

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 63**

[EPA-HQ-OAR-2019-0178; FRL-7055-04-OAR]

RIN 2060-AU37

**National Emission Standards for Hazardous Air Pollutants: Ethylene Oxide Emissions Standards for Sterilization Facilities Residual Risk and Technology Review; Extension of Comment Period****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule; extension of public comment period.

**SUMMARY:** On April 13, 2023, the U.S. Environmental Protection Agency (EPA) proposed a rule titled “National Emission Standards for Hazardous Air Pollutants: Ethylene Oxide Emissions Standards for Sterilization Facilities Residual Risk and Technology Review.” The EPA is extending the comment period on this proposed rule that currently closes on June 12, 2023, by 15 days. The comment period will now remain open until June 27, 2023, to allow additional time for stakeholders to review and comment on the proposal.

**DATES:** The public comment period for the proposed rule published in the *Federal Register* (FR) on April 13, 2023 (88 FR 22790), originally ending June 12, 2023, is being extended by 15 days. Written comments must now be received on or before June 27, 2023.

**ADDRESSES:** Submit comments, identified by Docket ID No. EPA-HQ-OAR-2019-0178, by any of the following methods:

- *Federal eRulemaking Portal:* <https://www.regulations.gov/> (our preferred method). Follow the online instructions for submitting comments.

- *Email:* [a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov). Include Docket ID No. EPA-HQ-OAR-2019-0178 in the subject line of the message.

- *Fax:* (202) 566-9744. Attention Docket ID No. EPA-HQ-OAR-2019-0178.

- *Mail:* U.S. Environmental Protection Agency, EPA Docket Center, Docket ID No. EPA-HQ-OAR-2019-0178, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

- *Hand Delivery or Courier (by scheduled appointment only):* EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center’s hours of operation are 8:30

a.m.–4:30 p.m., Monday–Friday (except Federal holidays).

*Instructions.* All submissions received must include the Docket ID No. for this rulemaking. 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 **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** For questions about this action, contact Jonathan Witt, Sector Policies and Programs Division (E143-05), Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541-5645; and email address: [witt.jon@epa.gov](mailto:witt.jon@epa.gov).

**SUPPLEMENTARY INFORMATION:**

*Rationale.* On April 13, 2023, the U.S. Environmental Protection Agency (EPA) proposed a rule titled “National Emission Standards for Hazardous Air Pollutants: Ethylene Oxide Emissions Standards for Sterilization Facilities Residual Risk and Technology Review.” 88 FR 22790. The comment period on this proposed rule currently closes on June 12, 2023. The EPA has received numerous requests for additional time to review and comment on this proposed rule. The EPA has decided to extend the period by 15 days. The public comment period will now end on June 27, 2023.

*Docket.* The EPA has established a docket for this rulemaking under Docket ID No. EPA-HQ-OAR-2019-0178. All documents in the docket are listed in <https://www.regulations.gov/>. Although listed, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy. With the exception of such material, publicly available docket materials are available electronically in *Regulations.gov*.

*Instructions.* Direct your comments to Docket ID No. EPA-HQ-OAR-2019-0178. The EPA’s policy is that all comments received will be included in the public docket without change and may be made available online at <https://www.regulations.gov/>, including any personal information provided, unless the comment includes information claimed to be CBI or other information whose disclosure is restricted by statute. Do not submit electronically to <https://www.regulations.gov/> any information

that you consider to be CBI or other information whose disclosure is restricted by statute. This type of information should be submitted as discussed below.

The EPA may publish any comment received to its public docket. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (i.e., on the Web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

The <https://www.regulations.gov/> website allows you to submit your comment anonymously, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to the EPA without going through <https://www.regulations.gov/>, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment and with any digital storage media you submit. If the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not be able to consider your comment. Electronic files should not include special characters or any form of encryption and be free of any defects or viruses. For additional information about the EPA’s public docket, visit the EPA Docket Center homepage at <https://www.epa.gov/dockets>.

*Submitting CBI.* Do not submit information containing CBI to the EPA through <https://www.regulations.gov/>. Clearly mark the part or all of the information that you claim to be CBI. For CBI information on any digital storage media that you mail to the EPA, note the docket ID, mark the outside of the digital storage media as CBI, and identify electronically within the digital storage media the specific information that is claimed as CBI. In addition to one complete version of the comments that includes information claimed as CBI, you must submit a copy of the comments that does not contain the

information claimed as CBI directly to the public docket through the procedures outlined in instructions above. If you submit any digital storage media that does not contain CBI, mark the outside of the digital storage media clearly that it does not contain CBI and note the docket ID. Information not marked as CBI will be included in the public docket and the EPA's electronic public docket without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 Code of Federal Regulations (CFR) part 2.

Our preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol (FTP), or other online file sharing services (e.g., Dropbox, OneDrive, Google Drive). Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address [oaqpscbi@epa.gov](mailto:oaqpscbi@epa.gov), and as described above, should include clear CBI markings and note the docket ID. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email [oaqpscbi@epa.gov](mailto:oaqpscbi@epa.gov) to request a file transfer link. If sending CBI information through the postal service, please send it to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, Attention Docket ID No. EPA-HQ-OAR-2019-0178. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

**Penny Lassiter,**

*Director, Sector Policies and Programs Division.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Parts 19, 21, and 22

[Docket No. FWS-HQ-MB-2022-0023; FF09M30000-223-FXMB12320900000]

RIN 1018-BC76

#### Regulatory Authorizations for Migratory Bird and Eagle Possession by the General Public, Educators, and Government Agencies

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), propose to amend our regulations to revise current regulatory authorizations and add new regulatory authorizations for possession of migratory birds and eagles and other purposes. These proposed changes would more efficiently and appropriately authorize the general public, educators, and government agency employees to possess birds and eagles in certain specific situations while meeting our obligations under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. We also propose a change to the Airborne Hunting Act regulations to clarify what Federal authorizations may be used to comply with that statute.

**DATES:** This proposed rule is available for public comment through July 31, 2023.

**Information Collection Requirements:** If you wish to comment on the information collection requirements in this proposed rule, please note that the Office of Management and Budget (OMB) is required to make a decision concerning the collection of information contained in this proposed rule between 30 and 60 days after publication of this proposed rule in the **Federal Register**. Therefore, comments should be submitted to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service (see "Information Collection" section below under **ADDRESSES**) by July 31, 2023.

**ADDRESSES: Comment submission:** You may submit written comments on this proposed rule and draft environmental review by one of the following methods:

- *Electronically at the Federal eRulemaking Portal:* Go to <https://www.regulations.gov> and follow the instructions for submitting comments to Docket No. FWS-HQ-MB-2022-0023.
- *By hard copy via U.S. mail:* Public Comments Processing, Attn: FWS-HQ-MB-2022-0023; U.S. Fish and Wildlife Service; MS: PRB (JAO/3W); 5275 Leesburg Pike; Falls Church, VA 22041-3803.

We will post all comments on <https://www.regulations.gov>, including any personal information you provide. See *Public Availability of Comments* below.

**Information Collection Requirements:** Send your comments on the information collection request to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, by email to [Info\\_Coll@fws.gov](mailto:Info_Coll@fws.gov); or by mail to 5275 Leesburg Pike, MS: PRB (JAO/3W), Falls Church, VA 22041-3803. Please reference OMB Control

Number 1018-BC76 in the subject line of your comments.

**FOR FURTHER INFORMATION CONTACT:** Jerome Ford, Assistant Director—Migratory Birds Program, U.S. Fish and Wildlife Service, telephone: 703-358-2606, email: [MB\\_mail@fws.gov](mailto:MB_mail@fws.gov). Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

#### SUPPLEMENTARY INFORMATION:

##### Background

The U.S. Fish and Wildlife Service is the Federal agency delegated with the primary responsibility for managing migratory birds, including bald eagles and golden eagles. Our authority derives primarily from the Migratory Bird Treaty Act of 1918, as amended, 16 U.S.C. 703-12 (MBTA), which implements conventions with Great Britain (for Canada), Mexico, Japan, and the Russian Federation. The MBTA protects certain migratory birds from take, except as permitted under the MBTA. We implement the provisions of the MBTA through regulations in parts 10, 13, 20, 21, and 22 of title 50 of the Code of Federal Regulations (CFR). Regulations pertaining to migratory bird permits are set forth at 50 CFR part 21. In addition, the Bald and Golden Eagle Protection Act, 16 U.S.C. 668-668d (hereafter referred to as the Eagle Protection Act), prohibits take of bald eagles and golden eagles except pursuant to Federal regulations. The Eagle Protection Act authorizes the Secretary of the Interior to issue regulations to permit the "taking" of eagles for various purposes, including the protection of "other interests in any particular locality" (16 U.S.C. 668a), provided the taking is compatible with the preservation of eagles. Regulations pertaining to eagle permits are set forth at 50 CFR part 22.

The Service has long authorized activities under regulatory authorizations. The origins of the regulatory authorization "general exceptions to permit requirements" (50 CFR 21.12) can be traced back as far as 1944. This proposed rulemaking action would improve organization and transparency by redesignating the existing regulatory authorizations codified at 50 CFR 21.12(a)-(d) to their own sections. The Service also proposes new regulatory authorizations. Finally,