

### III. Description of Programs and Potential Disclosure of Information Claimed as Confidential Business Information (CBI) to Contractors

The EPA's Office of Transportation and Air Quality (OTAQ) has responsibility for protecting public health and the environment by regulating air pollution from motor vehicles, engines, and the fuels used to operate them, and by encouraging travel choices that minimize emissions. In order to implement various Clean Air Act programs, and to permit regulated entities flexibility in meeting regulatory requirements (e.g., compliance on average), we collect compliance reports and other information from them. The information submitted may be claimed as CBI. Information submitted under such a claim is handled in accordance with EPA's regulations at 40 CFR part 2, subpart B and in accordance with Agency procedures, including comprehensive system security planning. When the EPA has determined that disclosure of information claimed as CBI to contractors is necessary, the corresponding contract must address the appropriate use and handling of the information by the contractor and the contractor must require its personnel who require access to information claimed as CBI to sign written non-disclosure agreements before they are granted access to data.

In accordance with 40 CFR 2.301(h), we have determined that the contractors, subcontractors, and grantees (collectively referred to as "contractors") listed below require access to CBI submitted to us under the Clean Air Act and in connection with various programs related to the regulation of fuels and fuel additives under both 40 CFR part 79 (subparts A through F) and 40 CFR part 80—(subparts A through O, and appendices). OTAQ collects this data in order to monitor compliance with Clean Air Act programs and, in many cases, to permit regulated parties flexibility in meeting regulatory requirements. For example, data that may contain CBI are collected to register fuels and fuel additives prior to introduction into commerce under 40 CFR part 79. Certain programs under 40 CFR part 80 are designed to permit regulated parties an opportunity to comply on average, or to engage in transactions using various types of credits. Programs utilizing credits include gasoline sulfur, gasoline benzene, and RFS. Data submitted under 40 CFR part 80 includes information related to reformulated and conventional gasoline, diesel fuel,

detergents, and renewable fuels. Fuels program data is reviewed and assessed to determine the success of the programs or to plan for regulatory improvements. We are issuing this **Federal Register** notice to inform all affected submitters of information that we plan to grant access to material that may be claimed as CBI to the contractors identified below on a need-to-know basis.

Under EPA Contract Number EP-C-16-012, General Dynamics Information Technology (GDIT) located at 650 Peter Jefferson Parkway, Suite 300 Charlottesville, Virginia 22911 provides report processing, program support, technical support and analysis and information technology services that involve access to information claimed as CBI related to 40 CFR parts 79 and 80. The original contractor, CSRA, was purchased by GDIT. The following subcontractors of GDIT continue to provide work under this contract:

- CGI Federal, Inc., 12601 Fair Lakes Circle, Fairfax, VA 22033-4902;
- Powersolv, Inc., 1801 Robert Fulton Drive, Suite 550, Reston, VA 20191 and their subcontractor, Premier Itech, Inc., 8869 Grand Ave., Beulah, CO 81023.

GDIT has added a subcontractor, Potomac Economics, LTD, 9990 Fairfax Blvd., Suite 560, Fairfax, VA 22030 to provide program support, technical support, and data analysis services that involve access to information claimed as CBI related to 40 CFR parts 79 and 80. Access by this subcontractor will begin on November 5, 2020.

Access to data under the GDIT contract will continue until June 30, 2021. If the contract is extended, this access will continue for the remainder of the contract without further notice. If the contract expires prior to June 30, 2021, the access will cease at that time. If GDIT employs additional subcontractors to support EPA on a regular basis or on a limited or one-time basis under the above-listed contract, and those subcontractors require access to CBI, EPA will notify interested parties of the contemplated disclosure and provide them with an opportunity to comment by publishing a notice in the **Federal Register**.

Under Contract Number EP-C-16-020, ICF Incorporated, LLC, 9300 Lee Highway, Fairfax, Virginia 22031, provides technical support and data analysis services that involve access to information claimed as CBI related to 40 CFR parts 79 and 80. Access to data will begin and will continue until September 30, 2021. If the contract is extended, this access will continue for the remainder of the contract without further notice. If the contract expires prior to September

30, 2021, the access will cease at that time. If ICF employs subcontractors to support EPA on a regular basis or on a limited or one-time basis under the above-listed contract, and those subcontractors require access to CBI, EPA will notify interested parties of the contemplated disclosure and provide them with an opportunity to comment by publishing a notice in the **Federal Register**.

Under Contract Number 68HERD20A0004, Research Triangle Institute, RTI, P.O. Box 12194, Research Triangle Park, NC 27709-2194, and its subcontractors, Dr. Ruiqing Miao, Auburn University, Auburn, Alabama and Dr. Madhu Khanna, University of Illinois at Urbana-Champaign, Urbana, Illinois, provide technical support and data analysis services that involve access to information claimed as CBI related to 40 CFR parts 79 and 80.

Access to data will begin November 5, 2020 and will continue until July 19, 2021. If the contract is extended, this access will continue for the remainder of the contract without further notice. If the contract expires prior to July 19, 2021, the access will cease at that time. If RTI employs additional subcontractors to support EPA on a regular basis or on a limited or one-time basis under the above-listed contract, and those subcontractors require access to CBI, EPA will notify interested parties of the contemplated disclosure and provide them with an opportunity to comment by publishing a notice in the **Federal Register**.

Parties who want further information about this **Federal Register** notice or about OTAQ's disclosure of information claimed as CBI to contractors may contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: October 19, 2020.

**Byron J. Bunker,**

*Director, Compliance Division, Office of Transportation & Air Quality, Office of Air and Radiation.*

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## FEDERAL MARITIME COMMISSION

### Agency Information Collection Activities: Submission for OMB Review; Comment Request

**AGENCY:** Federal Maritime Commission.

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

**SUMMARY:** The Federal Maritime Commission (Commission) is giving public notice that the agency has submitted to the Office of Management and Budget (OMB) for approval the

continuing information collection (reinstatement with change) described in this notice. The public is invited to comment on the proposed information collection pursuant to the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted at the addresses below on or before November 25, 2020.

**ADDRESSES:** Comments should be addressed to: Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Shannon Joyce, Desk Officer for Federal Maritime Commission, 725 17th Street NW, Washington, DC 20503, [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV), Fax (202) 395-5167, and to: Karen V. Gregory, Managing Director, [OMD@fmc.gov](mailto:OMD@fmc.gov).

**FOR FURTHER INFORMATION CONTACT:** Copies of the submission(s) may be obtained by contacting Donna Lee at 202-523-5800 or email: [omd@fmc.gov](mailto:omd@fmc.gov).

**SUPPLEMENTARY INFORMATION:**

**Request for Comment**

Pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Commission invites the general public and other Federal agencies to comment on the proposed information collection. On April 16, 2020, the Commission published a notice and request for comment in the **Federal Register** (85 FR 21233) regarding the agency's request for extension from OMB for this information collection as required by the Paperwork Reduction Act of 1995. The Commission received no comments on the request for extension of OMB approval. The subject information collection expired on May 31, 2020. The Commission has submitted the described information collection to OMB for reinstatement.

In response to this notice, comments and suggestions should address one or more of the following points: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

**Information Collection Open for Comment**

*Title:* 46 CFR part 540—Application for Certificate of Financial Responsibility/Form FMC-131.

*OMB Approval Number:* 3072-0012 (Expired May 31, 2020).

*Abstract:* Sections 2 and 3 of Public Law 89-777 (46 U.S.C. 44101-44106) require owners, charterers, or operators of passenger vessels with 50 or more passenger berths or stateroom accommodations and embarking passengers at United States ports and territories to establish their financial responsibility to meet liability incurred for death or injury to passengers and other persons, and to indemnify passengers in the event of nonperformance of transportation. The Commission's regulations at 46 CFR part 540 implement Public Law 89-777 and specify financial responsibility coverage requirements for such owners, charterers, or operators.

*Current Actions:* There are changes to this information collection, and it is being submitted for reinstatement and approval of changes. Twelve fields have been eliminated due to being captured on the financial instrument and we have reduced several questions regarding financial responsibility into two questions. Our intent is to make the form more intuitive and easier to use and understand. Additionally, information collected in a data format, as opposed to receiving this information in a narrative format, will assist us in analyzing the submissions.

*Type of Review:* Reinstatement with change.

*Needs and Uses:* The information will be used by the Commission's staff to ensure that passenger vessel owners, charterers, and operators have evidenced financial responsibility to indemnify passengers and others in the event of nonperformance or casualty.

*Frequency:* This information is collected when applicants apply for a certificate or when existing certificates change any information in their application forms.

*Affected Public Who Will Be Asked or Required to Respond:* Respondents are owners, charterers, or operators of passenger vessels with 50 or more passenger berths that embark passengers from U.S. ports or territories.

*Number of Annual Respondents:* The Commission estimates the total number of respondents at 52 annually.

*Estimated Time per Response:* The time per response ranges from 0.5 to 8 hours for reporting and recordkeeping requirements contained in the regulations, and 8 hours for completing Application Form FMC-131.

*Total Annual Burden:* The Commission estimates the total burden at 1,233 hours per year.

**Rachel Dickon,**  
*Secretary.*

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**FEDERAL MEDIATION AND CONCILIATION SERVICE**

**Privacy Act of 1974; System of Records**

**AGENCY:** Office of General Counsel (OGC), FMCS.

**ACTION:** Notice of a New System of Records.

**SUMMARY:** The Federal Mediation and Conciliation Service (FMCS) is establishing a new system of records for Freedom of Information Act records (FOIA) and Privacy Act records processing and a FOIA and Privacy Act information technology system new to FMCS that will enable requesters to submit, receive, and appeal their FOIA and Privacy Act requests and decisions via an online portal.

**DATES:** This notice will go in to effect without further notice on October 28, 2020, unless otherwise revised pursuant to comments received. New routine uses will go into effect on November 25, 2020. Comments must be received on or before November 25, 2020.

**ADDRESSES:** Office of General Counsel, 250 E Street SW, Washington, DC 20427; [foia@fmcs.gov](mailto:foia@fmcs.gov). Comments may be submitted via email at [foia@fmcs.gov](mailto:foia@fmcs.gov) or via fax at (202) 606-5444. All submissions must refer to the System Name and Number FMCS-1-FOIA/PA.

**FOR FURTHER INFORMATION CONTACT:** Anna Davis, Deputy General Counsel, [adavis@fmcs.gov](mailto:adavis@fmcs.gov).

**SUPPLEMENTARY INFORMATION:** This describes a new system for receiving, processing, and storing FOIA and Privacy Act requests, responses, and appeals.

**SYSTEM NAME AND NUMBER:**  
FMCS-1-FOIA/PA.

**SECURITY CLASSIFICATION:**  
Unclassified.

**SYSTEM LOCATION:**  
Federal Mediation and Conciliation Service, 250 E Street SW, Washington, DC 20427; AINS 806 W. Diamond Avenue, Gaithersburg, MD 20878.