

dated June 27, 2024, requesting that the EPA object to the issuance of operating permit number V20690.R02, issued by PCAQCD to APS Sundance in Casa Grande, Arizona. On November 6, 2024, the EPA Administrator issued an order denying the petition. The Order explains the basis for the EPA's decision.

Sections 307(b) and 505(b)(2) of the CAA provide that a petitioner may request judicial review of those portions of an order that deny issues in a petition. Any petition for review shall be filed in the United States Court of Appeals for the appropriate circuit no later than February 4, 2025.

Dated: November 26, 2024.

Martha Guzman Aceves

Regional Administrator, Region IX.

[FR Doc. 2024-28530 Filed 12-5-24; 8:45 am]

BILLING CODE 6560-50-P

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Agency Information Collection Activities: Existing Collection

AGENCY: Equal Employment Opportunity Commission.

ACTION: Notice of information collection—proposed revision of State and Local Government Information Report (EEO-4).

SUMMARY: In accordance with the Paperwork Reduction Act (PRA), the Equal Employment Opportunity Commission (EEOC or Commission) announces that it has submitted to the Office of Management and Budget (OMB) a request for a three-year PRA approval of revisions to the currently approved State and Local Government Information Report (EEO-4).

DATES: Written comments on this notice must be submitted on or before January 6, 2025.

ADDRESSES: Written comments should be sent within 30 days of publication of this final notice to www.reginfo.gov/public/do/PRAMain. Find this information collection by selecting “Currently under Review—Open for Public Comments” or by using the search function.

FOR FURTHER INFORMATION CONTACT: Paul Guerino, Director, Data Development and Information Products Division, Office of Enterprise Data and Analytics (OEDA), Equal Employment Opportunity Commission, 131 M Street NE, Washington, DC 20507; (202) 921-2928 (voice), (800) 669-6820 (TTY) or email at OEDA@eoc.gov. Requests for this notice in an alternative format

should be made to the EEOC's Office of Communications and Legislative Affairs at (202) 921-3191 (voice), (800) 669-6820 (TTY), or (844) 234-5122 (ASL Video Phone).

SUPPLEMENTARY INFORMATION: A notice that the EEOC would be submitting this request was published in the **Federal Register** on September 4, 2024, allowing for a 60-day public comment period which ended on November 4, 2024.¹ The EEOC received no comments during the public comment period.²

I. Background

A. The EEO-4 Report

Since 1973, the EEOC has required EEO-4 filers to submit workforce demographic data. All State and local governments that are covered by title VII of the Civil Rights Act of 1964, as amended (title VII)³ and that have 100 or more employees are required to file the workforce demographic data.

B. The 60-Day Notice: Request for Three-Year PRA Approval of Revisions to the EEO-4

Pursuant to the PRA and OMB regulations found at 5 CFR 1320.8(d)(1), the Commission published a Notice in the **Federal Register** on September 4, 2024, soliciting public comments during a 60-day period (“60-day Notice”) on the Commission's intent to seek a three-year OMB approval of revisions to the currently approved EEO-4. In particular, in its 60-day Notice, the EEOC sought comments to: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the Commission's functions, including whether the information will have practical utility; (2) Evaluate the accuracy of the Commission's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize 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. The 60-day Notice comment period ended on November 4, 2024.

¹ See Notice of Information Collection 89 FR 71901 (Sept. 4, 2024) at <https://www.federalregister.gov/documents/2024/09/04/2024-19743/agency-information-collection-activities-existing-collection>.

² Available at <https://www.regulations.gov/docket/EEOC-2024-0008>.

³ 42 U.S.C. 2000e, et seq.

Based on data from the most recent EEO-4 data collection reporting year (i.e., 2023), as well as ongoing updates by the EEOC to the EEO-4 frame (i.e., filer roster or master list), the EEOC anticipates the total number of filers submitting an EEO-4 report may increase to 6,607 per biennial collection. Accordingly, the burden estimates in this Notice are based on this revised estimate of the number of filers.

II. The Public Comments on the 60-Day Notice

The 60-day Notice was published in the **Federal Register** on September 4, 2024.⁴ The EEOC received no comments during the public comment period.⁵

III. Commission Decisions and Final EEOC Proposals to OMB

The EEOC Will Seek Three-Year Approval of Revisions to the Currently Approved EEO-4 State and Local Government Information Report

The Commission has decided it will seek a three-year approval by OMB of revisions to the EEO-4 State and Local Government Information Report as described in this Notice.

IV. Formal Paperwork Reduction Act Statement

A. Overview of Information Collection

Collection Title: State and Local Government Information Report (EEO-4).

OMB Number: 3046-0008.

Frequency of Report: Biennial.

Type of Respondent: State and local governments that have 100 or more employees and meet certain criteria.

Description of Affected Public: State and local governments that have 100 or more employees and meet certain criteria.

Reporting Hours: 18,094 hours per biennial collection.

Respondent Burden Hour Cost: \$563,868.27 per biennial collection.

Federal Cost: \$327,440.12 per biennial collection.

Number of Filers: 6,607 per biennial collection.⁶

Number of Responses: 6,607 per biennial collection.

Number of Forms: 1.

Form Number: EEOC Form 164.

Abstract: Section 709(c) of title VII requires employers to make and keep

⁴ Available at <https://www.federalregister.gov/documents/2024/09/04/2024-19743/agency-information-collection-activities-existing-collection>.

⁵ Available at <https://www.regulations.gov/docket/EEOC-2024-0008>.

⁶ This figure is based on the expanded frame of potentially eligible respondents and the response rate for the most recently completed EEO-4 data collection (the 2023 EEO-4 data collection).

records relevant to the determination of whether unlawful employment practices have been or are being committed, to preserve such records, and to produce reports as the Commission prescribes by regulation or order.⁷ Pursuant to this statutory authority, the EEOC issued regulations prescribing the reporting and related record retention requirements for State and local governments.⁸ The regulations require State and local governments to make or keep all records necessary for completion of an EEO-4 submission and retain those records for three years, and also require EEO-4 filers to retain a copy of each filed EEO-4 report for three years. These recordkeeping requirements are part of standard administrative practices, and as a result, the EEOC believes that any impact on burden would be negligible and nearly impossible to quantify. Additionally, the regulations require State and local governments to file executed copies of the EEO-4 in conformity with the directions set forth in the form and accompanying instructions. Under this authority, State and local governments with 100 or more employees are required to report biennially⁹ the number of individuals they employ by job category and by sex, salary band, and race or ethnicity.

Please note that on March 28, 2024, OMB published revisions, the first since 1997, to its *Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity*. See <https://spd15revision.gov/>. The revisions include, for example, using a single combined race and ethnicity question and adding Middle Eastern or North African (MENA) as a new minimum reporting category. Federal agencies, including the EEOC, are required to bring their data collections into compliance with these standards by March 28, 2029. Because the EEOC's current EEO-4 PRA clearance expires January 31, 2025, the agency is not proposing updates to its collection of race and ethnicity data under this Notice in order to provide filers with sufficient notice of the revised standards

and to give the EEOC sufficient time to implement the revisions across its EEO collections.

The EEOC currently collects EEO-4 data electronically through a web-based data collection application (*i.e.*, portal) referred to as the *EEO-4 Online Filing System (OFS)*.¹⁰ Filers must submit their data electronically to the web-based portal by either manual entry or by uploading a data file. The individual EEO-4 reports are confidential.¹¹ The EEOC uses EEO-4 data to investigate charges of employment discrimination against State and local governments and to publish periodic reports on workforce demographics.¹²

B. Burden Statement

The EEOC's Office of Enterprise Data and Analytics (OEDA) administers the agency's data collections, including the EEO-4. Since OEDA's creation in 2018, the EEOC has undertaken several efforts to modernize the agency's data collections and improve the quality of

¹⁰ EEO-4 filers may access the OFS through the EEOC's dedicated EEO-4 website at www.eeocdata.org/eo4.

¹¹ All reports and any information from individual reports are subject to the confidentiality provisions of section 709(e) of title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e-8(e), as amended (title VII), and may not be made public by the EEOC prior to the institution of any proceeding under title VII involving the EEO-4 data. Any EEOC employee who violates this prohibition may be found guilty of a criminal misdemeanor and could be fined or imprisoned. The confidentiality requirements allow the EEOC to publish only aggregated data, and only in a manner that does not identify any particular filer or reveal any individual employee's personal information. With respect to other Federal agencies with a legitimate law enforcement purpose, the EEOC gives access to information collected under title VII only if the agencies agree in writing to comply with the confidentiality provisions of title VII. In addition, section 709(d) of title VII (42 U.S.C. 2000e-8(d)) provides that the EEOC shall furnish upon request and without cost to State or local civil rights agencies information about employers in their jurisdiction on the condition that they not make it public prior to starting a proceeding under State or local law involving such information. The EEOC shares EEO-4 data with Fair Employment Practices Agencies (FEPAs) pursuant to Worksharing Agreements that impose obligations on the contracted FEPA with respect to confidentiality, privacy, and data security. On a case-by-case basis, the EEOC may share EEO-4 data with a FEPA that does not have a Worksharing Agreement, but only if that FEPA agrees to comply with confidentiality, privacy, and data security obligations similar to those imposed on FEPAs with Worksharing Agreements.

¹² Any reports the EEOC publishes based on EEO-4 data include only aggregated data that protect the confidentiality of each employer's information, as well as the privacy of each employee's personal information.

data collected. OEDA has also streamlined functions, such as providing additional self-service options, resource materials, and an online support message center.

As part of these ongoing modernization efforts, OEDA has undertaken measures to enhance the agency's existing EEO-4 data frame of potentially eligible filers and make the EEO-4 filing process more user-friendly and less burdensome. By comparing the EEOC's 2023 EEO-4 frame to the U.S. Census Bureau's Census of Governments,¹³ OEDA identified approximately 1,220 additional State and local governments that may be eligible to file during the next biennial data collection. With the addition of these filers to the EEO-4 frame and considering response rates during the 2023 EEO-4 data collection, OEDA now estimates 6,607 potential respondents to the agency's next EEO-4 data collection.¹⁴

Additionally, the EEOC proposes to update the salary bands in the next biennial EEO-4 data collection to keep pace with inflation and account for an increasing portion of employees falling into the highest salary bands. The EEOC reviewed several other Federal data collections of salaries and wages and determined that the Bureau of Labor Statistics' Occupational Employment and Wage Statistics (OEWS)¹⁵ program most closely aligns with the EEO-4. Therefore, the EEOC proposes adopting the OEWS salary bands and will periodically update them as appropriate. The EEOC recognizes there may be a one-time increase in burden as filers need to update their systems to produce reports in the new categories, but this increase is expected to be negligible. The proposed pay bands for the next biennial EEO-4 data collection are listed in the table below.

¹³ The Census of Governments is a three-phased program that collects State and local government data every five years in years ending in "2" and "7." See <https://www.census.gov/newsroom/press-releases/2023/census-of-governments.html>.

¹⁴ This estimate covers State and local governments with 100 or more employees within the 50 United States and the District of Columbia. Please note that 6,607 respondents may ultimately turn out to be an overestimate. Following the initial enhancement of the EEO-4 frame, collection data may yield an unknown number of ineligible filers.

¹⁵ The Occupational Employment and Wage Statistics (OEWS) program produces employment and wage estimates annually for approximately 830 occupations. See <https://www.bls.gov/oes/>.

⁷ 42 U.S.C. 2000e-8(c).

⁸ The regulatory sections covered by this notice are 29 CFR 1602.30 and 1602.32 through 1602.37. The EEOC is responsible for obtaining OMB's PRA approval for the EEO-4 report.

⁹ Beginning in 1993, the EEO-4 report has been collected biennially in odd-numbered years. Prior to 1993, the EEO-4 report was collected annually.

TABLE 1—UPDATED SALARY BANDS FOR EEO–4

Interval	Wages	
	Annual	Hourly
Range A	Under \$19,240	Under \$9.25.
Range B	19,240 to 24,959	9.25 to 11.99.
Range C	24,960 to 32,239	12.00 to 15.49.
Range D	32,240 to 41,079	15.50 to 19.74.
Range E	41,080 to 53,039	19.75 to 25.49.
Range F	53,040 to 68,119	25.50 to 32.74.
Range G	68,120 to 87,359	32.75 to 41.99.
Range H	87,360 to 112,319	42.00 to 53.99.
Range I	112,320 to 144,559	54.00 to 69.49.
Range J	144,560 to 186,159	69.50 to 89.49.
Range K	186,160 to 239,199	89.50 to 114.99.
Range L	239,200 and over	115.00 and over.

The EEOC has also updated its methodology for calculating the biennial burden of the EEO–4 to better reflect the types of personnel responsible for preparing and filing these reports on behalf of their employers. Based upon job titles provided during the 2023 EEO–4 data collection by individuals completing the report within the *EEO–4 OFS*, the EEOC has identified six specific job categories which account for the largest amount of time spent

biennially on EEO–4 reporting. These job categories include: (1) Human Resource Specialists; (2) Executive-Level Staff; (3) Secretaries and Administrative Assistants; (4) Bookkeeping, Accounting, and Auditing Clerks; (5) Administrative Services and Facilities Managers; and (6) Database Administrators and Architects.¹⁶

Additionally, the *EEO–4 OFS* captures detailed information on when each filer starts and certifies its report. The EEOC

used this information from the most recent EEO–4 data collection to calculate more precise burden hour estimates.¹⁷ In Table 2 below, the estimated average hour burden per report is 2.7 hours. The total estimated biennial respondent burden for all filers is 18,094 hours. The estimated average burden hour cost per report is \$85.34, and the estimated total burden hour cost for all filers per biennial collection is \$563,868.27.

TABLE 2—PROJECTED BURDEN FOR EACH EEO–4 BIENNIAL REPORTING YEAR
[N=6,607]

Staff job category	Percent in job category	Median hourly wage rate	Hours per filer	Total burden hours	Cost per filer	Total burden hour cost
Human Resource Specialists	68.0	\$30.88	2.8	12,575	\$86.46	\$388,309.82
Executive-Level Staff	4.1	48.12	2.6	710	125.11	34,155.58
Secretaries and Administrative Assistants	8.1	21.19	2.4	1,289	50.86	827,309.67
Bookkeeping, Accounting, and Auditing Clerks	8.8	22.05	2.5	1,450	55.13	31,972.50
Administrative Services and Facilities Managers	4.5	48.98	3.4	1,003	166.53	49,126.94
Database Administrators and Architects	0.1	53.91	0.5	3	26.96	134.78
Other ^a	6.3	30.86	2.5	1,065	77.14	32,858.98
Average .....	.....	.....	2.7	.....	85.34	.....
Total ^b	100.0	.....	.....	18,094	.....	563,868.27

^a The average hourly wage rate for the “Other” category was derived by taking the weighted mean average of the hourly wage rates of the six BLS job categories listed in the above table.

^b These estimates are based upon filers’ use of the *EEO–4 OFS* to submit reports electronically because paper submissions are no longer accepted. Electronic filing remains the most efficient, accurate, and secure means of reporting for respondents required to submit the EEO–4 report.

Dated: December 2, 2024.
For the Commission.

Charlotte A. Burrows,
Chair.

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BILLING CODE 6570–01–P

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Agency Information Collection Activities: Existing Collection

AGENCY: Equal Employment Opportunity Commission.

ACTION: Notice of information collection—proposed revision of Elementary-Secondary Staff Information Report (EEO–5).

SUMMARY: In accordance with the Paperwork Reduction Act (PRA), the Equal Employment Opportunity

¹⁶ Hourly wage rates for these six job categories were obtained from the U.S. Department of Labor’s Bureau of Labor Statistics (BLS) Occupational Outlook Handbook. See <https://www.bls.gov/ooh/>. Please note that the actual job titles reported during

the 2023 EEO–4 data collection were collapsed into these six BLS occupational categories.

¹⁷ The time estimates are based on the average time elapsed among filers who completed their report during the same calendar day within the

EEO–4 OFS. This methodology was chosen because a single-session submission would also approximate the completion time over several, multi-day sessions.