

public docket for this ICR. The docket can be viewed online at <https://www.regulations.gov>, or in person, at the EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202-566-1744. For additional information about EPA's public docket, visit: <http://www.epa.gov/dockets>.

**Abstract:** The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Paints and Allied Products Manufacturing Area Source Category (40 CFR part 63, subpart CCCCCC) were proposed on June 1, 2009, and promulgated on December 3, 2009. These regulations apply to both existing facilities and new facilities that are an area source of hazardous air pollutants (HAP) emissions and that either use or have the potential to emit urban air toxics (*i.e.*, benzene; methylene chloride; cadmium, chromium, lead, and nickel compounds). New facilities include those that commenced either construction or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR part 63, subpart CCCCCC.

**Form Numbers:** None.

**Respondents/affected entities:** Paint and allied products manufacturing facilities.

**Respondent's obligation to respond:** Mandatory (40 CFR part 63, subpart CCCCCC).

**Estimated number of respondents:** 219 (total).

**Frequency of response:** Annually.

**Total estimated burden:** 504 hours (per year). Burden is defined as 5 CFR 1320.3(b).

**Total estimated cost:** \$134,000 (per year), which includes no annualized capital/startup and/or operation & maintenance costs.

**Changes in the Estimates:** There is no change in burden from the most-recently approved ICR as currently identified in the OMB Inventory of Approved Burdens.

**Courtney Kerwin,**

*Director, Regulatory Support Division.*

[FR Doc. 2022-23347 Filed 10-25-22; 8:45 am]

**BILLING CODE 6560-50-P**

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## FEDERAL MEDIATION AND CONCILIATION SERVICE

### Succession Plan for the FMCS

**AGENCY:** Federal Mediation and Conciliation Service (FMCS).

**ACTION:** Notice of Succession Plan for the FMCS.

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**SUMMARY:** The Federal Mediation and Conciliation Service (FMCS), is issuing this notice to inform the public of the succession plan for the Federal Mediation and Conciliation Service (FMCS) provided by the Director of FMCS. This notice supersedes all prior succession plans issued by the agency for officials performing the functions and duties of the Director of FMCS.

**DATES:** This Succession Plan for the FMCS is effective October 26, 2022.

**FOR FURTHER INFORMATION CONTACT:** For specific questions related to this Notice, please contact Gregory Goldstein, 202-606-8111, [ggoldstein@fmcs.gov](mailto:ggoldstein@fmcs.gov).

**SUPPLEMENTARY INFORMATION:** By the authority vested in the Director of the Federal Mediation and Conciliation Service (FMCS) by 29 U.S.C. 172, and to provide for the continuity of essential operations of the FMCS in all circumstances, this Notice provides the succession plan of officials authorized to perform the functions and duties of the Director of the Federal Mediation and Conciliation Service. The following is the succession plan of officials hereby ordered:

#### Order of Succession

During any period in which the Director has died, resigned, or otherwise become unable to perform the functions and duties of the Office of the Director, and there is no Acting Director serving under the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345-3349d, the following officers of the FMCS, in the order listed, are hereby delegated the authority to perform the functions and duties of the Director, to the extent permitted by law:

1. Principal Deputy, Chief Operating Officer;
2. Deputy Director, Field Operations; and
3. Deputy Director for Policy and Strategy.

No individual who is serving in an office listed in this order in an acting capacity, by virtue of so serving, shall be delegated the functions and duties of the Director.

Dated: October 20, 2022.

**Gregory Goldstein,**  
*FMCS Acting Director.*

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## FEDERAL TRADE COMMISSION

[File No. R811005]

### Partial Rule Exemption for Gilbarco, Inc.

**AGENCY:** Federal Trade Commission.

**ACTION:** Grant of partial exemption from the Fuel Rating Rule.

**SUMMARY:** The Federal Trade Commission ("FTC" or "Commission") grants a partial exemption to Gilbarco, Inc. ("Gilbarco") from requirements of the Fuel Rating Rule related to label size, shape, font size, and letterspace specifications.

**DATES:** This partial exemption is effective October 26, 2022.

**FOR FURTHER INFORMATION CONTACT:** Hampton Newsome (202-326-2889), Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580.

**SUPPLEMENTARY INFORMATION:** The Commission grants a partial exemption for Gilbarco to reduce the footprint and type size of fuel labels required under 16 CFR part 306.<sup>1</sup>

#### I. Background

The Commission promulgated the Fuel Rating Rule (the "Rule") (16 CFR part 306) in accordance with the Petroleum Marketing Practices Act ("PMPA"), 15 U.S.C. 2821 *et seq.*, which requires the Commission to establish uniform automotive fuel rating and labeling standards.<sup>2</sup> The ratings and labels provide consumers information they need to choose the correct type or grade of fuel for their vehicles. As originally published in 1979, the Rule only required an octane rating for automotive gasoline.<sup>3</sup> Subsequently, the Commission added labeling requirements for liquid alternative fuels, biodiesel, and ethanol flex fuel.<sup>4</sup> Section 306.12 of the Rule details the label color scheme, shape, size, textual content, and font type/point size. For example, the octane label must display the fuel's octane number in 96-point font. In addition, ethanol labels must state "Use Only In Flex-Fuel Vehicles/May Harm Other Engines" in capital letters and black font, with the phrase "Flex-Fuel Vehicles" in 16-point font.

In the past, the Commission granted partial exemptions to allow Gilbarco to (1) post octane button labels with smaller label dimensions than allowed by the Rule (these changes did not alter font size), and (2) add the word "Press" on the label. In addition, the Commission allowed Gilbarco to make

<sup>1</sup> The petition is available online at <https://www.regulations.gov/document/FTC-2022-0041-0002>.

<sup>2</sup> See 15 U.S.C. 2823(c)(1).

<sup>3</sup> See Octane Posting and Certification Rule, 44 FR 19160 (1979).

<sup>4</sup> See 58 FR 41356 (Aug. 3, 1993) (alternative fuels); 73 FR 40154 (July 11, 2008) (biodiesel); and 81 FR 2054 (Jan. 14, 2016) (ethanol flex fuel).