

3. *File Symbol:* 101252–G. *Docket ID number:* EPA–HQ–OPP–2023–0241. *Applicant:* Lavie-Bio, Gad Feinstein 13, Rehovot 41732 Israel (c/o Delta Analytical Corporation, 12510 Prosperity Drive, Suite 160, Silver Spring, MD 20904). *Product name:* LAV.311 VC. *Active ingredient:* Fungicide—*Pseudomonas coleopterorum* strain 49762 at 20%. *Proposed classification/Use:* Pre-harvest treatment. *Contact:* BPPD.

4. *File Symbol:* 101252–R. *Docket ID number:* EPA–HQ–OPP–2023–0241. *Applicant:* Lavie-Bio, Gad Feinstein 13, Rehovot 41732 Israel (c/o Delta Analytical Corporation, 12510 Prosperity Drive, Suite 160, Silver Spring, MD 20904). *Product name:* LAV.311 C. *Active ingredient:* Fungicide—*Pseudomonas coleopterorum* strain 49762 at 20%. *Proposed classification/Use:* Pre-harvest treatment. *Contact:* BPPD.

5. *File Symbol:* 101252–U. *Docket ID number:* EPA–HQ–OPP–2023–0241. *Applicant:* Lavie-Bio, Gad Feinstein 13, Rehovot 41732 Israel (c/o Delta Analytical Corporation, 12510 Prosperity Drive, Suite 160, Silver Spring, MD 20904). *Product name:* LAV.311 WDG. *Active ingredient:* Fungicide—*Pseudomonas coleopterorum* strain 49762 at 28%. *Proposed classification/Use:* Pre-harvest treatment. *Contact:* BPPD.

Authority: 7 U.S.C. 136 *et seq.*

Dated: June 6, 2023.

Delores Barber,

Director, Information Technology and Resources Management Division, Office of Program Support.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OW–2020–0392; FRL–8323.1–02–OW]

Final Guidance for Vessel Sewage No-Discharge Zone Applications

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) is announcing the availability of the “Guidance for Vessel Sewage No-Discharge Zone Applications (Clean Water Act Section 312(f)).” State officials interested in developing vessel sewage no-discharge zone applications should consult the guidance to understand the information that must be submitted to EPA to meet the regulatory requirements and EPA’s

process for evaluating applications. The guidance reflects EPA’s consideration of public comments received in response to the agency’s June 27, 2022 **Federal Register** publication. The contents of this guidance document do not have the force and effect of law and are not meant to bind the public. This document is intended to provide information to State officials regarding existing requirements under the law or agency policies.

FOR FURTHER INFORMATION CONTACT:

Kelsey Watts-FitzGerald, Oceans, Wetlands, and Communities Division, Office of Water (4504T), Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460; telephone number: 202–566–0232; email address: watts-fitzgerald.kelsey@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

The Clean Water Act (CWA) section 312 establishes the statutory framework through which EPA and the U.S. Coast Guard regulate the discharge of sewage from vessels with installed toilets operating in U.S. navigable waters. EPA is responsible for establishing national standards of performance for marine sanitation devices (MSDs) to prevent inadequately treated sewage from polluting U.S. waters, while the U.S. Coast Guard is responsible for issuing regulations governing the design, construction, certification, installation, and operation of MSDs, consistent with EPA’s standards. MSDs are equipment installed onboard vessels that either treat sewage prior to discharge or store sewage onboard for later disposal. If a State determines that some or all of the State’s waters require greater protection, the CWA allows the State to apply to EPA for the establishment of a vessel sewage no-discharge zone. A vessel sewage no-discharge zone is an area where the discharge of both treated and untreated sewage from vessels is prohibited. There are three different types of vessel sewage no-discharge zones that may be designated under CWA section 312(f). For each type, the State must submit an application to EPA pursuant to the regulatory requirements detailed in 40 CFR 140.4.

In 1994, EPA published guidance, “Protecting Coastal Waters from Vessel and Marina Discharges: A Guide for State and Local Officials, Volume 1. Establishing No-Discharge Areas under § 312 of the Clean Water Act” (EPA 842–B–94–004, August 1994), to assist States in preparing applications based on the regulatory requirements. The “Guidance for Vessel Sewage No-

Discharge Zone Applications (Clean Water Act Section 312(f))” supersedes the 1994 guidance.

II. Overview of the Guidance

The guidance provides background information on the environmental impacts of vessel sewage and the regulations in place to protect U.S. waters from this type of discharge. The guidance also explains and clarifies the information that EPA requires in an application and provides examples of the information that the State may choose to include to assist EPA in making an informed decision. The appendices contain sample applications, information on related programs, a walkthrough of the tool that supports EPA’s analysis of costs for one of the three designation types, and strategies States may consider to encourage compliance with a no-discharge zone designation.

Key updates made to the guidance since the 1994 version include the addition of new guidance and sample applications for the two CWA section 312(f)(4) designations, as well as updated introductory sections on the impact of sewage discharges and the regulatory framework in place to mitigate these impacts. The guidance also clarifies how to account for mobile pumpout facilities, such as boats and trucks, and provides additional information on how to demonstrate that sewage removed from vessels is being treated in conformance with Federal law. Finally, in the sections pertaining to CWA section 312(f)(3) applications, the guidance distinguishes between recreational and commercial vessels in acknowledgement of differing vessel profiles and pumpout facility needs.

Other updates were made to explain EPA’s process for evaluating State applications. The most substantial update to EPA’s review process is the inclusion of a new cost analysis for applications submitted under CWA section 312(f)(3). In addition to describing how EPA may conduct cost analyses for CWA section 312(f)(3) applications, the guidance is also accompanied by a spreadsheet-based tool, the “No-Discharge Zone Cost Analysis Tool,” to help standardize the agency’s approach to evaluating costs.

III. Public Comments Received

On June 27, 2022, EPA published a **Federal Register** notice (87 FR 38151) to solicit public comments on the draft guidance. EPA received 10 comments during the 60-day comment period. Commenters provided recommendations regarding the types of information identified as required

versus optional for State applications and the inputs to the “No-Discharge Zone Cost Analysis Tool.” Commenters also provided general feedback on the application process, including the timing and nature of communication between EPA, States, and stakeholders. A complete comment response document is available in EPA’s docket.

IV. Conclusion

The “Guidance for Vessel Sewage No-Discharge Zone Applications (Clean Water Act Section 312(f))” and accompanying “No-Discharge Zone Cost Analysis Tool” are now available for use by State officials in the development of vessel sewage no-discharge zone applications. They are available in the docket and on EPA’s website at <https://www.epa.gov/vessels-marinas-and-ports/guidance-vessel-sewage-no-discharge-zone-applications>.

Benita Best-Wong,

Deputy Assistant Administrator, Office of Water.

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Agency Information Collection

Activities: Renewal Without Change of Existing Collection; Comment Request

AGENCY: Equal Employment Opportunity Commission.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Equal Employment Opportunity Commission (EEOC or Commission) announces that it intends to submit to the Office of Management and Budget (OMB) a request for a three-year extension without change of the existing information collection described below. The Commission is seeking comment on the proposed renewal.

DATES: Written comments on this notice must be submitted on or before August 11, 2023.

ADDRESSES: You may submit comments by any of the following methods—please use only one method:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions on the website for submitting comments.

Mail: Comments may be submitted by mail to Raymond Windmiller, Executive Officer, Executive Secretariat, Equal Employment Opportunity Commission,

131 M Street NE, Washington, DC 20507.

Fax: Comments totaling six or fewer pages can be sent by facsimile (“fax”) machine to (202) 663–4114 (this is not a toll-free number). Receipt of fax transmittals will not be acknowledged, except that the sender may request confirmation of receipt by calling the Executive Secretariat staff at (202) 921–2815 (voice) (this is not a toll-free number) or 800–669–6820 (TTY).

Instructions: All comments received must include the agency name and docket number. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. However, the EEOC reserves the right to refrain from posting libelous or otherwise inappropriate comments, including those that contain obscene, indecent, or profane language; that contain threats or defamatory statements; that contain hate speech directed at race, color, sex, national origin, age, religion, disability, or genetic information; or that promote or endorse services or products.

Copies of comments received are also available for review at the Commission’s library. Copies of comments received in response to this notice will be made available for viewing by appointment only at 131 M Street NE, Suite 4NW08R, Washington, DC 20507. Members of the public may schedule an appointment by sending an email to the following address: OEDA@eEOC.gov.

FOR FURTHER INFORMATION CONTACT:

Kathleen Oram, Assistant Legal Counsel, (202) 921–2665 and kathleen.oram@eEOC.gov, or Ashley T. Adams, General Attorney, (202) 921–2697 and ashley.adams@eEOC.gov, 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 (202) 663–4191 (voice) or (202) 663–4494 (TTY).

SUPPLEMENTARY INFORMATION: The Age Discrimination in Employment Act (ADEA) allows for individuals to waive rights and claims protected under the Act, provided certain circumstances are met; particularly that the waiver is knowing and voluntary. In order for an individual’s waiver in connection with a program to be considered knowing and voluntary, the employer must inform the individual in writing in a manner calculated to be understood by the average individual eligible to participate, as to (i) any class, unit, or group of individuals covered by such program, any eligibility factors for such

program, and any time limits applicable to such program; and (ii) the job titles and ages of all individuals eligible or selected for the program, and the ages of all individuals in the same job classification or organizational unit who are not eligible or selected for the program. The EEOC’s regulations clarify that the relevant section of the ADEA addresses two principal issues: to whom information must be provided, and what information must be disclosed to such individuals. The purpose of the informational requirements is to provide an employee with enough information regarding the program to allow an employee to make an informed choice whether or not to sign a waiver agreement. The employer does not provide this information to the EEOC; the ADEA and the EEOC’s regulation solely require that the employer provide this information to any employee it would apply to, and not to the Federal government.

The EEOC, in accordance with the PRA and OMB regulation 5 CFR 1320.8(d)(1), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the EEOC to assess the impact of its information collection requirements and minimize the public’s reporting burden. It also helps the public to understand the EEOC’s information collection requirements and provide the requested data in the desired format. The EEOC is soliciting comments on the information collection that is described below. The EEOC is especially interested in public comment that will assist the EEOC in the following: (1) Evaluating whether the collection of information is necessary for the proper performance of the Commission’s functions, including whether the collection has practical utility; (2) Evaluating the accuracy of the Commission’s estimate of the burden of the collection of information, including the validity of the methodology and assumptions used; (3) Enhancing the quality, utility, and clarity of the information to be collected; and (4) Minimizing the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. Please note that written comments received in response to this notice will be considered public records.