

are either difunctional or trifunctional (having 2 or 3 functional groups/molecule), have viscosities of 9 to 15 centipoise (cPs) at 25 degrees Celsius (if difunctional) or 44 to 110 cPs at 25 degrees Celsius (if trifunctional), have (meth)acrylate equivalent weights (molecular weight per number of functional groups) between 99 and 158 and molecular weights between 226 and 472 grams per mol.

The acrylated bisphenol-A epoxy based oligomer is commonly referred to as epoxy acrylate or acrylated epoxy. In contrast to epoxy resin, the main characteristic of the epoxy acrylate oligomer is that it contains acrylate functional groups which make them curable by free-radical polymerization. The epoxy acrylate has a molecular weight between 508 to 536 grams per mol and a viscosity of 2400 to 3600 cPs at 65 degrees Celsius. The epoxy acrylate generally contains stabilizers/inhibitors, which include but are not limited to Hydroquinone, Methyl Hydroquinone, and Butylated Hydroxy Toluene.

Certain monomers and oligomers are subject to the scope even if an in-scope monomer or oligomer is blended or mixed with one or more other in-scope monomers or oligomers.

Certain monomers and oligomers in any blend or mixture are also subject to the scope, so long as the blend or mixture contains no less than 20 percent by weight of in-scope CMOs.

The scope includes merchandise matching the above description that has been processed in a third country, including by commingling, diluting, introducing, or removing ingredients, or performing any other processing that would not otherwise remove the merchandise from the scope of the investigations if performed in the subject country.

The scope also includes CMOs that are commingled, mixed or blended with in-scope product from sources not subject to these investigations.

Only the subject component(s) of such blends, mixtures or commingled products described above is covered by the scope of these investigations. Subject merchandise contained in a blended, mixed or commingled product described above will not have undergone a chemical reaction as a result of being blended, mixed or commingled.

Notwithstanding the above, specifically excluded from the scope are downstream products, including but not limited to, inks, coatings and overprint varnishes. For purposes of this exclusion, the downstream product requires only the application of energy to be cured, *e.g.*, inks or varnish applied to packaging, coatings applied to wood flooring, *etc.* The energy source required to cure the downstream product to its substrate can be thermal, ultraviolet radiation, visible light, electron beam radiation, or infrared radiation.

This merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 2916.12.5050, 2916.14.2050, 3824.99.2900, 3907.29.0000 and 3907.30.0000. Subject merchandise may also be entered under

subheadings 2916.12.1000 and 3824.99.9397. The HTSUS subheadings and CAS registry numbers are provided for convenience and customs purposes only; the written description of the scope is dispositive.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF874]

Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Geophysical Surveys Related to Oil and Gas Activities in the Gulf of America

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; issuance of letter of authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA), as amended, its implementing regulations, and NMFS' MMPA regulations for taking marine mammals incidental to geophysical surveys related to oil and gas activities in the Gulf of America (GOA), notification is hereby given that a Letter of Authorization (LOA) has been issued to Fugro U.S.A. Marine, Inc. (Fugro) for the take of marine mammals incidental to geophysical survey activity in the GOA.

DATES: The LOA is effective from July 22, 2026 through September 15, 2026.

ADDRESSES: The LOA, LOA request, and supporting documentation are available online at: <https://www.fisheries.noaa.gov/action/incidental-take-authorization-oil-and-gas-industry-geophysical-survey-activity-gulf-mexico>. In case of problems accessing these documents, please call the contact listed below (see **FOR FURTHER INFORMATION CONTACT**).

FOR FURTHER INFORMATION CONTACT: Alyssa Clevenstine, Office of Protected Resources, NMFS, (301) 427–8401.

SUPPLEMENTARY INFORMATION:

Background

Section 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) directs the Secretary of Commerce to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings

are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

An authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth. NMFS has defined “negligible impact” in 50 CFR 216.103 as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

Except with respect to certain activities not pertinent here, the MMPA defines “harassment” as: any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

On January 19, 2021, we issued a final rule with regulations to govern the unintentional taking of marine mammals incidental to geophysical survey activities conducted by oil and gas industry operators, and those persons authorized to conduct activities on their behalf (collectively “industry operators”), in U.S. waters of the GOA¹ over the course of 5 years (86 FR 5322, January 19, 2021). The rule was based on our findings that the total taking from the specified activities over the 5-year period will have a negligible impact on the affected species or stock(s) of marine mammals and will not have an unmitigable adverse impact on the availability of those species or stocks for subsistence uses, and became effective on April 19, 2021.

The regulations at 50 CFR 217.180 *et seq.* allow for the issuance of LOAs to industry operators for the incidental take of marine mammals during

¹ Pursuant to Executive Order 14172, “Restoring Names That Honor American Greatness,” and Department of the Interior Secretarial Order 3423, “The Gulf of America,” the body of water formerly known as the Gulf of Mexico is now called the Gulf of America. Accordingly, NMFS amended the incidental take regulations to reflect the change. See 90 FR 38001 (August 7, 2025).

geophysical survey activities and prescribe the permissible methods of taking and other means of effecting the least practicable adverse impact on marine mammal species or stocks and their habitat (often referred to as mitigation), as well as requirements pertaining to the monitoring and reporting of such taking. Under 50 CFR 217.186(e), issuance of an LOA shall be based on a determination that the level of taking will be consistent with the findings made for the total taking allowable under these regulations and a determination that the amount of take authorized under the LOA is of no more than small numbers.

NMFS subsequently discovered that the 2021 rule was based on erroneous take estimates. We conducted another rulemaking using correct take estimates and other newly available and pertinent information relevant to the analyses supporting some of the findings in the 2021 final rule and the taking allowable under the regulations. We issued a final rule in April 2024, effective May 24, 2024 (89 FR 31488, April 24, 2024).

On August 28, 2025, NMFS Office of Protected Resources (OPR) received a request from NMFS Office of Policy (Policy) for reimplementation of the current Incidental Take Regulation (ITR) to avoid a lapse in ITRs offering incidental take coverage for GOA geophysical survey activities. On October 20, 2025, Bureau of Ocean Energy Management (the original petitioner for the current ITRs) submitted a request to be included in the process as a co-petitioner. In response to these requests, NMFS issued a new final rule, effective April 20, 2026, through April 19, 2031 (91 FR 20784, April 17, 2026).

The reimplementation of the regulations continues the established framework for authorization of incidental take through LOAs. The final rule made no changes to the specified activities or the specified geographical region in which those activities would be conducted, and there are no changes to the associated mitigation, monitoring, and reporting requirements.

Summary of Request and Analysis

Fugro plans to test the operational parameters of a bubble gun source against an airgun over 47 lease blocks in the Green Canyon and South Timbalier areas, with water depths ranging from approximately 1,405 to 1,907 meters (m) in the Green Canyon area and approximately 18 to 33.5 m in the South Timbalier area. See section F of the LOA application for a map of the area. Specifically, Fugro plans to assess the maximum subsurface penetration of the

bubble gun, compare the data quality between the three streamers planned for use, conduct an analysis of the bubble gun's frequency content, and confirm system readiness. Fugro anticipates using one source vessel with a single 160 cubic inch (in³) airgun and the bubble gun source. Please see the LOA application for additional details.

The bubble gun source (HMS-620LF AquaPulse™) is an electromechanical acoustic sub-bottom seismic system. The source is impulsive, has a short duration (approximately 4 ms), and a peak-to-peak source level of 220 dB. The source was evaluated based on the specific parameters included in Fugro's application, as well as data available from a recent sound source characterization study (Campo *et al.*, 2025). Notably, the HMS-620LF can be operated as a single source or as an array with multiple HMS-620LF configured to fire simultaneously. Here we evaluated the operation of a single HMS-620LF with a pulse interval of 1.5 seconds, based on Fugro's stated planned operation of this source. Source levels for the single HMS-620LF were taken from Campo *et al.* (2025) or calculated from the source waveform therein. The resulting PK SPL, RMS SPL, and SEL source levels were 216.9, 210.5, and 187 dB, respectively. The measured source spectrum for the quad configuration from Campo *et al.* (2025) was used and adjusted to a broadband SEL source level of 187 dB.

In order to determine the appropriate mitigation measures for this source, we compare this source to Tier 2 airguns and established Tier 3 sources (see Ruppel *et al.* (2022) for a description of source tiering), based on their estimated distances to marine mammal auditory injury onset and behavioral disturbance onset. Estimated distances to auditory injury onset utilized the NMFS Optional User Spreadsheet tool (Version 3.1, 2024) and NMFS (2024) auditory injury weighting functions. For all marine mammal hearing groups, the estimated distances to auditory injury onset were less than 10 m and at most approximately 5 m in the case of Very High-Frequency (VHF) cetaceans. These short ranges imply auditory injury from a single HMS-620LF operating at a pulse interval of 1.5 seconds is unlikely and are generally consistent with Tier 3 sources (e.g., low energy sparkers). The RMS SPL source level (210.5 dB re 1 µPa) implies a spherical spreading distance of 335 m to the 160 dB re 1 µPa behavioral disturbance threshold for impulsive sources. This range is smaller than those for small airguns, which typically have distances greater than 1

km, and is comparable to some Tier 3 sources (e.g., sparkers).

Based on these comparisons, we have determined the single HMS-620LF AquaPulse™ operating at a pulse interval of 1.5 seconds is considered Tier 3. With Tier 3 mitigation, there is no take incidental to use of the bubble gun and therefore we have not included those survey days in our calculation.

Consistent with the preamble to the final rule, the remaining survey effort proposed by Fugro in its LOA request was used to develop LOA-specific take estimates based on the acoustic exposure modeling results described in the preamble (91 FR 20784, April 17, 2026). In order to generate the appropriate take number for authorization, the following information was considered: (1) survey type; (2) location (by modeling zone²); (3) number of days; (4) source; and (5) month.³ The acoustic exposure modeling performed in support of the rule provides 24-hour exposure estimates for each species, specific to each modeled source and survey type in each zone and month.

Fugro's survey type was not included in the modeled survey types, and use of existing proxies (i.e., two-dimensional (2D), three-dimensional (3D) narrow-azimuth (NAZ), 3D wide-azimuth (WAZ), Coil) are generally conservative for use in evaluation of Fugro's survey effort, largely due to the greater area covered by the modeled proxies. Summary descriptions of these modeled survey geometries are available in the preamble to the proposed rule (91 FR 9014, 9018, February 24, 2026). In Fugro's case, because these proxies are conservative, the exposure modeling results were generated using the single airgun proxy. Because these results assume use of a 90-in³ airgun, the take numbers authorized through this LOA are considered the most similar to the sound source planned for use by Fugro, as compared to the other proxies modeled for the rule. All other proxies would likely overestimate take due to Fugro's total daily survey area, short total survey duration, and size of the airgun array planned for use.

The survey will take place over approximately 10 days with 6 days of sound source (airgun) operation: 3 days planned in Zone 2 and 3 days planned

² For purposes of acoustic exposure modeling, the GOA was divided into seven zones. Zone 1 is not included in the geographic scope of the rule.

³ Acoustic propagation modeling was performed for two seasons: Winter (December–March) and Summer (April–November). Marine mammal density data is generally available on a monthly basis, and therefore further refines take estimates temporally.

in Zone 5. The monthly distribution of survey days is not known in advance, though we assume that the planned 5 days of source operation would occur contiguously. Take estimates for each species are based on the time period that produces the greatest value.

Based on the results of our analysis, NMFS has determined that the level of taking expected for this survey and authorized through the LOA is consistent with the findings made for the total taking allowable under the regulations. See table 1 in this notice and table 7 of the rule (91 FR 20784, April 17, 2026).

Small Numbers Determination

Under the rule, NMFS may not authorize incidental take of marine mammals in an LOA if it will exceed “small numbers.” In short, when an acceptable estimate of the individual marine mammals taken is available, if the estimated number of individual animals taken is up to, but not greater than, one-third of the best available abundance estimate, NMFS will determine that the numbers of marine mammals taken of a species or stock are small (see 91 FR 20784, April 17, 2026). For more information, please see NMFS’ discussion of small numbers in the 2026 final rule (91 FR 20784, April 17, 2026).

The take numbers for authorization, determined as described in the

Summary of Request and Analysis section, are used by NMFS in making the necessary small numbers determinations, through comparison with the best available abundance estimates (see discussion at 91 FR 20784, 20812, April 17, 2026). For this comparison, NMFS’ approach is to use the maximum theoretical population, determined through review of current stock assessment reports (SAR; <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments>) and model-predicted abundance information (<https://seamap.env.duke.edu/models/Duke/GOM/>). Information supporting the small numbers determinations is provided in table 1.

TABLE 1—TAKE ANALYSIS ¹

Species	Authorized take	Abundance ²	Percent abundance
Rice’s whale	0	51	N/A
Sperm whale	³ 3	2,451	<1
<i>Kogia</i> spp.	0	1,385	N/A
Beaked whales	39	1,038	3.8
Rough-toothed dolphin	⁴ 0	4,853	N/A
Bottlenose dolphin	86	166,538	<1
Clymene dolphin	⁴ 0	6,136	N/A
Atlantic spotted dolphin	⁵ 26	21,506	<1
Pantropical spotted dolphin	⁴ 0	50,209	N/A
Spinner dolphin	⁴ 0	2,991	N/A
Striped dolphin	⁴ 0	16,102	N/A
Fraser’s dolphin	0	1,665	N/A
Risso’s dolphin	⁴ 0	1,974	N/A
Blackfish ⁶	0	9,535	N/A
Short-finned pilot whale	0	3,277	N/A

¹ Scalar ratios were not applied in this case due to brief survey duration.

² Best abundance estimate. For most taxa, the best abundance estimate for purposes of comparison with take estimates is considered here to be the model-predicted abundance (Garrison *et al.*, 2023). For Rice’s whale, Atlantic spotted dolphin, spinner dolphin, and Risso’s dolphin, the estimated SAR abundance estimate is used.

³ Modeled take of two increased to account for potential encounter with a group of average size (Maze-Foley and Mullin, 2006).

⁴ Modeled take decreased to zero. For these species, use of the exposure modeling produces results that are smaller than the average GOA group size (*e.g.*, estimated exposure value of 2, relative to assumed average group size of 14) (Maze-Foley and Mullin, 2006). NMFS’ typical practice is to increase exposure estimates to the assumed average group size for a species in order to ensure that, if the species is encountered, exposures will not exceed the authorized take number; however, given the very short survey duration and small estimated exposure value, NMFS determined that it is unlikely these species would be encountered at all. As a result, in this case NMFS has not authorized take for these species.

⁵ Modeled take of 19 increased to account for potential encounter with a group of average size (Maze-Foley and Mullin, 2006).

⁶ The “blackfish” guild includes melon-headed whales, false killer whales, pygmy killer whales, and killer whales.

Based on the analysis contained herein of Fugro’s proposed survey activity described in its LOA application and the anticipated take of marine mammals, NMFS finds that small numbers of marine mammals will be taken relative to the affected species or stock sizes (*i.e.*, less than one-third of the best available abundance estimate) and therefore the taking is of no more than small numbers.

Authorization

NMFS has determined that the level of taking for this LOA request is consistent with the findings made for the total taking allowable under the

incidental take regulations and that the amount of take authorized under the LOA is of no more than small numbers. Accordingly, we have issued an LOA to Fugro authorizing the take of marine mammals incidental to its geophysical survey activity, as described above.

Dated: July 23, 2026.

Kimberly Damon-Randall,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RTID 0648–XF916

Marine Mammals; File No. 29804

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that the New England Aquarium, Central Wharf, Boston, MA 02110, (Responsible Party: Letise LaFeir, Ph.D.), has applied