which no oral hearing is requested (on-brief appeals). Hearings in ex parte appeals accorded fast-track status under the pilot program will be conducted according to the ordinary PTAB hearing procedures. Appellants seeking an oral hearing should submit with the request for oral hearing any preferences as to the time, date, or location of the hearing. The PTAB will make its best efforts to schedule a hearing in accordance with such preferences, consistent with the goals of the pilot program. If the PTAB is unable to accommodate an appellant's preferences, the PTAB will schedule the hearing in an available hearing room at any office, including a regional office, and at a time and date best suited to meeting the goals of the pilot program. If no such hearing room is available, the PTAB will schedule a hearing to be conducted by videoconference or telephone.

Because an appellant seeks a faster decision and hearing room availability is limited, an appellant in an ex parte appeal accorded fast-track status may not seek to relocate (to a different office) the hearing after receiving a Notice of Hearing. An appellant who does not wish to attend the hearing at the designated location may, however, request to attend the hearing by videoconference or telephone, in accordance with current PTAB hearing procedures. An appellant may also waive the hearing and continue under the Fast-Track Pilot Program for Appeals Related to COVID–19 for consideration and decision on the briefs.

An appellant may not reschedule the date or time of a hearing and remain in the Fast-Track Pilot Program for Appeals Related to COVID–19. If an appellant in an ex parte appeal accorded fast-track status must reschedule the date or time of a hearing and is not willing to waive the oral hearing, then the appellant may opt out of the Fast-Track Pilot Program for Appeals Related to COVID–19, thereby regaining the ability to reschedule or relocate the hearing as per ordinary PTAB hearing procedures.

(4) Termination of Fast-Track Status Under the Fast-Track Pilot Program for Appeals Related to COVID–19

Fast-track status will be maintained in an ex parte appeal from the date at which the petition for inclusion in the Fast-Track Pilot Program for Appeals Related to COVID–19 is granted until the PTAB's jurisdiction ends under 37 CFR 41.35(b). Activities subsequent to an appellant's withdrawal from the pilot program or the PTAB's decision, including any reopened prosecution, will not be treated as subject to fast-track status, nor will filing a petition for inclusion in the Fast-Track Pilot Program for Appeals Related to COVID–19 cause an application to be accorded fast-track status outside the jurisdiction of the PTAB. Additionally, any request by an appellant that causes a delay in the conduct of the appeal, such as for an extension of time under 37 CFR 1.136(b), or for additional briefing, will be cause for the removal of fast-track status.

Status of the Pilot Program

The Fast-Track Pilot Program for Appeals Related to COVID–19 is being adopted on a temporary basis until 500 appeals have been accorded fast-track status under the program. The USPTO may extend the Fast-Track Pilot Program for Appeals Related to COVID–19 (with or without modification) or may discontinue the pilot program depending on the workload and resources needed to administer the program, feedback from the public, and the effectiveness of the program.

The USPTO will notify the public when the threshold of 500 granted petitions for the Fast-Track Pilot Program for Appeals Related to COVID–19 is about to be reached, and with any further relevant information, on the PTAB web page at *www.uspto.gov/PTABCOVIDFastTrack.*

Andrew Hirshfeld,

Commissioner for Patents, Performing the Functions and Duties of the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2021–07704 Filed 4–14–21; 8:45 am]

BILLING CODE 3510–16–P

CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2020–0027]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Warning Label Comprehension and Interpretation by Consumers for Children's Sleep Environments

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: As required under the Paperwork Reduction Act of 1995 (PRA), the Consumer Product Safety Commission (CPSC or Commission) announces that CPSC has submitted to the Office of Management and Budget (OMB) a new proposed collection of information for a survey that will evaluate consumer awareness of infant sleep product warning labels. On December 21, 2020, the CPSC published a notice in the **Federal Register** announcing the agency's intent to seek approval of this collection of information. After reviewing and considering the comments, the Commission announces that it has submitted to the OMB a request for approval of this collection of information. A copy of the proposed survey, ''Revised Supporting Statement'' titled *Consumer Product Safety Commission: Warning Label Comprehension and Interpretation by Consumers for Children's Sleep Environments,* is available at: *www.regulations.gov* under Docket No. CPSC–2020–0027, Supporting and Related Material.

DATES: Submit written or electronic comments on the collection of information by May 17, 2021.

ADDRESSES: Send written comments and recommendations for the proposed information collection within 30 days of publication of this notice to: *www.reginfo.gov/public/do/PRAMain.*

Find this particular information collection by selecting, ''Currently under 30-day Review—Open for Public Comments,'' or by using the search function. In addition, written comments that are sent to OMB also should be submitted electronically at: *http://www.regulations.gov,* under Docket No. CPSC–2020–0027.

FOR FURTHER INFORMATION CONTACT: Cynthia Gillham, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; (301) 504–7991, or by email to: *cgillham@cpsc.gov.*

SUPPLEMENTARY INFORMATION:

A. Background

Under the Paperwork Reduction Act of 1995 (PRA; 44 U.S.C. 3501–3520), federal agencies must obtain approval from OMB for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency data-collection studies. The PRA establishes procedures agencies must follow to obtain OMB approval of a collection of information, including notice and a review of comments, among other procedures. Agencies must provide notice of the proposed collection of information in the **Federal Register**, and provide a 60-day comment period, before submitting the collection to OMB for approval. 44 U.S.C. 3506(c)(2)(A). Agencies then must evaluate any public

comments and publish another notice in the **Federal Register**. *Id.* 3507(a)(1).

In accordance with these procedures, on December 21, 2020, CPSC published a notice in the **Federal Register** announcing the agency's intent to seek approval of a new collection of information on a survey on Warning Label Comprehension and Interpretation by Consumers for Children's Sleep Environments. 85 FR 83066. Section D. Comments, below, summarizes and addresses the comments CPSC received.

B. Warning Label Comprehension Survey

CPSC is authorized under section 5(a) of the Consumer Product Safety Act (CPSA), 15 U.S.C. 2054(a), to conduct studies and investigations relating to the causes and prevention of deaths, accidents, injuries, illnesses, other health impairments, and economic losses associated with consumer products. Section 5(b) of the CPSA, 15 U.S.C. 2054(b), further provides that CPSC may conduct research, studies, and investigations on the safety of consumer products, or test consumer products and develop product safety test methods and testing devices.

In 2019, the CPSC published the 2019 Nursery Product Annual Report, which reported injuries and deaths associated with nursery products among children younger than age 5.[1] That report identified 320 deaths related to nursery products from 2014 through 2016. Infant sleep products were associated with the most deaths: Cribs/mattresses (33%), cradles/bassinets (18%), and playpens/play yards (20%). Also, in 2019, CPSC conducted a focus group of 48 participants to gather feedback from parents and grandparents (caregivers) on their beliefs, experience, and perceptions about infant sleeping practices and caregivers' compliance with safety messaging on nursery products. Caregiver responses in the focus group study indicated limited adherence to infant sleep safety warning messaging.[2] Some of the reasons for lack of adherence to safety warnings include caregiver perceptions that warning labels contain repetitive, non-specific information that fails to target the safety hazard. Additionally, caregivers are inundated with safety messaging that changes constantly, resulting in ambiguity about what messages are most relevant and current. Product marketing and the proliferation of new products may confuse caregivers as well. Caregivers often end up listening to friends and family, or relying on past experience, to decide what behaviors are safe for their child, rather than follow the current guidelines recommended by experts. If caregivers are not attuned to the safety messaging on new products, they are more likely to use the products incorrectly.

Accordingly, CPSC seeks to learn more about consumers' understanding of specific warning labels related to products that may be used as a sleeping environment for infants and how those labels influence caregivers' behavior. In the proposed information collection, CPSC seeks to survey 650 caregivers to obtain information regarding the gap in consumer knowledge about product warning labels and consumer adherence to, and behaviors associated with, warning labels. The online survey will be conducted with caregivers age 18 and above, who are a parent or a grandparent with a child/grandchild from 2 months to 11 months old.

CPSC has contracted with Fors Marsh Group, LLC, to develop and execute this project for CPSC. If CPSC can obtain information through the survey about caregiver perceptions and comprehension of warning label language, CPSC will be able to identify better the types of safety warning labels and safety messaging that are unclear to the target audience, and that potentially serve as a barrier to safe sleep. Information obtained through this survey is not intended to be nationally representative. CPSC intends to use findings from this survey, in conjunction with findings from other research and activities, to assist with providing recommendations for refining and enhancing warning labels in the future.

C. Burden Hours

We estimate the number of respondents to the survey to be 650. The online survey for the proposed study will take approximately 15 minutes (0.25 hours) to complete. We estimate the total annual burden hours for respondents to be 162.50 hours. The monetized hourly cost is $36.22, as defined by total compensation for all civilian workers, U.S. Bureau of Labor Statistics, Employer Costs for Employee Compensation, as of March 2020. Accordingly, we estimate the total cost burden to be $5,885.75 (162.50 hours × $36.22). The total cost to the federal government for the contract to design and conduct the proposed survey is $150,987.

D. Comments

CPSC received three comments in response to the notice of December 21, 2020. All three commenters supported the information collection and made additional suggestions regarding the survey.

One commenter recommended ensuring that ''at-risk populations'' will be included in the survey. This commenter also recommended that the pool of eligible responders be broadened to include other family members and childcare providers. The survey currently is designed to obtain a mix demographics of responders, including members of at-risk populations, but it does not have specific percentages of groups allocated. Since the information obtained through this project is not intended to be nationally representative, but rather, designed generally to inform CPSC about caregiver perceptions and comprehension of warning label language, CPSC believes the current design of mixed demographics is sufficient.

The same commenter also recommended that the survey be conducted in multiple languages, use easy-to-understand language, and use pictures. The survey is already designed using clear, easy-to-understand language; however, pictograms are not used or contemplated in this survey. The use of pictograms would require a different type of survey, due to the need to test and verify the pictograms for understandability, and that is outside the scope of this survey. However, the CPSC may consider future surveys, with targeted audiences of interest, to obtain information that will help CPSC refine and optimize labels.

Another commenter recommended that the messaging in the warnings should align with the American Academy of Pediatrics' (AAP) evidence-based safe sleep recommendations that babies should be placed alone to sleep in a crib, bassinet, or play yard that meets current federal standards; on a firm, flat surface in their own space; and with no restraints or extra bedding. CPSC staff seeks to identify ways to increase caregiver understanding and adherence to infant product warning labels, which, in turn, may potentially reduce the incidence of infant sleep-related deaths in the future. Therefore, the warning messages on the example labels do not contradict AAP infant safe sleep recommendations. This commenter also stated that warning labels should not be used as substitutes for safe product design. CPSC staff agrees that in the hierarchy of safety, warnings are not a substitute for safe

[1] *https://www.cpsc.gov/s3fs-public/Nursery%20Products%20Annual%20Report%20Dec2019_2.pdf*? TkU_cVyVv69sq6Lpx0aSRjoLomqXWxRq.

[2] *https://www.reginfo.gov/public/do/PRAViewIC?ref_nbr=201909-3041-002&icID=234760.*

product design, but when attached to infant products, warnings are useful, because they can serve to remind caregivers of the safety warnings while caregivers are using the products.

A third commenter requested that the information provided in the survey clearly distinguish between products intended for overnight and unattended sleep, and those designed for other activities, including napping. CPSC agrees this distinction will help clarify the question for caregivers. Accordingly, CPSC has revised the following question in the survey: ''Which of the following product(s) do you use to put your infant to sleep'' into two separate questions: (1) Which of the following products do you use to put your infant to sleep overnight?; and (2) Which of the following products do you use to put your infant in for supervised use, including napping? In addition, CPSC has changed the references throughout the survey from: ''Warnings on Infant Sleep Products,'' to: ''Warnings on Infant Products,'' to cover warning labels that might be intended for overnight and unattended sleep, as well as infant products designed for other activities.

This commenter also stated that asking responders a question about whether they ''like'' or ''dislike'' a warning label is inappropriate, and they suggested that it is more appropriate to ask about effectiveness of warning labels. CPSC agrees that seeking a response on the ''likeability'' of the warning label may not elicit a meaningful response. Accordingly, this question has been deleted from the survey. A copy of the proposed survey, ''Revised Supporting Statement'' titled *Consumer Product Safety Commission: Warning Label Comprehension and Interpretation by Consumers for Children's Sleep Environments,* is available at: *www.regulations.gov* under Docket No. CPSC–2020–0027, Supporting and Related Material.

Alberta E. Mills,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2021–07707 Filed 4–14–21; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 3273–024]

Chittenden Falls Hydropower, Inc.; Notice of Waiver Period for Water Quality Certification Application

On March 24, 2021, Chittenden Falls Hydropower, Inc. notified the Federal Energy Regulatory Commission that on March 8, 2021, it submitted a pre-filing meeting request, pursuant to 40 CFR 121.4, together with an application for a Clean Water Act section 401(a)(1) water quality certification to the New York State Department of Environmental Conservation (New York DEC), in conjunction with the above captioned project. Pursuant to 40 CFR 121.6, we hereby notify New York DEC of the following:

Date of Receipt of the Certification Request: April 7, 2021.[1]

Reasonable Period of Time to Act on the Certification Request: One year.

Date Waiver Occurs for Failure to Act: April 7, 2022.

If New York DEC fails or refuses to act on the water quality certification request by the above waiver date, then the agency certifying authority is deemed waived pursuant to section 401(a)(1) of the Clean Water Act, 33 U.S.C. 1341(a)(1).

Dated: April 8, 2021.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2021–07684 Filed 4–14–21; 8:45 am]

BILLING CODE 6717–01–P

[1] 40 CFR 121.4(a) requires that a project proponent request a meeting with the state certifying authority to discuss the project at least 30 days prior to submitting a certification request. Here, Chittenden Falls Hydropower, Inc. submitted its request for a pre-filing meeting on March 8, 2021, which was the same date it submitted its section 401 application to New York DEC. To account for the 30-day period associated with the pre-filing meeting request and to render the certification request compliant with 40 CFR 121.5(b), the date of receipt of the certification request is 30 days after the pre-filing meeting was requested, *i.e.,* April 7, 2021.

DEPARTMENT OF ENERGY

Western Area Power Administration

Boulder Canyon Project

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of proposed fiscal year 2022 Boulder Canyon Project base charge and rates for electric service.

SUMMARY: The Desert Southwest Region (DSW) of the Western Area Power Administration (WAPA) is proposing an adjustment to the base charge and rates for fiscal year (FY) 2022 Boulder Canyon Project (BCP) electric service under Rate Schedule BCP–F10. The proposal would increase the base charge 9 percent from $65.4 million in FY 2021 to $71.3 million in FY 2022. The change is primarily the result of an increase in Bureau of Reclamation's (Reclamation) replacement costs, an increase in WAPA's operations and maintenance expenses and replacement costs, and a decrease in prior year carryover funds from FY 2021. The proposed base charge and rates would go into effect on October 1, 2021 and remain in effect through September 30, 2022. Publication of this **Federal Register** notice will initiate the public process.

DATES: The consultation and comment period begins today and will end July 14, 2021. DSW will present a detailed explanation of the proposed FY 2022 base charge and rates at a public information forum that will be held on May 17, 2021, from 10 a.m. to 12 p.m. Mountain Standard Time. DSW will also host a public comment forum that will be held on June 14, 2021, from 10 a.m. to 12 p.m. Mountain Standard Time. DSW will conduct both the public information forum and the public comment forum via Webex. Instructions for participating in the forums will be posted on DSW's website at least 14 days prior to the public information and comment forums at *https://www.wapa.gov/regions/DSW/Rates/Pages/boulder-canyon-rates.aspx*. DSW will accept written comments any time during the consultation and comment period.

ADDRESSES: Send written comments to Mr. Jack D. Murray, Acting Regional Manager, Desert Southwest Region, Western Area Power Administration, P.O. Box 6457, Phoenix, Arizona 85005–6457, or *dswpwrmrk@wapa.gov*. DSW will post information concerning the rate process and written comments received on its website at *https://www.wapa.gov/regions/DSW/Rates/Pages/boulder-canyon-rates.aspx*.

FOR FURTHER INFORMATION CONTACT: Ms. Tina Ramsey, Rates Manager, Desert Southwest Region, Western Area Power Administration, P.O. Box 6457, Phoenix, Arizona 85005–6457, (602) 605–2565, or *dswpwrmrk@wapa.gov*.

SUPPLEMENTARY INFORMATION: Hoover Dam,[1] authorized by the Boulder

[1] Hoover Dam was known as Boulder Dam from 1933 to 1947, but was renamed Hoover Dam by an

Continued