

has the authority to implement and enforce the NSPS, NESHAP, and MACT standards as specified by Virginia in its notice to EPA, as provided for under previously approved automatic delegation mechanisms. All notifications, applications, reports, and other correspondence required pursuant to the delegated NSPS, NESHAP, and MACT must be submitted to both EPA, Region III and to the Virginia Department of Environmental Quality, unless the delegated standard specifically provides that such submittals may be sent to EPA or a delegated State. In such cases, the submittals should be sent only to the Virginia Department of Environmental Quality. A copy of EPA's letter to Virginia follows:

Michael G. Dowd, Director  
Air Division  
Virginia Department of Environmental  
Quality  
P.O. Box 1105  
Richmond, VA 23218

Dear Mr. Dowd:

The United States Environmental Protection Agency (EPA) has previously delegated to the Commonwealth of Virginia (Virginia) the authority to implement and enforce various federal New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), and National Emission Standards for Hazardous Air Pollutants for Source Categories (MACT standards) which are found at 40 CFR parts 60, 61 and 63, respectively. In those actions, EPA also delegated to Virginia the authority to implement and enforce any future federal NSPS, NESHAP or MACT Standards on the condition that Virginia legally adopt the future standards, make only allowed wording changes, and provide specified notice to EPA.

In a letter dated November 12, 2020, Virginia submitted to EPA revised versions of Virginia's regulations which incorporate by reference specified federal NSPS, NESHAP and MACT standards, as those federal standards had been published in final form in the Code of Federal Regulations dated July 1, 2020. Virginia committed to enforcing the federal standards in conformance with the terms of EPA's previous delegations of authority and made only allowed wording changes.

Virginia stated that it had submitted the revisions "to retain its authority to enforce the NSPSs and NESHAPs under the delegation of authority granted by EPA on August 27, 1981 (46 FR 43300) and to enforce the MACT standards under the delegation of authority granted by EPA on January 26, 1999 (64 FR 3938) and January 8, 2002 (67 FR 825)."

Virginia provided copies of its revised regulations which specify the NSPS, NESHAP and MACT Standards which it had adopted by reference. Virginia's revised regulations are entitled 9 VAC 5–50 "New and Modified Stationary Sources," and 9

VAC 5–60 "Hazardous Air Pollutant Sources." These revised regulations have an effective date of November 11, 2020.

Based on Virginia's submittal, EPA acknowledges that EPA's delegations to Virginia of the authority to implement and enforce EPA's NSPS, NESHAP, and MACT standards have been updated, as provided for under the terms of EPA's previous delegation of authority actions, to allow Virginia to implement and enforce the federal NSPS, NESHAP and MACT standards which Virginia has adopted by reference as specified in Virginia's revised regulations 9 VAC 5–50 and 9 VAC 5–60, both effective on November 11, 2020.

Please note that on December 19, 2008, in *Sierra Club v. EPA*,<sup>1</sup> the United States Court of Appeals for the District of Columbia Circuit vacated certain provisions of the General Provisions of 40 CFR part 63 relating to exemptions for startup, shutdown, and malfunction (SSM). On October 16, 2009, the Court issued a mandate vacating these SSM exemption provisions, which are found at 40 CFR 63.6(f)(1) and (h)(1).

Accordingly, EPA no longer allows sources the SSM exemption as provided for in the vacated provisions at 40 CFR 63.6(f)(1) and (h)(1), even though EPA has not yet formally removed these SSM exemption provisions from the General Provisions of 40 CFR part 63. Because Virginia incorporated 40 CFR part 63 by reference, Virginia should also no longer allow sources to use the former SSM exemption from the General Provisions of 40 CFR part 63 due to the Court's ruling in *Sierra Club vs. EPA*.

EPA appreciates Virginia's continuing NSPS, NESHAP and MACT standards enforcement efforts, and also Virginia's decision to take automatic delegation of additional or updated NSPS, NESHAP and MACT standards by adopting them by reference.

Sincerely,  
Cristina Fernandez, Director  
Air and Radiation Division

This notice acknowledges the update of Virginia's delegation of authority to implement and enforce NSPS, NESHAP, and MACT standards.

Dated: May 27, 2021.

**Cristina Fernandez,**  
*Director, Air & Radiation Division, Region III.*

[FR Doc. 2021–11652 Filed 6–2–21; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0295 and 3060–0281; FRS 29475]

### Information Collections 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 of 1995 (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s). 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 Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

**DATES:** Written comments should be submitted on or before August 2, 2021. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contacts below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Cathy Williams, FCC, via email to [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

### SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0295.

<sup>1</sup> *Sierra Club v. EPA*, 551 F.3d 1019 (D.C. Cir. 2008).

*Title:* Section 90.607, Supplemental Information to be Furnished by Applicants for Facilities Under Subpart S.

*Form Number:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit entities, not-for-profit institutions and state, local or tribal government.

*Number of Respondents and Responses:* 301 respondents; 301 responses.

*Estimated Time per Response:* .25 hours.

*Frequency of Response:* One-time reporting requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 308(b).

*Total Annual Burden:* 75 hours.

*Total Annual Cost:* No cost.

*Privacy Impact Assessment:* No impact(s).

*Nature and Extent of Confidentiality:* There is no need for confidentiality with this collection of information.

*Needs and Uses:* The information collection requirements contained in Section 90.607 require the affected applicants to submit a list of any radio facilities they hold within 40 miles of the base station transmitter site being applied for.

This information is used to determine if an applicant's proposed system is necessary in light of communications facilities it already owns. Such a determination helps the Commission to equitably distribute limited spectrum and prevents spectrum warehousing.

*OMB Control Number:* 3060-0281.

*Title:* Section 90.651, Supplemental Reports Required of Licensees Authorized Under this Subpart.

*Form Number:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit entities, not-for-profit institutions and state, local or tribal government.

*Number of Respondents and Responses:* 41 respondents; 67 responses.

*Estimated Time per Response:* .166 hours (10 minutes).

*Frequency of Response:* On occasion reporting requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 154(i), 161, 303(g), 303(r), 332(c)(7).

*Total Annual Burden:* 11 hours.

*Total Annual Cost:* No cost.

*Privacy Impact Assessment:* No impact(s).

*Nature and Extent of Confidentiality:* There is no need for confidentiality with this collection of information.

*Needs and Uses:* In a Report and Order (FCC 99-9, released February 19, 1999) in WT Docket 97-153, the Commission, under section 90.651, adopted a revised time frame for reporting the number of mobile units placed in operation from eight months to 12 months of the grant date of their license. The radio facilities addressed in this subpart of the rules are allocated on and governed by regulations designed to award facilities on a need basis determined by the number of mobile units served by each base station. This is necessary to avoid frequency hoarding by applicants. This rule section requires licensees to report the number of mobile units served via FCC Form 601. The Commission is extending this reporting requirement for a period of three years in the Office of the Management and Budget's (OMB) inventory.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary, Office of the Secretary.*

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## FEDERAL COMMUNICATIONS COMMISSION

[FRS 29460]

### Federal Advisory Committee Act; Communications Security, Reliability, and Interoperability Council

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of re-establishment of the Communications Security, Reliability, and Interoperability Council.

**SUMMARY:** The Federal Communications Commission (Commission) hereby announces that the Communications Security, Reliability, and Interoperability Council (hereinafter CSRIC or Council) will be re-established for a two-year period pursuant to the Federal Advisory Committee Act (FACA) and in accordance with the Committee Management Secretariat, General Services Administration.

**FOR FURTHER INFORMATION CONTACT:** Suzon Cameron, Designated Federal Officer, Federal Communications Commission, Public Safety and Homeland Security Bureau, (202) 418-1916 or email: [suzon.cameron@fcc.gov](mailto:suzon.cameron@fcc.gov),

or Kurian Jacob, Deputy Designated Federal Officer, Federal Communications Commission, Public Safety and Homeland Security Bureau, (202) 418-2040 or email: [kurian.jacob@fcc.gov](mailto:kurian.jacob@fcc.gov).

**SUPPLEMENTARY INFORMATION:** After consultation with the General Services Administration, the Commission intends to re-establish the charter on or before June 30, 2021, providing the Council with authorization to operate for two years.

The purpose of the Council is to advise the Commission and to make recommendations that foster the security, reliability, and interoperability of communications systems.

### Advisory Committee

The CSRIC will be organized under, and will operate in accordance with, the provisions of the Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2). The Council will be solely advisory in nature. Consistent with FACA and its requirements, each meeting of the Council will be open to the public unless otherwise noticed. A notice of each meeting will be published in the **Federal Register** at least fifteen (15) days in advance of the meeting. Records will be maintained of each meeting and made available for public inspection. All activities of the Committee will be conducted in an open, transparent, and accessible manner. The Committee shall terminate two (2) years from the filing date of its charter, or earlier upon the completion of its work as determined by the Chairperson of the FCC, unless its charter is renewed prior to the termination date.

During the CSRIC's next term, it is anticipated that it will meet in Washington, DC, approximately four (4) times a year. The first meeting will be described in a Public Notice issued and published in the **Federal Register** at least fifteen (15) days prior to the first meeting date. In addition, as needed, working groups or subcommittees (ad hoc or steering) will be established to facilitate the Committee's work between meetings of the full Council. Meetings of the Council will be fully accessible to individuals with disabilities.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary.*

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