

diffusion flame gas-fired turbines that was promulgated in 2004 on March 9, 2022. New facilities include those that commenced either construction, or modification or reconstruction after January 14, 2003. This information is being collected to assure compliance with 40 CFR part 63, subpart YYYYY.

In general, all NESHAP standards require initial notifications, performance tests, and periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities subject to NESHAP.

*Form Numbers:* 5900–600.

*Respondents/affected entities:*

Owners or operators of stationary combustion turbines.

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

*Estimated number of respondents:* 280 (total).

*Frequency of response:* Initially, semiannually, annually.

*Total estimated burden:* 8,490 hours (per year). Burden is defined at 5 CFR 1320.3(b).

*Total estimated cost:* \$1,060,000 (per year), which includes \$37,100 in annualized capital/startup and/or operation & maintenance costs.

*Changes in the Estimates:* The increase in burden from the most-recently approved ICR is due to adjustments. The change in burden for the new and existing facilities is due primarily to implementation of prior amendments to the regulation. An amendment finalized in March 2022 removed the stay of effectiveness for standards implemented in 2004. The removed stay affected standards of new lean premix and diffusion flame gas-fired turbines. This led to an adjustment increase in burden from the most-recently approved ICR since there is an increase in the number of existing sources required to meet the notification, recordkeeping, and reporting requirements over the next three years. During the development of rule amendments in 2020 and 2022, EPA collaborated with industry to investigate an estimate of existing sources. The data collected by EPA indicated an additional 158 sources were identified compared to the previous ICR. As a result, we identified 246 existing facilities subject to Subpart YYYYY. This ICR assumes a continuous

growth rate of 8 new gas-fired turbines per year based on the industry growth rate in the currently-approved ICR and information collected during the 2020 and 2022 rulemakings.

**Courtney Kerwin,**

*Director, Regulatory Support Division.*

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## ENVIRONMENTAL PROTECTION AGENCY

**[EPA–R05–SFUND–2023–0019; FRL–10575–01–Region 5]**

### Proposed CERCLA Administrative Cost Recovery Settlement; Tittabawassee River, Saginaw River and Bay Site, Michigan

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

**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (“CERCLA”), notice is hereby given by the U.S. Environmental Protection Agency (“EPA”), Region 5, of a proposed administrative settlement for recovery of past response costs concerning the Tittabawassee River, Saginaw River and Bay Site, Michigan (the Site) with The Dow Chemical Company. The settlement requires the settling party to pay \$5,415,846.64 in past response costs to a Special Account. The settlement includes a covenant not to sue pursuant to sections 106 and 107 of CERCLA, relating to the Site, subject to limited reservations, and protection from contribution actions or claims as provided by Section 113(f)(2) of CERCLA. For thirty (30) days following the date of publication of this notice, EPA will accept written comments relating to the cost recovery component of this settlement. EPA will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations that indicate that the proposed settlement is inappropriate, improper, or inadequate. The proposed settlement is available for public inspection at <https://www.regulations.gov>, Docket ID EPA–R05–SFUND–2023–0019, at EPA Region 5 offices at 77 West Jackson Blvd., Chicago, IL 60604, and at <https://www.epa.gov/superfund/tittabawassee-river>. EPA’s response to any comments received will be available for public

inspection at <https://www.epa.gov/superfund/tittabawassee-river>.

**DATES:** Comments must be submitted on or before February 27, 2023.

**ADDRESSES:** Submit your comments, identified by Docket ID EPA–R05–SFUND–2023–0019, to the Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or withdrawn. 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 will generally 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, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

**FOR FURTHER INFORMATION CONTACT:** Colleen Moynihan, Remedial Project Manager, EPA, Superfund & Emergency Management Division, Region 5, Cleveland Office, 25063 Center Ridge Road, Westlake, OH 44145, email address: [moynihan.colleen@epa.gov](mailto:moynihan.colleen@epa.gov), telephone number: (440) 250–1702; or Jeffrey A. Cahn, Associate Regional Counsel, EPA, Office of Regional Counsel, Region 5, 77 West Jackson Blvd., Mail code: C–14J, Chicago, IL 60604, telephone number: (312) 886–6670, email address: [cahn.jeff@epa.gov](mailto:cahn.jeff@epa.gov).

**Douglas Ballotti,**

*Director, Superfund & Emergency Management Division, Region 5.*

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