

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Project No. 2206–089]

**Duke Energy Carolinas, LLC; Notice of Availability of Environmental Assessment**

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission (Commission) regulations, 18 CFR part 380 (Order No. 486, 52 FR 47897), the Office of Energy Projects has reviewed an application submitted by Duke Energy Carolinas, LLC (licensee) to grant easements to the Town of Norwood, North Carolina and Union County, North Carolina (co-applicants) to allow the use of Yadkin-Pee Dee Hydroelectric Project No. 2206, project lands and waters on Lake Tillery for municipal water supply. The Yadkin Pee-Dee Project is located on the Yadkin and Pee Dee Rivers in Anson, Montgomery, Richmond, and Stanly counties, North Carolina. The project does not occupy federal land.

An Environmental Assessment (EA) has been prepared as part of Commission staff's review of the proposal. In the application, the licensee proposes to grant easements to the co-applicants to construct and operate a raw water intake facility (facility) on Lake Tillery, one of the project's two storage reservoir. The easement area would total 0.34 acres of land within the project boundary. The intake structure and intake piping would require a 0.25 acre easement and an adjacent boathouse and pier for use in servicing the withdrawal facility would require an additional 0.09 acre easement. The facility would withdraw a maximum annual average of 19.6 million gallons per day (MGD) and an instantaneous maximum of 49.0 MGD. A maximum monthly average of up to 23.3 MGD of the water withdrawn would be transferred out of the Yadkin River Basin into the Rocky River Basin, for consumptive use. A portion of the transferred water would be returned via treated wastewater effluent back through the Rocky River into the Pee Dee River approximately five miles downstream from the Lake Tillery Dam.

The EA contains Commission staff's analysis of the potential environmental impacts of the construction and operation of the facility and the proposed water withdrawal volume and concludes that approval of the proposal would not constitute a major federal action significantly affecting the quality of the human environment.

The EA may be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number (P–2206) in the docket number field to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208–3372 or for TTY, (202) 502–8659.

For further information, contact Robert Ballantine at (202) 502–6289 or by email at [robert.ballantine@ferc.gov](mailto:robert.ballantine@ferc.gov).

Dated: July 7, 2020.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2020–15022 Filed 7–10–20; 8:45 am]

**BILLING CODE 6717–01–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**[EPA–HQ–OAR–2020–0351; FRL–10011–83–OAR]**

**Ozone Transport Commission; Recommendation That EPA Require Daily Limits for Emissions of Nitrogen Oxides from Certain Sources in Pennsylvania**

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

**ACTION:** Notice of availability and public hearing.

**SUMMARY:** The Environmental Protection Agency (EPA) is announcing that on June 8, 2020, the Ozone Transport Commission (OTC) submitted a recommendation to EPA for additional control measures at certain coal-fired electricity generating units (EGUs) in Pennsylvania. Specifically, the OTC has recommended that EPA require Pennsylvania to revise the Pennsylvania State Implementation Plan (SIP) to include additional control measures which would establish daily nitrogen oxides (NO<sub>x</sub>) emission limits for all coal-fired EGUs with already-installed selective catalytic reduction (SCR) or selective non-catalytic reduction (SNCR) control technology to ensure that these technologies are optimized to minimize NO<sub>x</sub> emissions each day of the ozone season. EPA is also announcing a public hearing on the recommendation as discussed under **DATES** below. EPA is commencing a review of the recommendation to determine whether to approve, disapprove, or partially approve and partially disapprove it. Prior to the public hearing, EPA plans to publish another document in the **Federal Register** providing further discussion of the recommendation and

the framework the Agency intends to apply in reaching a decision.

**DATES:** EPA will hold a virtual public hearing within 90 days of the OTC recommendation or by September 4, 2020. Further information on the date and time of the virtual public hearing will be available at <https://www.epa.gov/interstate-air-pollution-transport/ozone-transport-commission-otc-section-184c-petition>.

**ADDRESSES:** Materials related to this action, including the recommendation and supporting materials submitted to EPA by the OTC, can be viewed online at [regulations.gov](https://www.epa.gov/regulations) under Docket No. EPA–HQ–OAR–2020–0351. To reduce the risk of COVID–19 transmission, the EPA Docket Center and Reading Room is closed to the public with limited exceptions. Visitors must complete docket material requests in advance and then make an appointment to retrieve the material. Visitors will be allowed entrance to the Reading Room by appointment only, and no walk-ins will be allowed. Additional information on the exception procedures, location and hours of the Reading Room is available at <https://www.epa.gov/dockets>. Please call or email the contact listed in **FOR FURTHER INFORMATION CONTACT** if you need alternative access to material indexed but not electronically available in the docket at [regulations.gov](https://www.epa.gov/dockets).

**FOR FURTHER INFORMATION CONTACT:** Beth Murray, Clean Air Markets Division, Office of Atmospheric Programs, Office of Air and Radiation, Environmental Protection Agency, 202–343–9115, [murray.beth@epa.gov](mailto:murray.beth@epa.gov).

**SUPPLEMENTARY INFORMATION:** Ground-level ozone is a secondary air pollutant created by chemical reactions between the ozone precursor pollutants NO<sub>x</sub> and volatile organic compounds in the presence of sunlight. Precursor pollutant emissions can be transported downwind directly or, after transformation in the atmosphere, as ozone. Studies have established that ozone formation, atmospheric residence, and transport can occur on a regional scale (*i.e.*, across hundreds of miles) over much of the eastern U.S.<sup>1</sup> Starting more than two decades ago, EPA has issued multiple rules requiring reductions in NO<sub>x</sub> emissions to address the interstate transport of NO<sub>x</sub> and ozone, including the NO<sub>x</sub> SIP Call, 63 FR 57356 (October 27, 1998), the Clean Air Interstate Rule (CAIR), 70 FR 25162 (May 12, 2005), the Cross-State Air

<sup>1</sup> For example, Bergin, M.S. et al. (2007). Regional air quality: Local and interstate impacts of NO<sub>x</sub> and SO<sub>2</sub> emissions on ozone and fine particulate matter in the eastern United States. *Environmental Sci. & Tech.* 41: 4677–4689.

Pollution Rule (CSAPR), 76 FR 48208 (August 8, 2011), and the CSAPR Update, 81 FR 74504 (October 26, 2016). These actions were all taken under the authority of section 110(a)(2)(D)(i)(I) of the Clean Air Act (CAA or the Act), often referred to as the “good neighbor provision.”

The Ozone Transport Region (OTR) was established by operation of law under CAA section 184 and comprises the states of Connecticut, Delaware, Maine, Massachusetts, Maryland, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, the District of Columbia, and the portion of Virginia that is within the Consolidated Metropolitan Statistical Areas that includes the District of Columbia. Congress established the OTR in the 1990 Clean Air Act Amendments based on the recognition that the transport of ozone and ozone precursors throughout the region may render the states’ attainment strategies interdependent.

Under section 184(a), the Administrator established a commission for the OTR, the OTC, consisting of the Governor of each state or their designees, the Administrator or their designee, the Regional Administrators for the EPA regional offices affected (or the Administrator’s designees), and an air pollution control official representing each state in the region, appointed by the Governor. Section 184(b) sets forth certain control measures that OTR states are required to include in their SIPs.

Section 184(c) specifies a procedure for the OTC to develop recommendations for additional control measures to be applied within all or a part of the OTR if the OTC determines that such measures are necessary to bring any area in the OTR into attainment for ozone by the applicable attainment deadlines. Section 184(c)(1) provides that:

Upon petition of any states within a transport region for ozone, and based on a majority vote of the Governors on the Commission (or their designees), the Commission may, after notice and opportunity for public comment, develop recommendations for additional control measures to be applied within all or a part of such transport region if the Commission determines such measures are necessary to bring any area in such region into attainment by the dates provided by [subpart II of part D of CAA title I].

Section 184(c) also lays out procedures the Administrator is to follow in responding to recommendations from the OTC. Upon receipt of the recommendations, the Administrator is to publish a **Federal**

**Register** notice stating that the recommendations are available and providing an opportunity for a public hearing within 90 days. The Administrator is also to “commence a review of the recommendations to determine whether the control measures in the recommendations are necessary to bring any area in such region into attainment by the dates provided by [subpart II] and are otherwise consistent with [the Act].” Finally, in undertaking the review, the Administrator is to consult with members of the OTC and is to consider the data, views, and comments received pursuant to the public hearing.

Last, sections 184(c)(4) and (5) govern EPA’s response to the OTC recommendations. The Administrator is to determine whether to approve, disapprove, or partially approve and partially disapprove the recommendations within nine months of receipt. For any disapproval, the Administrator is to specify:

(i) Why any disapproved additional control measures are not necessary to bring any area in such region into attainment by the dates provided by [subpart II] or are otherwise not consistent with the Act; and

(ii) Recommendations concerning equal or more effective actions that could be taken by the commission to conform the disapproved portion of the recommendations to the requirements of [section 184].

Section 184(c)(5) provides that, upon approval or partial approval of any recommendations, the Administrator is to issue to each state in the OTR to which an approved requirement applies a finding under section 110(k)(5) that the SIP for that state is inadequate to meet the requirements of section 110(a)(2)(D). Section 110(a)(2)(D) provides, in pertinent part, that each state’s SIP shall contain adequate provisions:

(i) Prohibiting, consistent with the provisions of [CAA title I], any source or other type of emissions activity within the state from emitting any air pollutant in amounts which will—

(I) Contribute significantly to nonattainment in, or interfere with maintenance by, any other state with respect to any national primary or secondary ambient air quality standard [NAAQS].

Under section 184(c)(5), the Administrator’s finding of inadequacy under section 110(a)(2)(D) is to require that each affected state revise its SIP to include the approved additional control measures within one year after the finding is issued.

In 2015, EPA revised the NAAQS for ozone to 70 parts per billion (ppb). 80 FR 65292 (October 28, 2015). In 2018, EPA designated certain areas as

nonattainment with respect to this NAAQS and identified each area’s classification according to the severity of its air quality problems. 83 FR 25776 (June 4, 2018). Five areas within the OTR were designated as nonattainment: Baltimore, MD; Greater Connecticut, CT; Philadelphia-Wilmington-Atlantic City, PA–NJ–MD–DE; Washington, DC–MD–VA; and New York-Northern New Jersey-Long Island, NY–NJ–CT. *Id.* The first four of these areas were classified as Marginal and the fifth area was classified as Moderate. *Id.* The attainment deadlines for the Marginal and Moderate areas are three and six years after the effective date of their nonattainment designations, or August 3, 2021 and August 3, 2024, respectively. 83 FR 10376 (March 9, 2018).

On May 30, 2019, Maryland petitioned the OTC to adopt recommendations calling for additional control measures to be applied within part of the OTR. The Maryland petition asserted that daily limits on NO<sub>x</sub> emissions from coal-fired EGUs in Pennsylvania are necessary to bring areas in the OTR into attainment by the dates mandated by the CAA. On June 26, 2019, the OTC voted to proceed with the initial steps associated with the CAA Section 184(c) recommendation process, including analyzing recent operations of coal-fired EGUs in Pennsylvania. The OTC held a public hearing on August 16, 2019 to receive comment on Maryland’s petition. After considering the comments, on October 4, 2019, the OTC voted to evaluate a modified recommendation that Pennsylvania adopt daily emissions limits for certain coal-fired EGUs at least as stringent as those in Delaware, Maryland, or New Jersey. The OTC held a second hearing on November 21, 2019, to receive comment on its modified recommendation. Finally, at its meeting on June 3, 2020, a majority of the OTC’s voting members voted to recommend that EPA require Pennsylvania to revise its SIP to include NO<sub>x</sub> limits for coal-fired EGUs with SCR and SNCR as stringent as the limits in Delaware, Maryland, or New Jersey to ensure that the controls are operated optimally each day of the ozone season. The OTC members voting in favor of the recommendation were Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont, and the District of Columbia. Pennsylvania and Virginia voted against the recommendation, and Maine and New York abstained.

The OTC’s recommendation contains the following specific elements:

(1) That EPA require Pennsylvania to revise the Pennsylvania SIP to include additional control measures to establish daily NO<sub>x</sub> emission limits for all coal-fired EGUs with already-installed SCR or SNCR control technology to ensure that these technologies are optimized to minimize NO<sub>x</sub> emissions each day of the ozone season.

(2) That these requirements must be as stringent as any one of three rules adopted by Delaware, Maryland, and New Jersey that establish daily limits designed to optimize the use of SCR and SNCR control technologies to minimize NO<sub>x</sub> emissions each day of the ozone season.

(3) That EPA require Pennsylvania to adopt and implement daily NO<sub>x</sub> limits as expeditiously as practicable in a timeframe to help downwind OTC states attain the 2015 ozone standard by the dates required in the Act.

(4) That Pennsylvania implement these requirements in time to reduce ozone levels during the summers of 2020 and 2021, because the recommendation does not involve the purchase or installation of new control technologies.

As required by the Act, EPA will hold a public hearing on the OTC's recommendation and will undertake consultations with the affected states before reaching a decision on whether to approve, disapprove, or partially approve and partially disapprove the OTC's recommendation. The Agency also plans to publish another **Federal Register** notice prior to the date of the public hearing in order to provide further discussion of the OTC's recommendation and the framework the Agency intends to apply in reaching a decision.

Dated: July 7, 2020.

**Hans Christopher Grundler,**

*Director, Office of Atmospheric Programs.*

[FR Doc. 2020-15005 Filed 7-10-20; 8:45 am]

**BILLING CODE 6560-50-P**

## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

### Agency Information Collection Activities; Comment Request

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Final notice of information collection under review; ADEA waivers.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (PRA), the Equal Employment Opportunity Commission (EEOC or Commission) gives notice that it has

submitted to the Office of Management and Budget (OMB) a request for extension without change of the information collection described below. No public comments were received in response to the EEOC's May 5, 2020 60 day notice soliciting comments on the proposed extension of this collection.

**DATES:** Written comments on this notice must be submitted on or before August 12, 2020.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

#### FOR FURTHER INFORMATION CONTACT:

Kathleen Oram, Assistant Legal Counsel, (202) 663-4668, or Savannah Marion Felton, Senior Attorney, (202) 663-4909, Office of Legal Counsel, 131 M Street NE, Washington, DC 20507. Requests for this notice in an alternative format should be made to the Office of Communications and Legislative Affairs at 1-800-669-4000 (voice), 1-800-669-6820 (TTY), or 1-800-234-5122 (ASL Video Phone).

#### SUPPLEMENTARY INFORMATION:

#### Overview of This Information Collection

*Collection Title:* Waivers of Rights and Claims Under the ADEA; Informational Requirements.

*OMB Number:* 3046-0042.

*Type of Respondent:* Business, state or local governments, not for profit institutions.

*Description of Affected Public:* Any employer with 20 or more employees that seeks waiver agreements in connection with an exit incentive or other employment termination program.

*Number of Respondents:* 2,425.

*Burden Hours per Respondent:* 16.19 hours.

*Total Annual Burden Hours:* 39,260.75.

*Number of Forms:* None.

*Abstract:* The EEOC enforces the Age Discrimination in Employment Act (ADEA) which prohibits discrimination against employees and applicants for employment who are age 40 or older. The Older Workers Benefit Protection Act (OWBPA), enacted in 1990, amended the ADEA to require employers to disclose certain information to employees (but not to the EEOC) in writing when they ask employees to waive their rights under the ADEA in connection with an exit

incentive program or other employment termination program. The regulation at 29 CFR 1625.22 reiterates those disclosure requirements. The EEOC seeks an extension without change for the third-party disclosure requirements contained in this regulation. On May 5, 2020, the Commission published a 60-Day Notice informing the public of its intent to request an extension of the information collection requirements from the Office of Management and Budget. 85 FR 26687-89 (May 5, 2020). No comments were received.

For the Commission.

**Janet Dhillon,**  
*Chair.*

[FR Doc. 2020-15026 Filed 7-10-20; 8:45 am]

**BILLING CODE 6570-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0512; FRS 16921]

### Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the