

Government Agency Plan nor any other action is required under UMRA of 1995.

Congressional Review Act

The Office of Information and Regulatory Affairs has determined that this rule is not a major rule as defined by the Congressional Review Act (CRA), 5 U.S.C. 804. However, pursuant to the CRA, DEA is submitting a copy of this rule to both Houses of Congress and to the Comptroller General.

Determination To Make Rule Effective Immediately

The Administrative Procedure Act (APA) generally requires that rules enacted in accordance with the procedures of 5 U.S.C. 553 to be effective not less than 30 days after publication of the proposed rule. 5 U.S.C. 553(d). However, the APA provides three exceptions for when an agency may make a rule effective sooner than 30 days after publication,

including if the agency finds for good cause why the rule should be effective sooner and publishes those reasons with the rule. 5 U.S.C. 553(d)(3).

DEA finds that there is good cause for this scheduling action to be immediately effective upon publication because a delay in the effective date is unnecessary and contrary to the public interest. First, it is unnecessary because MDMA-4en-PINACA is currently listed in schedule I of the CSA under 21 U.S.C. 811(h).¹⁷ Second, as discussed in the temporary scheduling order and NPRM, MDMA-4en-PINACA poses imminent hazard to public safety. Therefore, DEA believes it is unnecessary and contrary to the public interest to delay the effectiveness of this final rule by 30 days.¹⁸

List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, Drug traffic control,

Reporting and recordkeeping requirements.

For the reasons set out above, DEA amends 21 CFR part 1308 as follows:

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

■ 1. The authority citation for part 1308 continues to read as follows:

Authority: 21 U.S.C. 811, 812, 871(b), 956(b), unless otherwise noted.

■ 2. In § 1308.11:

■ a. Add paragraph (d)(110); and

■ b. Remove and reserve paragraph (h)(62).

The addition reads as follows:

§ 1308.11 Schedule I.

* * * * *
(d) * * *

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(110) methyl 3,3-dimethyl-2-(1-(pent-4-en-1-yl)-1 <i>H</i> -indazole-3-carboxamido)butanoate (other name: MDMA-4en-PINACA)							7090
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Signing Authority

This document of the Drug Enforcement Administration was signed on April 20, 2026, by Assistant Administrator Cheri Oz. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,
Federal Register Liaison Officer, Drug Enforcement Administration.
[FR Doc. 2026-08104 Filed 4-23-26; 8:45 am]
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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1952

Puerto Rico State Plan; Operational Status Agreement; Change in Level of Federal Enforcement: Private Sector Employment on Federal Properties and Marine Construction Conducted by Private Sector Employees

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notification of revisions to the Puerto Rico State Plan's Operational Status Agreement (OSA) and change in level of federal enforcement.

SUMMARY: This document announces a new OSA between the Occupational Safety and Health Administration (OSHA) and the Puerto Rico State Plan, which specifies the areas of State Plan responsibility and delineates continuing federal responsibilities. This document further gives notice of OSHA's approval of a change to the Puerto Rico State Plan

reinstating federal OSHA enforcement authority over private-sector employment on federal properties and marine construction conducted by private sector employees.

DATES: Effective Date: April 24, 2026.

FOR FURTHER INFORMATION CONTACT:
For press inquiries: Francis Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor; telephone: (202) 693-1999; email: *meilinger.francis2@dol.gov*.

For general and technical information: Arlene Williams, Acting Director, OSHA Directorate of Cooperative and State Programs, U.S. Department of Labor; telephone: (202) 693-2200; email: *williams.arlene@dol.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

Section 18 of the Occupational Safety and Health Act of 1970 (the OSH Act), 29 U.S.C. 667, provides that States that wish to assume responsibility for developing and enforcing their own occupational safety and health standards may do so by submitting and

¹⁷ Schedules of Controlled Substances: Temporary Placement of MDMA-4en-PINACA, 4F-MDMB-BUTICA, ADB-4en-PINACA, CUMYL-PEGACLONE, 5F-EDMB-PICA, and MMB-FUBICA into Schedule I, 88 FR 86040 (Dec. 12, 2023); Schedules of Controlled Substances: Extension of Temporary Placement of MDMA-4en-PINACA in

Schedule I of the Controlled Substances Act, 90 FR 57356 (Dec. 11, 2025).

¹⁸ See, e.g., Schedules of Controlled Substances: Placement of beta-Hydroxythiofentanyl in Schedule I, 84 FR 20023, 20027 (May 8, 2019); Schedules of Controlled Substances: Placement of UR-144, XLR11, and AKB48 into Schedule I, 81 FR 29142,

29144 (May 11, 2016); accord Schedules of Controlled Substances: Placement of Seven Specific Fentanyl-Related Substances in Schedule I, 90 FR 44979 (Sept. 18, 2025); Schedules of Controlled Substances: Placement of Nine Specific Fentanyl-Related Substances in Schedule I, 88 FR 85104 (Dec. 7, 2023).

obtaining federal approval of a State Plan. State Plan approval occurs in stages that include initial approval under Section 18(c) of the Act and, ultimately, final approval under Section 18(e). In the interim, between initial approval and final approval, there is a period of concurrent federal/state jurisdiction within a state operating an approved plan.

Puerto Rico administers an OSHA-approved State Plan to develop and enforce occupational safety and health standards for public-sector and private-sector employers, pursuant to the provisions of Section 18 of the OSH Act. The Puerto Rico Occupational Safety and Health Administration (PR OSHA) was designated as the state agency responsible for administering the State Plan. PR OSHA is part of the Puerto Rico Department of Labor and Human Resources which is headed by Maria del Pilar Vélez Casanova. The Puerto Rico State Plan received initial federal OSHA approval as a developmental State Plan under Section 18(c) of the OSH Act on August 15, 1977 (42 FR 43628). Subsequently, on September 7, 1982, federal OSHA issued a Certification of Completion of Developmental Steps for the Puerto Rico State Plan (47 FR 39164).

Pursuant to Section 18(e) of the OSH Act, as implemented by 29 CFR 1954.3, OSHA and Puerto Rico entered into an initial OSA dated December 8, 1981 (47 FR 25323), whereby concurrent federal enforcement authority was suspended with regard to federal occupational safety and health standards in issues covered by the State Plan.

II. Notification of New Operational Status Agreement

On September 25, 2025, OSHA and the Puerto Rico Department of Labor and Human Resources signed a new OSA, replacing the previous one. The new OSA makes several changes to the respective coverage between federal OSHA and PR OSHA, as described below.

The revisions to the OSA were initially precipitated when, on April 4, 2025, Puerto Rico's Assistant Secretary of Labor, Nelvin Rodriguez-Sanchez, sent a letter to OSHA to state PR OSHA's belief that it lacks the occupational safety and health resources to provide coverage for private sector employees performing work in the following circumstances: on land, property, or space that the federal government owns or leases where federal employees are regularly present for the purpose of performing their official duties; at federal government-owned contractor-operated sites; on

federal property under construction; and marine construction performed by private sector employees. Under the existing OSA, federal OSHA only had coverage of enforcement related to contractors or sub-contractors on federal establishments when the State Plan could not obtain entry, and federal OSHA did not have coverage over marine construction conducted by private sector employers. In PR OSHA's letter, the State Plan requested a change in coverage and sought confirmation that federal OSHA will always provide coverage over private sector employees in both of these circumstances. After discussions between federal OSHA and the Puerto Rico State Plan on this issue, both agencies agreed that federal OSHA coverage of such private-sector employers on property owned or leased by the federal government in Puerto Rico and marine construction conducted by private sector employees was the best solution to ensure prompt and effective protection of these workers. Accordingly, notice is hereby given of this change in federal enforcement authority, and coverage is transferred from the Puerto Rico State Plan to federal OSHA. This change is memorialized in the 2025 OSA, which now states that federal OSHA has enforcement authority in these circumstances.

While reviewing the existing OSA in response to this coverage change request from the Puerto Rico State Plan, it was determined that several other revisions and clarifications to the OSA were also needed. First, it has long been the case that federal OSHA exercises enforcement authority over private sector employers within the secured borders of all U.S. military installations where access is controlled, and PR OSHA has enforcement authority over state and local government employers on such military installations. However, this division of coverage was not previously specified in the 1981 OSA. Accordingly, that provision was added to the 2025 OSA for thoroughness and clarity.

Second, the existing 1981 OSA did not have provisions reflecting coverage changes that occurred after it became effective, including that federal OSHA covers federal government employers, including the United States Postal Service (USPS), as well as contractors and contractor-operated facilities engaged in USPS mail operations, and that federal OSHA covers all working conditions of aircraft cabin crewmembers onboard aircraft in operation. Accordingly, provisions identifying both of those as subject to

federal OSHA coverage were also added to the 2025 OSA.

Third, the 1981 OSA contained several sections discussing aspects of the Puerto Rico State Plan un-related to the respective coverage between federal OSHA and PR OSHA, including, for example, OSHA's determination that the Puerto Rico State Plan had achieved operational status and various commitments that the State Plan made to continue as an operational State Plan moving forward. OSHA no longer includes this kind of information in more modern OSAs and instead focuses the content of the OSA on its stated purpose, *i.e.*, to set forth the scope of the exercise of federal authority by delineating areas of state versus federal responsibility. Accordingly, the 2025 OSA no longer contains sections discussing those aspects of the Puerto Rico State Plan that do not relate to the scope of federal coverage. However, the removal of those sections from the 2025 OSA does not change any of federal OSHA's determinations on the State Plan's operational status, nor the State Plan's ongoing obligations.

Fourth, the 1981 OSA had a provision noting that federal OSHA would retain coverage over any open cases remaining from federal inspections conducted prior to the "operational status" of the Puerto Rico State Plan. Because PR OSHA has now been operational for over forty years, there are no longer any open federal cases falling within this provision, therefore it was determined this provision was no longer necessary and it has been deleted from the 2025 OSA.

Fifth, the 1981 OSA had a provision noting that federal OSHA could exercise its authority to enforce new standards until such time as the State Plan adopted a comparable standard and a provision noting that Federal OSHA could exercise its authority to enforce new standards that are particularly unique or complex. As is common in more modern OSAs, these specific provisions have been removed and replaced with a more general provision noting that federal OSHA can inspect and take appropriate enforcement action in extraordinary circumstances or when the State Plan is not able to fully or effectively exercise its enforcement authority, which could include both situations, among others.

Sixth, the 2025 OSA includes a new provision that notes that federal OSHA can exercise its authority to inspect and take appropriate enforcement action at an entire project or facility where federal and State Plan authorities both have enforcement authority in the interest of administrative practicability.

The provision states that federal enforcement may be exercised immediately upon agreement between federal OSHA and the State Plan. This provision was not included in the 1981 OSA but is a standard provision federal OSHA has found helpful with experience over the past several decades to include in more modern OSAs. Accordingly, it has been added to the 2025 OSA.

Finally, the 1981 OSA contained a provision noting that OSHA would publish a notice in the **Federal Register** to describe instances of resumed federal enforcement authority. This provision has been removed from the 2025 OSA, as it is redundant of existing notice obligations OSHA has codified in State Plan-related regulations. Accordingly, it is no longer necessary to include this provision in the OSA.

Effective immediately, federal OSHA and PR OSHA will exercise their respective enforcement authorities according to the terms of the 2025 OSA between them. As detailed in the 2025 OSA, federal enforcement responsibility under the OSH Act will continue to be exercised with regard to: federal government employers, including the United States Postal Service (USPS), as well as contractors and contractor-operated facilities engaged in USPS mail operations; private sector employers within the secured borders of all United States military installations where access is controlled; all working conditions of aircraft cabin crewmembers onboard aircraft in operation; private sector employers performing work on federal government owned or leased property where federal employees are regularly present, at federal government-owned contractor-operated sites, and construction on federal property; marine construction conducted by private employers; all maritime employment, including shipyard employment, marine terminals, and longshoring; situations where PR OSHA is refused entry and is unable to obtain a warrant or enforce the right of entry; and situations where PR OSHA is temporarily unable to exercise its enforcement authority fully or effectively. Federal responsibility will also continue to be exercised with regard to investigation and inspection for the purpose of carrying out the monitoring obligations under Section 18(f) of the OSH Act, 29 U.S.C. 667(f), as implemented by 29 CFR part 1954, and the enforcement of complaints filed with federal OSHA under the OSH Act's whistleblower provision, Section 11(c), 29 U.S.C. 660(c). The exceptions to the Puerto Rico State Plan's occupational safety and health coverage are listed on

OSHA's website at <https://www.osha.gov/stateplans/pr>.

III. Authority and Signature

David Keeling, Assistant Secretary for the Occupational Safety and Health Administration, U.S. Department of Labor, authorized the preparation of this notice. OSHA is issuing this notice under the authority specified by Section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667), Secretary of Labor's Order No. 07-2025 (90 FR 27878), and 29 CFR parts 1902 and 1953.

Signed in Washington, DC, on April 16, 2026.

David Keeling,

Assistant Secretary for the Occupational Safety and Health Administration (OSHA).

[FR Doc. 2026-08108 Filed 4-23-26; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

49 CFR Part 190

[Docket No. PHMSA-2026-1539; Amdt. No. 190-27]

RIN 2137-AG43

Pipeline Safety: Electronic Submission of Requests for Written Interpretations and Special Permits

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: This final rule makes certain editorial corrections and non-substantive changes to 49 CFR part 190 to facilitate the electronic submission of requests for written interpretations and special permits.

DATES: This rule is effective August 3, 2026.

FOR FURTHER INFORMATION CONTACT:

Angela Hill, Transportation Specialist, 1200 New Jersey Avenue SE, Washington, DC 20590, 202-680-2034, angela.hill@dot.gov.

SUPPLEMENTARY INFORMATION: In this final rule, PHMSA is making certain editorial corrections and non-substantive changes to the procedural requirements in 49 CFR part 190 to facilitate the electronic submission of requests for written interpretations and special permits. Specifically, § 190.11(b) specifies the procedures for obtaining a written regulatory interpretation,

response to a question, or an opinion concerning pipeline safety. PHMSA is revising § 190.11(b) to include an email address as an additional option for submitting the requests to PHMSA. Currently, operators may submit a written regulatory interpretation request by mail to the Office of Pipeline Safety at 1200 New Jersey Avenue SE, Washington, DC 20590-0001.

Similarly, § 190.341(b) specifies the procedures for applying for a special permit. Applications for special permits must be submitted either by direct fax to PHMSA at (202) 366-4566 or by mail, including express mail or overnight courier, to the Associate Administrator for Pipeline Safety, PHMSA at 1200 New Jersey Avenue SE, East Building, Washington, DC 20590. PHMSA is revising § 190.341(b) to add the option for applicants to submit requests for special permits electronically.

Regulatory Analyses and Notices

A. Legal Authority

This final rule is published under the authority of the Secretary of Transportation set forth in the Federal Pipeline Safety Laws (49 U.S.C. 60101 *et seq.*) and delegated to the PHMSA Administrator pursuant to 49 CFR 1.97. PHMSA has good cause under 5 U.S.C. 553(b)(B) to issue this final rule without prior notice and comment. PHMSA finds that notice and comment is unnecessary as the change is a minor amendment and is inherently non-burdensome because PHMSA is simply revising the requirements in §§ 190.11(b) and 190.341(b) to include the option to submit certain requests to PHMSA electronically.

B. Executive Order 12866

E.O. 12866, *Regulatory Planning and Review*, as implemented by DOT Order 2100.6B ("Policies and Procedures for Rulemaking") and DOT Order 2100.7 ("Ensuring Reliance upon Sound Economic Analysis in Department of Transportation Policies, Programs, and Activities"), requires agencies to regulate in the "most cost-effective manner," to make a "reasoned determination that the benefits of the intended regulation justify its costs," and to develop regulations that "impose the least burden on society." In arriving at those conclusions, E.O. 12866 requires that agencies should consider "both quantifiable measures . . . and qualitative measures of costs and benefits that are difficult to quantify" and "maximize net benefits . . . unless a statute requires another regulatory approach." E.O. 12866 also requires that "agencies should assess all costs and