 4 proposes to widen the freeway to the outside in order to accommodate the proposed standard two-lane ExpressLane facility as described. Retaining walls would be provided where required to minimize and avoid ROW acquisition. Reconstruction of some existing freeway structures would be required to implement Alternative 4's standard roadway cross-section. Other improvements include construction of retaining walls and sound walls, utility improvements, and drainage improvements.

- **Alternative 5:** Add an Additional HOV Lane (Non-standard Lane and Shoulder Widths). This build alternative would add an additional HOV lane, between I–10 and US–101, in each direction. The freeway would be widened and restriped to accommodate the two HOV lanes with a buffer separating the HOV lanes from the general-purpose lanes. Alternative 5 proposes to widen the freeway to the outside in order to accommodate the proposed two-lane HOV facility as described. Non-standard lanes and shoulders would be provided in order to accommodate for the addition of the new HOV lane as part of Alternative 5. Retaining walls would be provided where required to minimize and avoid ROW acquisition. The reduction of shoulder and lane widths allows for accommodation of the proposed two-lane HOV facility without significant proposed roadway widening. However,

in locations with the following conditions, additional roadway widening may be required:

- 12-foot wide weaving lane at HOV ingress/egress locations.

- Widening of inside/outside shoulder to maintain sight distance.

Other improvements include construction of retaining walls and sound walls, utility improvements, and drainage improvements.

Anticipated Federal and State approvals include permits under the National Pollutant Discharge Elimination System (NPDES), Clean Water Act (CWA) Section 401 Water Quality, CWA Section 404 Nationwide Permit from the United States Army Corps of Engineers (USACE), California Fish and Game Code Section 1602 Lake or Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW), Section 7 Consultation with the United States Fish and Wildlife Service (USFWS) for listed species under the Federal Endangered Species Act (FESA), and CDFW 2080.1 Consistency Determination for listed species under the California Endangered Species Act (CESA).

Letters describing the proposed action and soliciting comments have been sent to appropriate Federal, State, Participating Agencies, Tribal governments and groups, local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. The public scoping process officially began in August 2021. Virtual public scoping meetings were held in August 2021. Comments may be submitted during the public scoping period via mail, email, the project website comment form, or the project hotline. Submit comments by mail to the following address: Ron Kosinski, Deputy District Director, Caltrans District 7, 100 S Main Street, MS 16A, Los Angeles, CA 90012. Submit comments by email to 405expresslanes@metro.net. Submit comments via comment form on the project website at www.metro.net/405expresslanes. Submit oral comments by calling (213) 922-4860 to leave a voice recording. All comments must be received no later than October 1, 2021 at 5:00 p.m. In addition, a public hearing will be held once the Draft EIS is completed. Public notice will be given of the time and place of the meeting and hearing. The Draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues

identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to Caltrans at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: September 1, 2021.

Rodney Whitfield,

Director, Financial Services, Federal Highway Administration, California Division.

[FR Doc. 2021-19314 Filed 9-3-21; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[PHMSA-2019-0098]

Lithium Battery Air Safety Advisory Committee; Notice of Public Meeting

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), U.S. Department of Transportation (DOT).

ACTION: Notice of public meeting.

SUMMARY: This notice announces a meeting of the Lithium Battery Air Safety Advisory Committee.

DATES: The meeting will be held on September 22, 2021, from 10:00 a.m. to 5:30 p.m. Eastern Standard Time. Requests to attend the meeting must be sent by September 8, 2021 to the point of contact identified in the **FOR FURTHER INFORMATION CONTACT** section. Persons requesting to speak during the meeting must submit a written copy of their remarks to DOT by September 8, 2021. Requests to submit written materials to be reviewed during the meeting must be received no later than September 8, 2021.

ADDRESSES: The meeting will be held virtually. Details to access the virtual meeting will be posted on the Committee website located at: <https://www.phmsa.dot.gov/hazmat/rulemakings/lithium-battery-safety-advisory-committee>. If the guidelines concerning the global health emergency change, PHMSA may hold a hybrid meeting. Detail on a hybrid meeting will also be posted on the Committee website. The E-Gov website is located at <https://www.regulations.gov>. Mailed written comments intended for the Committee should be sent to Docket

Management Facility; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590-0001.

FOR FURTHER INFORMATION CONTACT: Lindsey Constantino or Steven Webb, PHMSA, U.S. Department of Transportation. Telephone: (202)-366-8553. Email: lithiumbatteryFACA@dot.gov. Any committee related request should be sent to the person listed in this section.

SUPPLEMENTARY INFORMATION:

I. Background

The Lithium Battery Air Safety Advisory Committee was created under the Federal Advisory Committee Act (FACA, Pub. L. 92-463), in accordance with Section 333(d) of the FAA Reauthorization Act of 2018 (Pub. L. 115-254).

II. Agenda

At the meeting, the agenda will cover the following topics as specifically outlined in section 333(d) of Public Law 115-254:

(a) Facilitate communication amongst manufactures of lithium batteries and products containing lithium batteries, air carriers, and the Federal government.

(b) Discuss the effectiveness, and the economic and social impacts of lithium battery transportation regulations.

(c) Provide the Secretary with information regarding new technologies and transportation safety practices.

(d) Provide a forum to discuss Departmental activities related to lithium battery transportation safety.

(e) Advise and recommend activities to improve the global enforcement of air transportation of lithium batteries, and the effectiveness of those regulations.

(f) Provide a forum for feedback on potential U.S. positions to be taken at international forums.

(g) Guide activities to increase awareness of relevant requirements.

(h) Review methods to decrease the risk posed by undeclared hazardous materials.

A final agenda will be posted on the Lithium Battery Air Safety Advisory Committee website at least one week in advance of the meeting.

III. Public Participation

The meeting will be open to the public. DOT is committed to providing equal access to this meeting for all participants. If you need alternative formats or services because of a disability, such as sign language, interpretation, or other ancillary aids, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section no later than September 8, 2021.