

comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Filing and Service of Documents: Any filing must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

Dated: September 29, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021-21699 Filed 10-4-21; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP21-1146-000]

Southwest Gas Storage Company; Notice of Petition for Declaratory Order

Take notice that on September 22, 2021, pursuant to Rule 207(a)(2) of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 385.207(a)(2) (2019) and section 284.502(b)(1) of the Commission's regulations,¹ Southwest Gas Storage Company (Southwest Gas Storage or Petitioner) filed a petition for declaratory order (petition) requesting that the Commission issue a declaratory order granting Southwest Gas Storage

authorization to charge market-based rates for proposed no-notice storage, firm parking, firm loan and interruptible gas balancing services, all as more fully explained in its petition.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene, or protest must serve a copy of that document on the Petitioner.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5:00 p.m. Eastern time on October 22, 2021.

Dated: September 29, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021-21701 Filed 10-4-21; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP21-496-000]

NFEnergía LLC; Notice of Application and Establishing Intervention Deadline

Take notice that on September 15, 2021, NFEnergía LLC (NFEnergía), 111 W 19th Street, New York, New York 10011, filed in Docket No. CP21-496-000 an abbreviated application under Section 3(a) of the Natural Gas Act (NGA), Parts 153 and 380 of the Commission's regulations, and the Order issued by the Commission on March 19, 2021 in Docket No. CP20-466-000 (Order on Show Cause),¹ requesting authorization to operate the San Juan Micro-Fuel Handling Facility (MFH Facility), a liquefied natural gas (LNG) import and regasification facility, located at the Port of San Juan in Puerto Rico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at FERCOnlineSupport@ferc.gov or call toll-free, (866) 208-3676 or TTY, (202) 502-8659.

Any questions regarding this filing may be directed to Cameron MacDougall, General Counsel, NFEnergía LLC, 111 W 19th Street, New York, New York, 10011, by phone at (202) 479-1522, or by email at cmacdougall@fortress.com.

Pursuant to Section 157.9 of the Commission's Rules of Practice and Procedure,² within 90 days of this Notice the Commission staff will either:

¹ New Fortress Energy LLC, 174 FERC ¶ 61,207 (2021) (Order on Show Cause), notice of reh'g denied, 175 FERC ¶ 62,108 (2021), reh'g denial confirmed, 176 FERC ¶ 61,031 (2021) (Rehearing Order).

² 18 CFR (Code of Federal Regulations) § 157.9.

¹ 18 CFR 284.502(b)(1) (2020).

Complete its environmental review and place it into the Commission's public record (eLibrary) for this proceeding, or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or environmental assessment (EA) for this proposal. The filing of an EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

Public Participation

There are two ways to become involved in the Commission's review of this project: You can file comments on the project, and you can file a motion to intervene in the proceeding. There is no fee or cost for filing comments or intervening. The deadline for filing a motion to intervene is 5:00 p.m. Eastern Time on October 20, 2021.

Comments

Any person wishing to comment on the project may do so. Comments may include statements of support or objections to the project as a whole or specific aspects of the project. The more specific your comments, the more useful they will be. To ensure that your comments are timely and properly recorded, please submit your comments on or before October 20, 2021.

There are three methods you can use to submit your comments to the Commission. In all instances, please reference the project docket number CP21-496-000 in your submission.

(1) You may file your comments electronically by using the eComment feature, which is located on the Commission's website at www.ferc.gov under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on a project;

(2) You may file your comments electronically by using the eFiling feature, which is located on the Commission's website (www.ferc.gov) under the link to Documents and Filings. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select

the type of filing you are making; first select "General" and then select "Comment on a Filing"; or

(3) You may file a paper copy of your comments by mailing them to the address below.³ Your written comments must reference the project docket number (CP21-496-000).

Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426

The Commission encourages electronic filing of comments (options 1 and 2 above) and has eFiling staff available to assist you at (202) 502-8258 or FercOnlineSupport@ferc.gov. Persons who comment on the environmental review of this project will be placed on the Commission's environmental mailing list, and will receive notification when the environmental documents (EA or EIS) are issued for this project and will be notified of meetings associated with the Commission's environmental review process.

The Commission considers all comments received about the project in determining the appropriate action to be taken. However, the filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding. For instructions on how to intervene, see below.

Interventions

Any person, which includes individuals, organizations, businesses, municipalities, and other entities,⁴ has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure⁵ and the regulations under the NGA⁶ by the intervention deadline for the project, which is October 20, 2021. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as the your interest in the proceeding. For an individual, this could include your

status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at <https://www.ferc.gov/resources/guides/how-to-intervene.asp>.

There are two ways to submit your motion to intervene. In both instances, please reference the Project docket number CP21-496-000 in your submission.

(1) You may file your motion to intervene by using the Commission's eFiling feature, which is located on the Commission's website (www.ferc.gov) under the link to Documents and Filings. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; first select "General" and then select "Intervention." The eFiling feature includes a document-less intervention option; for more information, visit <https://www.ferc.gov/docs-filing/efiling/document-less-intervention.pdf>;

(2) You may file a paper copy of your motion to intervene, along with three copies, by mailing the documents to the address below.⁷ Your motion to intervene must reference the project docket number CP21-496-000.

Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426

The Commission encourages electronic filing of motions to intervene (option 1 above) and has eFiling staff available to assist you at (202) 502-8258 or FercOnlineSupport@ferc.gov.

Motions to intervene must be served on the applicant either by mail at: Cameron MacDougall, General Counsel, NFEnergia LLC, 111 W 19th Street, New York, New York, 10011, or by email at cmacdougall@fortress.com. Any subsequent submissions by an intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online. Service can be via email with a link to the document.

All timely, unopposed⁸ motions to intervene are automatically granted by

³ Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

⁴ 18 CFR 385.102(d).

⁵ 18 CFR 385.214.

⁶ 18 CFR 157.10.

⁷ Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

⁸ The applicant has 15 days from the submittal of a motion to intervene to file a written objection to the intervention.

operation of Rule 214(c)(1).⁹ Motions to intervene that are filed after the intervention deadline are untimely, and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations.¹⁰ A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the applicant and by all other parties.

Tracking the Proceeding

Throughout the proceeding, additional information about the project will be available from the Commission's Office of External Affairs, at (866) 208-FERC, or on the FERC website at www.ferc.gov using the "eLibrary" link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to www.ferc.gov/docs-filing/esubscription.asp.

Intervention Deadline: 5:00 p.m. Eastern Time on Wednesday, October 20, 2021.

Dated: September 29, 2021.

Debbie-Anne A. Reese,
Deputy Secretary.

[FR Doc. 2021-21704 Filed 10-4-21; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2021-0637; FRL-9089-01-OGC]

Proposed Consent Decree; Clean Air Act Citizen Suit

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed consent decree; request for public comment.

SUMMARY: In accordance with the Clean Air Act, as amended (CAA or the Act),

notice is given of a proposed consent decree in *Center for Biological Diversity, et al. v. Regan*, No. 4-21-cv-02498-JST (N.D. CA.). On April 7, 2021 and May 26, 2021, the Center for Biological Diversity and the Center for Environmental Health (collectively, Plaintiffs) filed a complaint and a first amended complaint, respectively, in the United States District Court for the Northern District of California, alleging that the Administrator of the United States Environmental Protection Agency (EPA) failed to perform certain nondiscretionary duties.

DATES: Written comments on the proposed consent decree must be received by *November 4, 2021*.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2021-0637, online at <https://www.regulations.gov> (EPA's preferred method). Follow the online instructions for submitting comments.

Instructions: All submissions received must include the Docket ID number for this action. Comments received may be posted without change to <https://www.regulations.gov>, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the "Additional Information about Commenting on the Proposed Consent Decree" heading under the

SUPPLEMENTARY INFORMATION section of this document. Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room are closed to the public, with limited exceptions, to reduce the risk of transmitting COVID-19. Our Docket Center staff will continue to provide remote customer service via email, phone, and webform. We encourage the public to submit comments via <https://www.regulations.gov>, as there may be a delay in processing mail and faxes. Hand deliveries and couriers may be received by scheduled appointment only. For further information on EPA Docket Center services and the current status, please visit us online at <https://www.epa.gov/dockets>.

EPA continues to carefully and continuously monitor information from the CDC, local area health departments, and our federal partners so that we can respond rapidly as conditions change regarding COVID-19.

FOR FURTHER INFORMATION CONTACT: Derek Mills, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone (202)

564-3341; email address mills.derek@epa.gov.

SUPPLEMENTARY INFORMATION: First, Plaintiffs allege that EPA failed to issue a finding of failure to submit for state implementation plans (SIPs) addressing reasonably available control technology (RACT) for volatile organic compounds (VOC) from sources covered by the 2016 Oil and Gas control techniques guideline (CTG) for the 2015 ozone National Ambient Air Quality Standards (NAAQS) for states and areas listed in the First Amended Complaint within six months after the SIP due date. Second, Plaintiffs allege that EPA failed to take final action to approve or disapprove, in whole or in part, Oil and Gas CTG SIPs for the 2008 NAAQS submitted by various states for the nonattainment areas listed in the First Amended Complaint. The proposed consent decree would establish deadlines for EPA to take specified actions.

I. Obtaining a Copy of the Proposed Consent Decree

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2021-0637) contains a copy of the proposed consent decree.

The electronic version of the public docket for this action contains a copy of the proposed consent decree and is available through <https://www.regulations.gov>. You may use <https://www.regulations.gov> to submit or view public comments, access the index listing of the contents of the official public docket, and access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select "search."

II. Additional Information About the Proposed Consent Decree

The proposed consent decree, which would fully resolve the current lawsuit cited above filed by the Center for Biological Diversity and the Center for Environmental Health, would require the EPA to take action under the CAA to make a finding of failure to submit for SIPs addressing RACT for VOC from sources covered by the 2016 Oil and Gas CTG pursuant to 42 U.S.C. 7410(k)(1)(B) for the 2015 ozone NAAQS for certain states and areas as listed in the proposed consent decree (Pennsylvania and New York), unless the state provides the SIP submission and it is deemed complete prior to EPA issuing the finding. The proposed consent decree would also require the EPA, pursuant to CAA sections 110(k)(2)-(4), 42 U.S.C. 7410(k)(2)-(4), to take final

⁹ 18 CFR 385.214(c)(1).

¹⁰ 18 CFR 385.214(b)(3) and (d).