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Contents

Federal Register

Vol. 87, No. 209

Monday, October 31, 2022

Agency for International Development
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Partner Information Form, 65568

Agriculture Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 65568–65570

Alcohol, Tobacco, Firearms, and Explosives Bureau
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
National Firearms Act Responsible Person Questionnaire, 65607–65608

Census Bureau
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Survey of State Government Research and Development, 65570–65571

Centers for Disease Control and Prevention
NOTICES
Meetings:
Advisory Board on Radiation and Worker Health, National Institute for Occupational Safety and Health, 65592
Advisory Council for the Elimination of Tuberculosis, 65592–65593

Centers for Medicare & Medicaid Services
NOTICES
Meetings:
Medicare Program; New Revisions to the Healthcare Common Procedure Coding System Coding, 65593–65595

Children and Families Administration
NOTICES
Request for Comments:
Building Capacity to Evaluate Child Welfare Community Collaborations to Strengthen and Preserve Families Cross-Site Process Evaluation, 65595–65596

Civil Rights Commission
NOTICES
Meetings; Sunshine Act, 65570

Coast Guard
RULES
Safety Zones:
Upper Mississippi River Mile Marker 485.3–485.9 Davenport, IA, 65527–65529
Upper Mississippi River Mile Markers 125–126, Sainte Genevieve, MO, 65529–65531

Commerce Department
See Census Bureau
See Foreign-Trade Zones Board
See International Trade Administration
See Minority Business Development Agency
See National Oceanic and Atmospheric Administration

Consumer Product Safety Commission
NOTICES
Meetings; Sunshine Act, 65583

Corporation for National and Community Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Application Package for Granteee Project Progress Report, 65584

Drug Enforcement Administration
NOTICES
Importer, Manufacturer or Bulk Manufacturer of Controlled Substances; Application, Registration, etc.:
Curia New York, Inc., 65609
Mylan Technologies, Inc., 65609–65610
Nanosyn Inc., 65608
Noramco, 65608

Election Assistance Commission
NOTICES
Meetings; Sunshine Act, 65584–65585

Energy Department
See Federal Energy Regulatory Commission
PROPOSED RULES
Energy Conservation Program:
Test Procedure for Air Cleaners, 65533–65534

Environmental Protection Agency
PROPOSED RULES
Significant New Use Rules on Certain Chemical Substances (22–2.5e), 65548–65567
NOTICES
Proposed Consent Decree:
Clean Air Act Citizen Suit, 65590–65591

Federal Aviation Administration
RULES
Airspace Designations and Reporting Points:
Norway and Oxford, ME, 65520–65521
Sisters Island, AK, 65519–65520
Vicinity of Wausau, WI, 65521–65523
Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures, 65523–65526
PROPOSED RULES
Airspace Designations and Reporting Points:
Bettles, AK, 65544–65546
Northcentral United States, 65546–65547
Airworthiness Directives:
Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes, 65538–65541
BAE Systems (Operations) Limited Airplanes, 65541–65544

Piper Aircraft, Inc. (Type Certificate previously held by The New Piper Aircraft Inc. and Piper Aircraft Corporation) Airplanes, 65534–65535
Safran Helicopter Engines, S.A. (Type Certificate previously held by Turbomeca, S.A.) Turboshaft Engines, 65535–65538
NOTICES
Land Release Request:
Malden Regional Airport & Industrial Park, Malden, MO, 65640–65641

Federal Energy Regulatory Commission
NOTICES
Combined Filings, 65587–65589
Initial Market-Based Rate Filings Including Requests for Blanket Section 204 Authorizations:
Carson Hybrid Energy Center, LLC, 65587–65588
Cranberry Point Energy Storage, LLC, 65586–65587
Cross Town Energy Storage, LLC, 65589–65590
Daggett Solar Power 3, LLC, 65585
Energy Storage Resources, LLC, 65586
Resurgence Solar I, LLC, 65585–65586
Resurgence Solar II, LLC, 65585

Federal Maritime Commission
NOTICES
Filing of Complaint and Assignment:
MVM Logistics, Complainant v. MSC Mediterranean Shipping Co. (USA), Inc., Respondent, 65591
Samsung Electronics America, Inc. v. Zim Integrated Shipping Services Ltd., 65591

Food and Drug Administration
RULES
Effective Date:
Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food and Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Food for Animals; Supply-Chain Programs and Onsite Audits, 65527
NOTICES
Chemistry, Manufacturing, and Controls Development and Readiness Pilot Program, 65596–65598

Foreign-Trade Zones Board
NOTICES
Authorization of Production Activity:
Foreign-Trade Zone 241, Fort Lauderdale, FL; Almod Diamonds Ltd., Inc., 65571–65572

Health and Human Services Department
See Centers for Disease Control and Prevention
See Centers for Medicare & Medicaid Services
See Children and Families Administration
See Food and Drug Administration
See Health Resources and Services Administration
See National Institutes of Health

Health Resources and Services Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
The National Health Service Corps Loan Repayment Programs, 65598–65600

Homeland Security Department
See Coast Guard
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Minimum Standards for Driver's Licenses and Identification Cards Acceptable by Federal Agencies for Official Purposes, 65601–65603
Real ID Applicant Information and Documentation, 65603–65604

Interior Department
See Land Management Bureau
See National Park Service

Internal Revenue Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 65646–65647

International Trade Administration
NOTICES
Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
1,1,1,2-Tetrafluoroethane from the People's Republic of China, 65572
Stainless Steel Flanges from India, 65573–65575
Welded ASTM A–312 Stainless Steel Pipe from the Republic of Korea and Taiwan, 65572–65573

Justice Department
See Alcohol, Tobacco, Firearms, and Explosives Bureau
See Drug Enforcement Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 65610
Proposed Consent Decree:
Comprehensive Environmental Response, Compensation, and Liability Act, 65610–65611

Land Management Bureau
NOTICES
Alaska Native Claims Selection, 65605–65606
Decision Approving Lands for Conveyance:
Alaska Native Claims Selection, 65604–65607

Minority Business Development Agency
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Online Customer Relationship Management/Performance Databases, 65575

National Highway Traffic Safety Administration
NOTICES
Petition for Decision of Inconsequential Noncompliance:
Continental Tire the Americas, LLC; Approval, 65641–65642

National Institutes of Health
NOTICES
Meetings:
Center for Scientific Review, 65600
National Institute of Allergy and Infectious Diseases, 65601

National Oceanic and Atmospheric Administration
RULES
Fraser River Sockeye Salmon Fisheries; Inseason Orders, 65531–65532

NOTICES
Meetings:
Caribbean Fishery Management Council, 65575–65576
New England Fishery Management Council, 65576
Requests for Nominations:
Atlantic Highly Migratory Species; Advisory Panel, 65576–65578
Taking or Importing of Marine Mammals:
Naval Base San Diego Pier 6 Replacement Project, San Diego, CA, 65578–65583

National Park Service
NOTICES
Relinquishment of Exclusive Jurisdiction:
Fort Vancouver National Historic Site, 65607

National Science Foundation
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 65611–65613

Nuclear Regulatory Commission
NOTICES
Environmental Assessments; Availability, etc.:
Holtec Decommissioning International, LLC, Indian Point Energy Center, Independent Spent Fuel Storage Installation, 65613–65617
Exemption:
Union Electric Co., dba Ameren Missouri, Callaway Plant, Unit No. 1, 65618–65622
Licenses; Exemptions, Applications, Amendments etc.:
Vistra Operations Co., LLC, Comanche Peak Nuclear Power Plant, Units 1 and 2, 65617
Meetings; Sunshine Act, 65617–65618

Pipeline and Hazardous Materials Safety Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Pipeline Safety, 65642–65646

Postal Regulatory Commission
NOTICES
New Postal Products, 65622

Science and Technology Policy Office
NOTICES
Request for Information:
Framing the National Nature Assessment, 65622–65624

Securities and Exchange Commission
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 65628, 65635–65636
Meetings; Sunshine Act, 65631
Self-Regulatory Organizations; Proposed Rule Changes:
LCH, SA, 65629
Nasdaq BX, Inc., 65633–65635
Nasdaq PHLX, LLC, 65631–65633
NYSE Arca, Inc., 65629–65631
NYSE Chicago, Inc., 65626–65628
NYSE National, Inc., 65624–65626

Small Business Administration
NOTICES
Conflict of Interest Exemptions:
LNC Partners II—SBIC, LP, 65637
Surrender of License of Small Business Investment Company:
BB and T Capital Partners II, LLC, 65636
BB and T Capital Partners Mezzanine Fund II, LP, 65637
Council Oak Investment Corp., 65637
QS Capital Strategies, LP, 65637
UV Partners IV Financial Institutions Fund, LP, 65636

State Department
NOTICES
Culturally Significant Objects Being Imported for Exhibition:
Beyond the Light: Identity and Place in Nineteenth-Century Danish Art, 65638
Promenades on Paper: Eighteenth-Century French Drawings from the Bibliotheque nationale de France, 65637–65638
Designation of Mohamed Mire, Yasir Jiis, Yusuf Ahmed Hajji Nurow, Mohamoud Abdi Aden, and Mustaf 'Ato as Specially Designated Global Terrorists, 65637
Determination Under Section 610 of the Foreign Assistance Act of 1961, 65638

Surface Transportation Board
NOTICES
Exemption:
Abandonment; Flats Industrial Inc. d/b/a Flats Industrial Railroad Co., Cleveland, OH, 65640
Acquisition and Operation; Eastern Maine Railway Co., Central Maine and Quebec Railway US Inc., d/b/a Canadian Pacific, 65638–65639
Requests for Nominations:
Railroad-Shipper Transportation Advisory Council, 65639–65640

Transportation Department
See Federal Aviation Administration
See National Highway Traffic Safety Administration
See Pipeline and Hazardous Materials Safety Administration

Treasury Department
See Internal Revenue Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Emergency Rental Assistance Program, 65647–65648

Veterans Affairs Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Request for Certificate of Veteran Status, 65648

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, and notice of recently enacted public laws.

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CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

10 CFR

Proposed Rules:

430.....65533

14 CFR

71 (3 documents) 65519, 65520, 65521

97 (2 documents) 65523, 65525

Proposed Rules:

39 (4 documents) 65534, 65535, 65538, 65541

71 (2 documents) 65544, 65546

21 CFR

117.....65527

507.....65527

33 CFR

165 (2 documents) 65527, 65529

40 CFR

Proposed Rules:

721.....65548

50 CFR

300.....65531

Rules and Regulations

Federal Register
Vol. 87, No. 209
Monday, October 31, 2022

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2021–1153; Airspace Docket No. 19–AAL–76]

RIN 2120–AA66

Amendment of United States Area Navigation (RNAV) Route T–278; Sisters Island, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends United States Area Navigation (RNAV) route T–278 in the vicinity of Sisters Island, AK, in support of a large and comprehensive T-route modernization project for the state of Alaska.

DATES: Effective date 0901 UTC, December 29, 2022. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/*. For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it expands the availability of RNAV in Alaska and improves the efficient flow of air traffic within the National Airspace System by lessening the dependency on ground based navigation.

History

The FAA published a notice of proposed rulemaking (NPRM) for Docket No. FAA–2021–1153 in the **Federal Register** (86 FR 74002; December 29, 2021), amending RNAV route T–278 in the vicinity of Sisters Island, AK, in support of a large and comprehensive T-route modernization project for the state of Alaska. Interested parties were invited to participate in this rulemaking effort by submitting comments on the proposal. No comments were received.

United States Area Navigation Routes are published in paragraph 6011 of FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022, which is incorporated by reference in 14 CFR 71.1. The RNAV route listed in this document will be published subsequently in FAA Order JO 7400.11.

Differences From the NPRM

In the NPRM, the HAPIT, AK, Fix was incorrectly listed as a waypoint (WP) in the T–278 route description in the proposed amendment to part 71; however, it was correctly listed as a Fix in the ''Background'' and ''The Proposal'' sections in the preamble. This action corrects the error and lists all HAPIT, AK, route point references as a Fix.

Additionally, the CSPER, AK, Fix was incorrectly listed as a WP in the ''Background'' section of the preamble and in the T–278 route description in the proposed amendment to part 71. This action corrects that error and lists the CSPER, AK, route point as a Fix in the T–278 route description.

Lastly, the RADKY, AK, Fix was incorrectly listed as a WP in the ''Background'' and ''The Proposal'' sections of the preamble; however, it was correctly listed in the T–278 route description in the proposed amendment to part 71 as a Fix. This action corrects those errors and lists all RADKY, AK, route point references as a Fix.

These corrections are editorial only and do not change the alignment of T–278.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by amending RNAV route T–278 in the vicinity of Sisters Island, AK, in support of a large and comprehensive T-route modernization project for the state of Alaska. The route amendment is described below.

T–278: T–278 extends between the HAPIT, AK, Fix and the Sisters Island, AK (SSR), VHF Omnidirectional Radar/Tactical Air Navigational (VORTAC) navigational aid. The route is amended by adding two new route points and extending the route eastward from the Sisters Island VORTAC to the RADKY, AK, Fix. The resulting T-route will extend between the HAPIT, AK, Fix and the RADKY, AK, Fix.

FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034;

February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this airspace action of amending RNAV route T–278 in the vicinity of Sisters Island, AK, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5–6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points), and paragraph 5–6.5i, which categorically excludes from further environmental review the establishment of new or revised air traffic control procedures conducted at 3,000 feet or more above ground level (AGL); procedures conducted below 3,000 feet AGL that do not cause traffic to be routinely routed over noise sensitive areas; modifications to currently approved procedures conducted below 3,000 feet AGL that do not significantly increase noise over noise sensitive areas; and increases in minimum altitudes and landing minima. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5–2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. Accordingly, the FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

Paragraph 6011 United States Area Navigation Routes.

* * * * *

T–278 HAPIT, AK TO RADKY, AK [AMENDED]

HAPIT, AK	FIX	(Lat. 58°11′57.57″ N, long. 137°31′12.45″ W)
CSPER, AK	FIX	(Lat. 58°11′44.47″ N, long. 136°38′37.44″ W)
BIKUW, AK	WP	(Lat. 58°16′59.40″ N, long. 135°48′31.20″ W)
Sisters Island, AK (SSR)	VORTAC	(Lat. 58°10′39.58″ N, long. 135°15′31.91″ W)
RADKY, AK	FIX	(Lat. 58°08′00.39″ N, long. 134°29′55.53″ W)

* * * * *

Issued in Washington, DC, on October 5, 2022.

Scott M. Rosenbloom,

Manager, Airspace Rules and Regulations.

[FR Doc. 2022–22189 Filed 10–28–22; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2022–0903; Airspace Docket No. 22–ANE–8]

RIN 2120–AA66

Amendment of Class E Airspace; Norway and Oxford, ME

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E airspace extending upward from 700 feet above the surface at Stephens Memorial Hospital Heliport (new name), Norway, ME, by updating the heliport's name. Also, this action amends Class E airspace extending upward from 700 feet above the surface for Oxford County Regional Airport, Oxford, ME, by updating the airport's geographic coordinates and removing unnecessary verbiage from the airport description. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

DATES: Effective 0901 UTC, December 29, 2022. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; Telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone (404) 305–6364.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends Class E airspace for Stephens Memorial Hospital Heliport, Norway, ME, and Oxford County Regional Airport,

Oxford, ME, to support IFR operations in the area.

History

The FAA published a notice of proposed rulemaking in the **Federal Register** (87 FR 50021, August 15, 2022) for Docket No. FAA–2022–0903 to establish Class E airspace extending upward from 700 feet above the surface at Stephens Memorial Hospital Heliport, Norway, ME. Subsequent to publication, the FAA discovered that the heliport already existed, but under the name of Norway Heliport. This action changes the term establishes to the term amends. The FAA also proposed the amendment of Class E airspace extending upward from 700 feet above the surface at Oxford County Regional Airport, Oxford, ME, by updating the airport's geographic coordinates and removing unnecessary verbiage from the airport description.

Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in Paragraph 6005 of FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in FAA Order JO 7400.11.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic routes, and reporting points.

The Rule

The FAA is amending 14 CFR part 71 by amending Class E airspace extending upward from 700 feet above the surface at Stephens Memorial Hospital Heliport, Norway, ME, by updating the airport's name (formerly Norway Heliport), and Oxford County Regional Airport, Oxford, ME, by updating the airport's geographic coordinates, and removing 'excluding that airspace within the Auburn, ME Class E airspace area' from the airport description, as the verbiage is unnecessary.

Class E airspace designations are published in Paragraph 6005 of FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in FAA Order JO 7400.11.

FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures,'' paragraph 5–6.5a.

This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant the preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ANE ME E5 Norway, ME [Amended]

Stephens Memorial Hospital Heliport, ME
(Lat. 44°12′34″ N, long. 70°31′54″ W)

That airspace extending upward from 700 feet above the surface within a 6.0-mile radius of Stephens Memorial Hospital Heliport.

ANE ME E5 Oxford, ME [Amended]

Oxford County Regional Airport, ME
(Lat. 44°09′27″ N, long. 70°28′53″ W)

That airspace extending upward from 700 feet above the surface within a 9.6-mile radius of Oxford County Regional Airport.

Issued in College Park, Georgia, on October 18, 2022.

Lisa Burrows,

Manager, Airspace & Procedures Team North, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2022–22992 Filed 10–28–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2022–0243; Airspace Docket No. 22–AGL–5]

RIN 2120–AA66

Amendment of VOR Federal Airways V–26 and V–63; Establishment of Area Navigation (RNAV) Route T–464; and Revocation of the Wausau, WI, Low Altitude Reporting Point; in the Vicinity of Wausau, WI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends VHF Omnidirectional Range (VOR) Federal airways V–26 and V–63; establishes Area Navigation (RNAV) route T–464; and revokes the Wausau, WI, Low Altitude Reporting Point in the vicinity of Wausau, WI. This action is necessary due to the planned decommissioning of the VOR portion of the Wausau, WI, VOR/Distance Measuring Equipment (VOR/DME) navigational aid (NAVAID). The Wausau VOR is being decommissioned as part of the FAA's

VOR Minimum Operational Network (VOR MON) program.

DATES: Effective date 0901 UTC, December 29, 2022. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the Air Traffic Service (ATS) route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

History

The FAA published a notice of proposed rulemaking (NPRM) for Docket No. FAA–2022–0243 in the **Federal Register** (87 FR 17040; March 25, 2022), amending VOR Federal airways V–26 and V–63; establishing RNAV route T–464; and revoking the Wausau, WI, Low Altitude Reporting Point due to the planned decommissioning of the VOR portion of the Wausau, WI, VOR/DME NAVAID. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

Subsequent to the NPRM, the FAA published a rule for Docket No. FAA–2021–0972 in the **Federal Register** (87 FR 38913; June 30, 2022), amending VOR Federal airway V–26 by removing the airway segment between the Green Bay, WI, VOR/Tactical Air Navigation (VORTAC) and the White Cloud, MI, VOR/DME NAVAIDs. That airway amendment was effective September 8, 2022, and is included in this rule.

VOR Federal airways are published in paragraph 6010(a), RNAV routes are published in paragraph 6011, and Domestic Low Altitude Reporting Points are published in paragraph 7001 of FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022, which is incorporated by reference in 14 CFR 71.1. The ATS route and Domestic Low Altitude Reporting Point actions listed in this document will be published subsequently in FAA Order JO 7400.11.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by amending VOR Federal airways V–26 and V–63; establishing RNAV route T–464; and revoking the Wausau, WI, Low Altitude Reporting Point. The ATS route and Reporting Point actions are described below.

V–26: V–26 extends between the Blue Mesa, CO, VOR/DME and the Pierre, SD, VORTAC; and between the Redwood Falls, MN, VOR/DME and the Green Bay, WI, VORTAC. The airway segment between the Eau Claire, WI, VOR/DME and the Green Bay, WI, VORTAC is removed. As amended, the airway is changed to extend between the Blue Mesa, CO, VOR/DME and the Pierre, SD, VORTAC; and between the Redwood Falls, MN, VOR/DME and the Eau Claire, WI, VOR/DME.

V–63: V–63 extends between the Razorback, AR, VORTAC and the Davenport, IA, VORTAC; between the Janesville, WI, VOR/DME and the Oshkosh, WI, VORTAC; and between the Wausau, WI, VOR/DME and the Houghton, MI, VOR/DME. The airspace at and above 10,000 feet MSL from 5 NM north to 46 NM north of Quincy, IL, when the Howard West MOA is active, is excluded. The airway segment between the Wausau, WI, VOR/DME and the Rhinelander, WI, VOR/DME is removed. As amended, the airway is changed to extend between the Razorback, AR, VORTAC and the Davenport, IA, VORTAC; between the Janesville, WI, VOR/DME and the Oshkosh, WI, VORTAC; and between the Rhinelander, WI, VOR/DME and the Houghton, MI, VOR/DME, and the excluded airspace remains unchanged.

T–464: T–464 is a new RNAV route that extends between the CUSAY, WI, waypoint (WP) located northwest of Eau Claire, WI, and the CHURP, WI, Fix located near Clintonville, WI. The new route provides navigational options in areas of limited or no radar coverage to pilots whose aircraft are RNAV equipped as well as supports the FAA's efforts to transition the NAS from ground-based to satellite-based navigation. The full route description of T–464 is listed in the amendments to part 71 as set forth below.

Wausau, WI: The Wausau, WI, Domestic Low Altitude Reporting Point is revoked.

FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action of amending VOR Federal airways V–26 and V–63; establishing RNAV route T–464; and revoking the Wausau, WI, Low Altitude Reporting Point, due to the planned decommissioning of the VOR portion of the Wausau, WI, VOR/DME NAVAID, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its

implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5–6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points) and paragraph 5–6.5k, which categorically excludes from further environmental impact review the publication of existing air traffic control procedures that do not essentially change existing tracks, create new tracks, change altitude, or change concentration of aircraft on these tracks. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5–2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

Paragraph 6010(a) Domestic VOR Federal Airways.

* * * * *

V–26 [Amended]

From Blue Mesa, CO; Montrose, CO; 13 miles 112 MSL, 131 MSL, Grand Junction, CO; Meeker, CO; Cherokee, WY; Muddy Mountain, WY; 14 miles, 37 miles 75 MSL, 84 miles 90 MSL, Rapid City, SD; Philip, SD; to Pierre, SD. From Redwood Falls, MN; Farmington, MN; to Eau Claire, WI.

* * * * *

V–63 [Amended]

From Razorback, AR; Springfield, MO; Hallsville, MO; Quincy, IL; Burlington, IA; Moline, IL; to Davenport, IA. From Janesville, WI; Badger, WI; to Oshkosh, WI. From Rhinelander, WI; to Houghton, MI. Excluding that airspace at and above 10,000 feet MSL from 5 NM north to 46 NM north of Quincy, IL, when the Howard West MOA is active.

* * * * *

Paragraph 6011 United States Area Navigation Routes.

* * * * *

T–464 CUSAY, WI TO CHURP, WI [NEW]

CUSAY, WI	WP	(Lat. 46°01′07.84″ N, long. 091°26′47.14″ W)
TONOC, WI	WP	(Lat. 45°03′47.56″ N, long. 091°38′11.87″ W)
EDGRR, WI	WP	(Lat. 44°51′31.83″ N, long. 089°56′43.06″ W)
HEVAV, WI	WP	(Lat. 44°50′48.43″ N, long. 089°35′12.51″ W)
CHURP, WI	FIX	(Lat. 44°42′54.82″ N, long. 088°56′48.69″ W)

* * * * *

Paragraph 7001 Domestic Low Altitude Report Points.

* * * * *

Wausau, WI [Removed]

* * * * *

Issued in Washington, DC, on October 5, 2022.

Scott M. Rosenbloom,

Manager, Airspace Rules and Regulations.

[FR Doc. 2022–22165 Filed 10–28–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31452; Amdt. No. 4030]

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule amends, suspends, or removes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide for the safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective October 31, 2022. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 31, 2022.

ADDRESSES: Availability of matter incorporated by reference in the amendment is as follows:

For Examination

1. U.S. Department of Transportation, Docket Ops–M30, 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590–0001;

2. The FAA Air Traffic Organization Service Area in which the affected airport is located;

3. The office of Aeronautical Information Services, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

4. The National Archives and Records Administration (NARA).

For information on the availability of this material at NARA, email *fr.inspection@nara.gov* or go to: *https://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center online at *nfdc.faa.gov* to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may

be obtained from the FAA Air Traffic Organization Service Area in which the affected airport is located.

FOR FURTHER INFORMATION CONTACT: Thomas J. Nichols, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., Registry Bldg. 29, Room 104, Oklahoma City, OK 73169. Telephone: (405) 954–4164.

SUPPLEMENTARY INFORMATION: This rule amends 14 CFR part 97 by amending the referenced SIAPs. The complete regulatory description of each SIAP is listed on the appropriate FAA Form 8260, as modified by the National Flight Data Center (NFDC)/Permanent Notice to Airmen (P–NOTAM), and is incorporated by reference under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR 97.20. The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained on FAA form documents is unnecessary. This amendment provides the affected CFR sections, and specifies the SIAPs and Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure and the amendment number.

Availability and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPs, Takeoff Minimums and ODPs as identified in the amendatory language for Part 97 of this final rule.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP and Takeoff Minimums and ODP as amended in the transmittal. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained for each SIAP and Takeoff Minimums and ODP as modified by FDC permanent NOTAMs.

The SIAPs and Takeoff Minimums and ODPs, as modified by FDC permanent NOTAM, and contained in this amendment are based on criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these changes to SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied only to specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a FDC NOTAM as an emergency action of immediate flight safety relating directly to published aeronautical charts.

The circumstances that created the need for these SIAP and Takeoff Minimums and ODP amendments require making them effective in less than 30 days.

Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), good cause exists for making these SIAPs effective in less than 30 days.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, Navigation (Air).

Issued in Washington, DC, on September 30, 2022.

Thomas J. Nichols,

Aviation Safety, Flight Standards Service Manager, Standards Section, Flight Procedures & Airspace Group Flight Technologies & Procedures Division.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Title 14, CFR part 97, is amended by amending Standard Instrument Approach Procedures and Takeoff Minimums and ODPs, effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs. Identified as follows:

. . . Effective Upon Publication

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
3–Nov–22	IL	Peoria	General Downing—Peoria Intl	2/8237	9/9/22	This NOTAM, published in Docket No. 31450, Amdt No. 4028, TL 22–23, (87 FR 61968, October 13, 2022) is hereby rescinded in its entirety.
3–Nov–22	PA	Pittsburgh	Allegheny County	2/4945	9/9/22	This NOTAM, published in Docket No. 31450, Amdt No. 4028, TL 22–23, (87 FR 61968, October 13, 2022) is hereby rescinded in its entirety.
3–Nov–22	IL	Peoria	General Downing—Peoria Intl	2/1818	9/23/22	RNAV (GPS) RWY 31, Amdt 1C.
3–Nov–22	WA	Spokane	Felts Fld	2/2570	9/20/22	VOR RWY 4L, Amdt 6.
3–Nov–22	CO	Holyoke	Holyoke	2/3438	9/20/22	RNAV (GPS) RWY 14, Orig-G.

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
3–Nov–22	FL	Pompano Beach	Pompano Beach Airpark	2/4543	9/13/22	LOC RWY 15, Amdt 5.
3–Nov–22	WI	Rhinelander	Rhinelander/Oneida County	2/7445	9/15/22	ILS OR LOC RWY 9, Amdt 8E.
3–Nov–22	CO	Montrose	Montrose Rgnl	2/7519	9/19/22	RNAV (GPS) RWY 35, Orig-D.
3–Nov–22	CO	Montrose	Montrose Rgnl	2/7520	9/19/22	VOR RWY 13, Amdt 9D.
3–Nov–22	IN	Huntingburg	Huntingburg	2/7940	9/15/22	RNAV (GPS) RWY 9, Amdt 1.
3–Nov–22	WI	Rhinelander	Rhinelander/Oneida County	2/7949	9/15/22	RNAV (GPS) RWY 15, Amdt 1E.
3–Nov–22	NC	Asheboro	Asheboro Rgnl	2/8543	9/16/22	RNAV (GPS) RWY 21, Amdt 1.
3–Nov–22	TX	Sulphur Springs	Sulphur Springs Muni	2/8586	9/19/22	RNAV (GPS) RWY 1, Amdt 1D.
3–Nov–22	TX	Sulphur Springs	Sulphur Springs Muni	2/8587	9/19/22	RNAV (GPS) RWY 19, Orig-D.
3–Nov–22	PA	Pittsburgh	Allegheny County	2/9881	9/22/22	RNAV (GPS) RWY 28, Amdt 3A.

[FR Doc. 2022–23635 Filed 10–28–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31451; Amdt. No. 4029]

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule establishes, amends, suspends, or removes Standard Instrument Approach Procedures (SIAPS) and associated Takeoff Minimums and Obstacle Departure procedures (ODPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective October 31, 2022. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 31, 2022.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination

1. U.S. Department of Transportation, Docket Ops–M30. 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590–0001.

2. The FAA Air Traffic Organization Service Area in which the affected airport is located;

3. The office of Aeronautical Information Services, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

4. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email *fr.inspection@nara.gov* or go to: *https://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center at *nfdc.faa.gov* to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from the FAA Air Traffic Organization Service Area in which the affected airport is located.

FOR FURTHER INFORMATION CONTACT: Thomas J. Nichols, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., Registry Bldg. 29, Room 104, Oklahoma City, OK 73169. Telephone (405) 954–4164.

SUPPLEMENTARY INFORMATION: This rule amends 14 CFR part 97 by establishing, amending, suspending, or removes SIAPS, Takeoff Minimums and/or ODPS. The complete regulatory description of each SIAP and its associated Takeoff Minimums or ODP for an identified airport is listed on FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97.20. The applicable FAA Forms 8260–3, 8260–4, 8260–5, 8260–15A, 8260–15B, when required by an entry on 8260–15A, and 8260–15C.

The large number of SIAPs, Takeoff Minimums and ODPs, their complex nature, and the need for a special format make publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, Takeoff Minimums or ODPs, but instead refer to their graphic depiction on charts printed by publishers or aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP, Takeoff Minimums and ODP listed on FAA form documents is unnecessary. This amendment provides the affected CFR sections and specifies the typed of SIAPS, Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure, and the amendment number.

Availability and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPS, Takeoff Minimums and/or ODPs as identified in the amendatory language for Part 97 of this final rule.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP, Takeoff Minimums and ODP as amended in the transmittal. Some SIAP and Takeoff Minimums and textual ODP amendments may have been issued previously by the FAA in a Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flights safety relating directly to published aeronautical charts.

The circumstances that created the need for some SIAP and Takeoff Minimums and ODP amendments may require making them effective in less than 30 days. For the remaining SIAPs and Takeoff Minimums and ODPs, an

effective date at least 30 days after publication is provided.

Further, the SIAPs and Takeoff Minimums and ODPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), good cause exists for making some SIAPs effective in less than 30 days.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Lists of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, Navigation (Air).

Issued in Washington, DC, on September 30, 2022.

Thomas J. Nichols,

Manager, Aviation Safety, Flight Standards Service Standards Section, Flight Procedures & Airspace Group Flight Technologies & Procedures Division.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) is amended by establishing, amending, suspending, or removing Standard Instrument Approach Procedures and/or Takeoff Minimums and Obstacle Departure Procedures effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

Effective 3 November 2022

Shaktoolik, AK, PFSH, RNAV (GPS) RWY 33, Amdt 1A
Yakutat, AK, PAYA, ILS OR LOC RWY 11, Amdt 4
Yakutat, AK, PAYA, LOC BC RWY 29, Amdt 9
Auburn, AL, KAUO, ILS OR LOC RWY 36, Amdt 3
Muscle Shoals, AL, KMSL, ILS Y OR LOC Y RWY 30, Amdt 1
Muscle Shoals, AL, KMSL, ILS Z OR LOC Z RWY 30, Amdt 7
Muscle Shoals, AL, KMSL, RNAV (GPS) RWY 30, Amdt 3
Muscle Shoals, AL, KMSL, VOR RWY 12, Amdt 6C, CANCELLED
Helena/West Helena, AR, KHEE, RNAV (GPS) RWY 18, Amdt 2
Helena/West Helena, AR, KHEE, RNAV (GPS) RWY 36, Amdt 2
Helena/West Helena, AR, KHEE, VOR RWY 36, Amdt 2
Groton (New London), CT, KGON, ILS OR LOC RWY 5, Amdt 11F
Groton (New London), CT, KGON, RNAV (GPS) RWY 5, Orig-H
Groton (New London), CT, KGON, VOR RWY 5, Amdt 8D
Middletown, DE, KEVY, RNAV (GPS) RWY 17, Amdt 2D
Jacksonville, FL, KJAX, ILS Y OR LOC Y RWY 8, ILS Y RWY 8 (SA CAT I), ILS Y RWY 8 (CAT II), ILS Y RWY 8 (CAT III), Amdt 14
Jacksonville, FL, KJAX, ILS Y OR LOC Y RWY 26, Amdt 3
Iowa City, IA, KIOW, Takeoff Minimums and Obstacle DP, Amdt 5
Columbus, IN, KBAK, RNAV (GPS) RWY 23, Amdt 1
Columbus, IN, KBAK, RNAV (GPS) RWY 32, Amdt 1
Goodland, KS, KGLD, RNAV (GPS) RWY 23, Amdt 2
Shreveport, LA, KDTN, LOC RWY 14, Amdt 5B
Boston, MA, KBOS, RNAV (GPS) RWY 4L, Amdt 1
Machias, ME, KMVM, RNAV (GPS) RWY 36, Amdt 1
Rockland, ME, KRKD, Takeoff Minimums and Obstacle DP, Amdt 5
Dickinson, ND, KDIK, ILS OR LOC RWY 32, Orig
Dickinson, ND, KDIK, RNAV (GPS) RWY 7, Orig
Dickinson, ND, KDIK, RNAV (GPS) RWY 14, Orig
Dickinson, ND, KDIK, RNAV (GPS) RWY 15, Orig, CANCELLED
Dickinson, ND, KDIK, RNAV (GPS) RWY 32, Orig
Dickinson, ND, KDIK, RNAV (GPS) RWY 33, Orig, CANCELLED
Dickinson, ND, KDIK, Takeoff Minimums and Obstacle DP, Amdt 3
Reno, NV, KRNO, ILS X OR LOC X RWY 17R, Amdt 1
Reno, NV, KRNO, ILS Y RWY 17R, Amdt 1
Reno, NV, KRNO, ILS Z OR LOC Z RWY 17R, Amdt 1
Reno, NV, KRNO, LOC Y RWY 17R, Amdt 1
Reno, NV, KRNO, RNAV (GPS) X RWY 17R, Amdt 2
Tonopah, NV, KTPH, RNAV (GPS) RWY 15, Orig-C
Medford, OR, KMFR, RNAV (RNP) Z RWY 14, Amdt 1
Medford, OR, KMFR, RNAV (RNP) Z RWY 32, Amdt 1
Roseburg, OR, KRBG, RNAV (GPS)-B, Amdt 1
Roseburg, OR, KRBG, Takeoff Minimums and Obstacle DP, Amdt 7A
Honesdale, PA, N30, VOR-A, Amdt 6A
Angleton/Lake Jackson, TX, KLBX, ILS OR LOC RWY 17, Amdt 8
Galveston, TX, KGLS, ILS OR LOC RWY 14, Amdt 13
Galveston, TX, KGLS, RNAV (GPS) RWY 14, Amdt 2
Kanab, UT, KKNB, RNAV (GPS) RWY 1, Amdt 2
Richmond, VA, KRIC, ILS OR LOC RWY 34, ILS RWY 34 (SA CAT I), ILS RWY 34 (CAT II), ILS RWY 34 (CAT III), Amdt 15
Burlington, VT, KBTV, RNAV (GPS) Z RWY 33, Orig-C
Spokane, WA, KSFF, Takeoff Minimums and Obstacle DP, Amdt 6A
Evanston, WY, KEVW, FORT BRIDGER ONE, Graphic DP
Evanston, WY, Evanston-Unita County Burns FLD, Takeoff Minimums and Obstacle DP, Amdt 2

Rescinded: On September 26, 2022 (87 FR 58263), the FAA published an Amendment in Docket No. 31447, Amdt No. 4025, to Part 97 of the Federal Aviation Regulations under section 97.37. The following entries for, Duluth, MN, effective November 3, 2022, is hereby rescinded in its entirety:

Duluth, MN, Sky Harbor, Takeoff Minimums and Obstacle DP, Orig

[FR Doc. 2022–23634 Filed 10–28–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 117 and 507

[Docket Nos. FDA–2011–N–0920 and FDA–2011–N–0922]

Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food and Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Food for Animals; Supply-Chain Programs and Onsite Audits; Announcement of Effective Date

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; announcement of effective date.

SUMMARY: The Food and Drug Administration (FDA or we) is announcing the effective date for requirements related to establishing and implementing supply-chain programs, records documenting supply-chain programs, and onsite audits in two final rules, Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food and Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Food for Animals, that appeared in the **Federal Register** of September 17, 2015.

DATES: The effective date for the amendments to 21 CFR 117.405(a)(2), 117.435(d), and 117.475(c)(2), which published in the **Federal Register** of September 17, 2015 (80 FR 55908), is October 31, 2022. The effective date for the amendments to 21 CFR 507.105(a)(2), 507.135(d), and 507.175(c)(2), which published in the **Federal Register** of September 17, 2015 (80 FR 56170), is October 31, 2022.

FOR FURTHER INFORMATION CONTACT: *For questions relating to Current Good Manufacturing Practice, Hazard Analysis and Risk-Based Preventive Controls for Human Food:* Jenny Scott, Center for Food Safety and Applied Nutrition (HFS–300), Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–2166.

For questions relating to Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Food for Animals: Jennifer Erickson, Center for Veterinary Medicine (HFV–200), Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855, 240–402–7382.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of September 17, 2015 (80 FR 55908), we published a final rule that established ''Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food'' in part 117 (21 CFR part 117). Section 117.405(a)(2) specifies circumstances in which a receiving facility that is an importer need not conduct certain supplier verification activities. Section 117.475(c)(2) provides for documentation related to its supply-chain program that a receiving facility that is an importer is required to maintain. Section 117.435(d) specifies that if an onsite audit is solely conducted to meet the supply-chain program requirements of part 117 by an audit agent of a certification body that is accredited in accordance with regulations in part 1, subpart M (21 CFR part 1, subpart M), the audit is not subject to the requirements in those regulations.

At the time the final rule published, §§ 117.405(a)(2) and 117.475(c)(2) referred to provisions in a future final rule, ''Foreign Supplier Verification Programs for Importers of Food for Humans and Animals'' (FSVP rule) (80 FR 74226; November 27, 2015), whereas § 117.435(d) referred to a provision in a future final rule, ''Accreditation of Third-Party Certification Bodies To Conduct Food Safety Audits and To Issue Certifications'' (third-party certification rule) (80 FR 74570; November 27, 2015). In the final rule establishing part 117, we stated that we would publish a document in the **Federal Register** announcing the effective dates of §§ 117.405(a)(2), 117.475(c)(2), and 117.435(d) (80 FR 55908 at 56131).

In the **Federal Register** of September 17, 2015 (80 FR 56170), we published a final rule that established ''Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Food for Animals'' in part 507 (21 CFR part 507). Section 507.105(a)(2) specifies circumstances in which a receiving facility that is an importer need not conduct certain supplier verification activities. Section 507.175(c)(2) provides for documentation related to its supply-chain program that a receiving facility that is an importer is required to maintain. Section 507.135(d) specifies that if an onsite audit is solely conducted to meet the supply-chain program requirements of part 507 by an audit agent of a certification body that is accredited in accordance with regulations in part 1, subpart M, the audit is not subject to the requirements in those regulations.

At the time the final rule published, §§ 507.105(a)(2) and 507.175(c)(2) referred to provisions in a future final FSVP rule, whereas § 507.135(d) referred to a provision in a future final third-party certification rule. In the final rule establishing part 507, we stated that we would publish a document in the **Federal Register** announcing the effective dates of §§ 507.105(a)(2), 507.175(c)(2), and 507.135(d) (80 FR 56170 at 56330).

The final FSVP rule and the final third-party certification rule published in the **Federal Register** on November 27, 2015, with effective dates of January 26, 2016.

This document announces that the effective date for §§ 117.405(a)(2), 117.475(c)(2), 117.435(d), 507.105(a)(2), 507.175(c)(2), and 507.135(d) is October 31, 2022.

Dated: October 21, 2022.

Robert M. Califf,

Commissioner of Food and Drugs.

[FR Doc. 2022–23534 Filed 10–28–22; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2022–0789]

RIN 1625–AA00

Safety Zone; Upper Mississippi River Mile Marker 485.3–485.9 Davenport, IA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for all navigable waters in the Upper Mississippi River at Mile Marker (MM) 485.3 through 485.9. The safety zone is needed to protect personnel, vessels, and the marine environment from all potential hazards associated with electrical line work. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Sector Upper Mississippi River (COTP) or a designated representative.

DATES: This rule is effective from October 31, 2022 through November 23, 2022.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2022–0789 in the search box and click ''Search.'' Next, in the Document Type

column, select ''Supporting & Related Material.''

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Lieutenant Commander Richard Cherkauer, Sector Upper Mississippi River Waterways Management Division, U.S. Coast Guard; telephone 314–269–2560, email *Richard.G.Cherkauer@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of The Port Sector Upper Mississippi River
DHS Department of Homeland Security
FR Federal Register
MM Mile marker
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. We must establish this temporary safety zone immediately and lack sufficient time to provide a reasonable comment period and then consider those comments before issuing the rule.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying this rule would be contrary to public safety due to ongoing construction work.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). The Captain of the Port Sector Upper Mississippi River (COTP) has determined that potential hazards associated with electrical line work will be a safety concern for anyone operating or transiting within the Upper Mississippi River from MM 485.3 through 485.9. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while electrical line work is being conducted.

IV. Discussion of the Rule

Electrical line work will be occurring near Mile Marker (MM) 485.6 beginning October 31, 2022. The safety zone is designed to protect waterway users until work is complete.

No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. A designated representative is a commissioned, warrant, or petty officer of the U.S. Coast Guard (USCG) assigned to units under the operational control of USCG Sector Upper Mississippi River. To seek permission to enter, contact the COTP or a designated representative via VHF–FM channel 16, or through USCG Sector Upper Mississippi River at 314–269–2332. Persons and vessels permitted to enter the safety zone must comply with all lawful orders or directions issued by the COTP or designated representative. The COTP or a designated representative will inform the public of the effective period for the safety zone as well as any changes in the dates and times of enforcement, as well as reductions in the size of the safety zone as conditions improve, through Local Notice to Mariners (LNMs), Broadcast Notices to Mariners (BNMs), and/or Safety Marine Information Broadcast (SMIB), as appropriate.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss the First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This rule has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on a safety zone located on the Upper Mississippi River at MM 485.3–485.9, near Davenport, IA. The Safety Zone is expected to be active only during the hours of 9 a.m. through 4 p.m., or when work is being conducted, until November 23, 2022.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator because the zone will be enforced only when work is being conducted.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship

between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone encompassing the width of the Upper Mississippi River at MM 485.3–485.9. It is categorically excluded from further review under paragraph L60 (a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places, or vessels.

List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Security Measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.2.

■ 2. Add § 165.T08–0789 to read as follows:

§ 165.T08 –0789 Safety Zone; Upper Mississippi River, Mile Markers 485.3–485.9, Davenport, IA.

(a) *Location.* The following area is a safety zone: all navigable waters within the Upper Mississippi River, Mile Markers (MM) 485.3–485.9.

(b) *Effective period.* This section is effective from October 31, 2022 through November 23, 2022.

(c) *Regulations.* (1) In accordance with the general safety zone regulations in § 165.23, entry of persons or vessels into this safety zone described in paragraph (a) of this section is prohibited unless authorized by the COTP or a designated representative. A designated representative is a commissioned, warrant, or petty officer of the U.S. Coast Guard (USCG) assigned to units under the operational control of USCG Sector Upper Mississippi River.

(2) To seek permission to enter, contact the COTP or a designated representative via VHF–FM channel 16, or through USCG Sector Upper Mississippi River at 314–269–2332. Persons and vessels permitted to enter the safety zone must comply with all lawful orders or directions issued by the COTP or designated representative

(d) *Informational broadcasts.* The COTP or a designated representative will inform the public of the effective period for the safety zone as well as any changes in the dates and times of enforcement, as well as reductions in size or scope of the safety zone as ice or flood conditions improve, through Local Notice to Mariners (LNMs), Broadcast Notices to Mariners (BNMs), and/or Safety Marine Information Broadcast (SMIB) as appropriate.

Dated: October 25, 2022.

A.R. Bender,

Captain, U.S. Coast Guard, Captain of the Port Sector Upper Mississippi River.

[FR Doc. 2022–23717 Filed 10–27–22; 4:15 pm]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2022–0883]

RIN 1625–AA00

Safety Zone; Upper Mississippi River Mile Markers 125–126, Sainte Genevieve, MO

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for all navigable waters of the Upper Mississippi River extending from mile marker (MM) 125 to MM 126 near Sainte Genevieve, MO. The safety zone is needed to protect personnel and vessels from potential hazards due to shoaling in the area. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Sector Upper Mississippi River or a designated representative.

DATES: This rule is effective without actual notice from October 31, 2022 through November 3, 2022. For the purposes of enforcement, actual notice will be used from October 20, 2022, until October 31, 2022.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2022–0883 in the search box and click ''Search.'' Next, in the Document Type column, select ''Supporting & Related Material.''

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or Chief Nathaniel Dibley, Waterways Management, Sector Upper Mississippi River, U.S. Coast Guard; telephone 314–269–2550, email *Nathaniel.D.Dibley@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
MM Mile marker
NPRM Notice of proposed rulemaking

§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because would be impracticable. On October 14, 2022 a vessel grounded due to shoaling in the navigation channel. Surveys were then conducted and the shoaling was confirmed in the navigation channel of the Upper Mississippi River between MM 125 and MM 126, causing a hazard to navigation. The safety zone must be established immediately to protect people and vessels from hazards associated with operating in the vicninity of dangerous shoaling areas during low water conditions. It is impracticable to publish an NPRM because this safety zone must be established immediately.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable because immediate action is needed to respond to the potential safety hazards associated with the shoaling in the navigation channel.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). The Captain of the Port (COTP) Sector Upper Mississippi River has determined that potential hazards associated with shoaling in the navigation channel during low water conditions will be a safety concern for anyone transiting the Upper Mississippi River between MM 125 and MM 126. This rule is needed to protect personnel, vessels, and the marine environment from the potential hazards of operating near shoaling in low water conditions.

IV. Discussion of the Rule

This rule establishes a temporary safety zone from October 20, 2022, until November 3, 2022, or the until the hazard has been mitigated. The safety zone will cover all navigable waters of the Upper Mississippi River between MM 125 to MM 126. The COTP will terminate the enforcement of this temporary safety zone before November 3, 2022, if the hazards associated with the shoaling have been resolved and surveys indicate that it is safe to transit. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. The COTP may be contacted via telephone at 314–269–2561.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This rule has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on on size, duration, and location of the temporary safety zone. This temporary safety zone will restrict vessel traffic within a 1 mile area of navigable waters on the Upper Mississippi River between MM 125 and MM 126. This zone will remain in effect only while the hazards associated with the shoaling are present. Vessels seeking to enter or pass through the zone may seek permission from the COTP Sector Upper Mississippi River.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and

responsibilities between the Federal Government and Indian tribes.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a temporary safety zone for all navigable waters of the Upper Mississippi River from MM 125 to MM 126. The safety zone will last from October 20, 2022, until November 3, 2022, or until all hazards associated with the shoaling have been resolved. It is categorically excluded from further review under paragraph L60(d) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.2.

■ 2. Add § 165.T08–0883 to read as follows:

§ 165.0883 Safety Zone; Upper Mississippi River MM 125–126, Sainte Genevieve, MO.

(a) *Location.* The safety zone will cover all navigable waters of the Upper Mississippi River between mile markers (MM) 125 and MM 126.

(b) *Enforcement period.* This section will be enforced from October 20, 2022, and will continue until November 3, 2022, or until the hazards associated with the shoaling have been resolved.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry of vessels or persons into the zone are prohibited unless specifically authorized by the Captain of the Port Sector Upper Mississippi River (COTP) or designated representative. A designated representative is a commissioned, warrant, or petty officer of the U.S. Coast Guard assigned to units under the operational control of USCG Sector Upper Mississippi River.

(2) If permission is granted, all person and vessels must comply with the instructions of the COTP or designated representative while proceeding through the zone.

(d) *Informational broadcasts.* The COTP or a designated representative will inform the public of the effective period for the safety zone as well as any changes in the dates and times of enforcement, through Local Notice to Mariners (LNMs), Broadcast Notices to Mariners (BNMs), and/or Safety Marine Information Broadcast (SMIB) as appropriate.

Dated: October 20, 2022.

A.R. Bender,

Captain, U.S. Coast Guard, Captain of the Port Sector Upper Mississippi River.

[FR Doc. 2022–23340 Filed 10–28–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[RTID 0648–XC446]

Fraser River Sockeye Salmon Fisheries; Inseason Orders

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

ACTION: Temporary rule; inseason orders.

SUMMARY: NMFS publishes Fraser River salmon inseason orders to regulate tribal treaty (treaty Indian) and non-tribal (all citizen) commercial salmon fisheries in United States (U.S.) waters. The orders were issued by the Fraser River Panel (Panel) of the Pacific Salmon Commission (Commission) and subsequently approved and issued by NMFS during 2022 for sockeye salmon fisheries within the U.S. Fraser River Panel Area. These orders established fishing dates, times, and areas for the gear types of U.S. treaty Indian and all citizen commercial fisheries during the period the Panel exercised jurisdiction over these fisheries.

DATES: The effective dates for the inseason orders are set out in this document under the heading Inseason Orders.

FOR FURTHER INFORMATION CONTACT: Anthony Siniscal at 971–322–8407, email: *Anthony.siniscal@noaa.gov.*

SUPPLEMENTARY INFORMATION: The Treaty between the Government of the United States of America and the Government of Canada concerning Pacific salmon was signed at Ottawa on January 28, 1985, and subsequently was given effect in the United States by the Pacific Salmon Treaty Act (Act) at 16 U.S.C. 3631–3644.

Under authority of the Act, Federal regulations at 50 CFR part 300, subpart F, provide a framework for the implementation of certain regulations of the Commission and inseason orders of the Commission's Panel for U.S. sockeye and pink salmon fisheries in the Fraser River Panel Area.

The regulations close the U.S. portion of the Panel Area to U.S. sockeye and pink salmon tribal and non-tribal commercial fishing unless opened by Panel regulations that are given effect by inseason orders issued by NMFS (50 CFR 300.94(a)(1)). During the fishing season, NMFS may issue inseason orders that establish fishing times and

areas consistent with the Commission agreements and regulations of the Panel. Such orders must be consistent with domestic legal obligations and are issued by the Regional Administrator, West Coast Region, NMFS. Official notification of these inseason actions is provided by two telephone hotline numbers described at 50 CFR 300.97(b)(1) and in 84 FR 19729 (May 6, 2019). The inseason orders are published in the **Federal Register** as soon as practicable after they are issued. Due to the frequency with which inseason orders are issued, publication of individual orders is impractical.

Inseason Orders

NMFS issued the following inseason orders for U.S. fisheries within Panel Area waters during the 2022 fishing season, consistent with the orders adopted by the Panel. Each of the following inseason actions was effective upon announcement on telephone hotline numbers as specified at 50 CFR 300.97(b)(1) and in 87 FR 29690 (May 16, 2022); those dates and times are listed herein. The times listed are local times, and the areas designated are Puget Sound Management and Catch Reporting Areas as defined in the Washington State Administrative Code at Chapter 220–301–030.

Fraser River Panel Order Number 2022–01: Issued 12:15 p.m., July 29, 2022

Treaty Tribal Fishery

Areas 4B, 5, and 6C: Open for drift gillnet fishing from 12 p.m. (noon), Monday, August 1, 2022, through 12 p.m. (noon), Wednesday, August 3, 2022.

Fraser River Panel Order Number 2022–02: Issued 11:30 a.m., August 2, 2022

Treaty Tribal Fishery

Areas 4B, 5, and 6C: Extend for drift gillnet fishing from 12 p.m. (noon), Wednesday, August 3, 2022, through 12 p.m. (noon), Saturday, August 6, 2022.

Fraser River Panel Order Number 2022–03: Issued 1 p.m., August 5, 2022

Treaty Tribal Fishery

Areas 4B, 5, and 6C: Extend for drift gillnet fishing from 12 p.m. (noon), Saturday, August 6, 2022, through 12 p.m. (noon), Wednesday, August 10, 2022.

Fraser River Panel Order Number 2022–04: Issued 1:15 p.m., August 9, 2022

Treaty Tribal Fishery

Areas 4B, 5, and 6C: Extend for drift gillnet fishing from 12 p.m. (noon), Wednesday, August 10, 2022, through 12 p.m. (noon), Saturday, August 13, 2022.

Fraser River Panel Order Number 2022–05: Issued 1 p.m., August 12, 2022

Treaty Tribal Fishery

Areas 4B, 5, and 6C: Extend for drift gillnet fishing from 12 p.m. (noon), Saturday, August 13, 2022, through 12 p.m. (noon), Wednesday, August 17, 2022.

Areas 6, 7, and 7A: Open for net fishing from 5 a.m., Saturday, August 13, 2022 through 9 a.m. Monday, August 15, 2022.

All Citizen Fishery

Areas 7: Open for reef net fishing from 5 a.m. through 9 p.m., Saturday, August 13, 2022.

Fraser River Panel Order Number 2022–06: Issued 1:45 p.m., August 16, 2022

Treaty Tribal Fishery

Areas 4B, 5, and 6C: Extend for drift gillnet fishing from 12 p.m. (noon), Wednesday, August 17, 2022, through 12 p.m. (noon), Friday, August 19, 2022.

Areas 6, 7, and 7A: Open for net fishing from 5 a.m., Wednesday, August 17, 2022 through 9 a.m., Thursday, August 18, 2022.

Fraser River Panel Order Number 2022–07: Issued 5:45 p.m., August 18, 2022

Treaty Tribal Fishery

Areas 4B, 5, and 6C: Extend for drift gillnet fishing from 12 p.m. (noon), Friday, August 19, 2022, through 12 p.m. (noon), Wednesday, August 24, 2022.

Areas 6, 7, and 7A: Open for net fishing from 5 a.m., Sunday, August 21, 2022 through 9 a.m., Monday, August 22, 2022.

All Citizen Fishery

Areas 7 and 7A: Open for purse seine fishing from 5 a.m. through 9 p.m., Saturday, August 20, 2022.

Areas 7 and 7A: Open for drift gillnet fishing from 8 a.m. through 11:59 p.m., Saturday, August 20, 2022.

Fraser River Panel Order Number 2022–08: Issued 10 a.m., August 23, 2022

Treaty Tribal Fishery

Areas 4B, 5, and 6C: The previously announced drift gillnet fishery scheduled through 12 p.m. (noon), Wednesday, August 24, 2022 will now close at 12 p.m. (noon), Tuesday, August 23, 2022.

Fraser River Panel Order Number 2022–09: Issued 12 p.m., September 9, 2022

Treaty Tribal and All Citizen Fisheries

Areas 4B, 5, 6, 6C, and 7: Relinquish regulatory control effective 11:59 p.m., Saturday, September 10, 2022.

Classification

The Assistant Administrator for Fisheries NOAA (AA), finds that good cause exists for the inseason orders to be issued without affording the public prior notice and opportunity for comment under 5 U.S.C. 553(b)(B) as such prior notice and opportunity for comments is impracticable and contrary to the public interest. Prior notice and opportunity for public comment is impracticable because NMFS has insufficient time to allow for prior notice and opportunity for public comment between the time the stock abundance information is available to determine how much fishing can be allowed and the time the fishery must open and close in order to harvest the appropriate amount of fish while they are available.

The AA also finds good cause to waive the 30-day delay in the effective date, required under 5 U.S.C. 553(d)(3), of the inseason orders. A delay in the effective date of the inseason orders would not allow fishers appropriately controlled access to the available fish at that time they are available.

This action is authorized by 50 CFR 300.97, and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 3636(b).

Dated: October 25, 2022.

Jennifer M. Wallace,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2022–23566 Filed 10–28–22; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 87, No. 209
Monday, October 31, 2022

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF ENERGY

10 CFR Part 430

[EERE–2021–BT–TP–0036]

RIN 1904–AF26

Energy Conservation Program: Test Procedure for Air Cleaners

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Notification of rescheduled public meeting.

SUMMARY: On October 18, 2022, the U.S. Department of Energy (''DOE'') published a notice of proposed rulemaking (''NOPR'') to establish test procedures for air cleaners and to announce a public meeting on November 9, 2022, to discuss the proposal. (''October 2022 NOPR'') This document announces a change to the public meeting time. Instead of being held from 1 to 4 p.m., the public meeting will now be held from 12 to 3 p.m.

DATES: DOE will hold a public meeting via webinar on November 9, 2022, from 12 to 3:00 p.m. See section, ''Public Participation,'' for webinar registration information, participant instructions, and information about the capabilities available to webinar participants. DOE will accept comments, data, and information regarding the October 2022 NOPR no later than December 19, 2022.

ADDRESSES: Interested persons are encouraged to submit comments using the Federal eRulemaking Portal at *www.regulations.gov* under docket number EERE–2021–BT–TP–0036. Follow the instructions for submitting comments. Alternatively, interested persons may submit comments, identified by docket number EERE–2021–BT–TP–0036, by any of the following methods:

(1) *Email: AirCleaners2021TP0036@ee.doe.gov.* Include the docket number EERE–2021–BT–TP–0036 in the subject line of the message.

(2) *Postal Mail:* Appliance and Equipment Standards Program, U.S. Department of Energy, Building Technologies Office, Mailstop EE–5B, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 287–1445. If possible, please submit all items on a compact disc (''CD''), in which case it is not necessary to include printed copies.

(3) *Hand Delivery/Courier:* Appliance and Equipment Standards Program, U.S. Department of Energy, Building Technologies Office, 950 L'Enfant Plaza SW, 6th Floor, Washington, DC 20024. Telephone: (202) 287–1445. If possible, please submit all items on a CD, in which case it is not necessary to include printed copies. No telefacsimiles (''faxes'') will be accepted.

Docket: The docket for this activity, which includes **Federal Register** notices, comments, and other supporting documents/materials, is available for review at *www.regulations.gov.* All documents in the docket are listed in the *www.regulations.gov* index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure.

The docket web page can be found at *www.regulations.gov/docket/EERE-2021-BT-TP-0036.* The docket web page contains instructions on how to access all documents, including public comments, in the docket.

FOR FURTHER INFORMATION CONTACT:

Mr. Troy Watson, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (240) 449–9387. Email: *ApplianceStandardsQuestions@ee.doe.gov.*

Ms. Amelia Whiting, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–2588. Email: *Amelia.Whiting@hq.doe.gov.*

For further information on how to submit a comment, review other public comments and the docket, or participate in a public meeting (if one is held), contact the Appliance and Equipment Standards Program staff at (202) 287–1445 or by email: *ApplianceStandardsQuestions@ee.doe.gov.*

SUPPLEMENTARY INFORMATION: DOE published a notice of proposed rulemaking (''NOPR'') on October 18, 2022, in which DOE proposed to establish definitions, a test procedure, and sampling and representation requirements for air cleaners. 87 FR 63324. DOE proposed a test procedure for measuring the integrated energy factor for air cleaners. The proposed test method references the relevant industry standard, with certain proposed modifications. DOE sought comment from interested parties on the proposal. *Id.*

DOE also announced that it would hold a public meeting via webinar to discuss the October 2022 NOPR on November 9, 2022, from 1 to 4 p.m. DOE is announcing in this notice a revision to the public meeting time. The public meeting will instead be held on November 9, 2022, from 12 to 3 p.m.

Public Participation

A. Participation in the Webinar

The time and date for the webinar meeting are listed in the **DATES** section at the beginning of this document. Webinar registration information, participant instructions, and information about the capabilities available to webinar participants are published on DOE's website: *www.energy.gov/eere/buildings/public-meetings-and-comment-deadlines.* Participants are responsible for ensuring their systems are compatible with the webinar software.

B. Conduct of the Webinar

DOE will designate a DOE official to preside at the webinar and may also use a professional facilitator to aid discussion. The meeting will not be a judicial or evidentiary-type public hearing, but DOE will conduct it in accordance with section 336 of EPCA (42 U.S.C. 6306). A court reporter will be present to record the proceedings and prepare a transcript. DOE reserves the right to schedule the order of presentations and to establish the procedures governing the conduct of the webinar. There shall not be discussion of proprietary information, costs or prices, market share, or other commercial matters regulated by U.S. anti-trust laws. After the webinar and until the end of the comment period,

interested parties may submit further comments on the proceedings and any aspect of the rulemaking.

The webinar will be conducted in an informal, conference style. DOE will present a general overview of the topics addressed in the October 2022 NOPR, allow time for prepared general statements by participants, and encourage all interested parties to share their views on issues affecting the NOPR. Each participant will be allowed to make a general statement (within time limits determined by DOE), before the discussion of specific topics. DOE will permit, as time allows, other participants to comment briefly on any general statements.

At the end of all prepared statements on a topic, DOE will permit participants to clarify their statements briefly. Participants should be prepared to answer questions by DOE and by other participants concerning these issues. DOE representatives may also ask questions of participants concerning other matters relevant to the NOPR. The official conducting the webinar will accept additional comments or questions from those attending, as time permits. The presiding official will announce any further procedural rules or modification of the above procedures that may be needed for the proper conduct of the webinar.

A transcript of the webinar will be included in the docket, which can be viewed as described in the *Docket* section at the beginning of this document. In addition, any person may buy a copy of the transcript from the transcribing reporter. DOE invites public participation in this process through participation in the submission of written comments and information. After the closing of the comment period, DOE will consider all timely-submitted comments and additional information obtained from interested parties, as well as information obtained through further analyses.

Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this notification of rescheduled public meeting.

Signing Authority

This document of the Department of Energy was signed on October 25, 2022, by Francisco Alejandro Moreno, Acting Assistant Secretary for Energy Efficiency and Renewable Energy, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on October 26, 2022.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2022–23624 Filed 10–28–22; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[FAA Rules Docket No. 95–CE–35–AD]

RIN 2120–AA64

Airworthiness Directives; Piper Aircraft, Inc. (Type Certificate Previously Held by The New Piper Aircraft Inc. and Piper Aircraft Corporation) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Proposed rule; withdrawal.

SUMMARY: The FAA is withdrawing a notice of proposed rulemaking (NPRM) and supplemental notice of proposed rulemaking (SNPRM) that proposed to supersede Airworthiness Directive (AD) 92–13–04 for certain Piper Aircraft Corporation (now Piper Aircraft, Inc.) (Piper) Model PA–23–150 (type certificated as PA–23) and PA–23–160 airplanes. AD 92–13–04 requires preflight water draining procedures for the fuel tanks on the affected airplanes. In June 2022, the FAA calculated the quantitative risk using current methods, which were not available at the time the NPRM and SNPRM were issued. The short- and long-term risk assessment calculations establish that an AD for the additional actions and the additional airplane models that were proposed to be added in the NPRM and SNPRM is not warranted. Accordingly, the NPRM and SNPRM are withdrawn.

DATES: As of October 31, 2022, the proposed rules, which published in the **Federal Register** on September 19, 1995 (60 FR 48433), and February 12, 1998 (63 FR 7085), are withdrawn.

FOR FURTHER INFORMATION CONTACT: Ron Segall, Aviation Safety Engineer, Atlanta ACO Branch, FAA, 1701 Columbia Avenue, College Park, GA 30337; phone: (404) 474–5541; email: *ronald.segall@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued an NPRM that proposed to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to supersede AD 92–13–04, Amendment 39–8274 (57 FR 24938; June 12, 1992) (AD 92–13–04), which applies to certain serial-numbered Piper Model PA–23–150 (type certificated as PA–23) and PA–23–160 airplanes. The NPRM published in the **Federal Register** on September 19, 1995 (60 FR 48433). The FAA subsequently issued an SNPRM, which published in the **Federal Register** on February 12, 1998 (63 FR 7085).

The NPRM proposed to:

- Add certain Model PA–23, PA–23–235, and PA–23–250 airplanes to the applicability;
- Retain the preflight draining procedures required by AD 92–13–04 to require incorporating pilots' operating handbook (POH) revisions for Piper Model PA–23–150 and PA–23–160 airplanes that are not equipped with a dual fuel drain kit, part number (P/N) 765–363 (unless already accomplished). The POH revisions are included in Piper Service Bulletin (SB) No. 827A, dated November 4, 1988 (Piper SB No. 827A);
- Require installation of external fuel ramp assemblies on all the affected airplanes in accordance with Floats and Fuel Cells Engineering Specification 2810–002, Revision A, dated March 21, 1995; and
- Delay the compliance for airplanes with Piper Fuel Tank Wedge Kit, P/N 599–367, incorporated in accordance with Piper SB 932A, dated August 30, 1990, until a new fuel tank is installed.

The SNPRM proposed minor changes to the NPRM and was issued as an SNPRM based on the amount of time between the NPRM and the SNPRM.

Actions Since the SNPRM Was Issued

In June 2022, the FAA calculated the quantitative risk of a failure using the current method of assessing risk. This method used, along with the breadth of data that the FAA current has, was not available in 1995/1998 and is the quantitative standard the FAA's continued operational safety community uses to currently assess risk. The FAA risk assessment estimated the future risk of water-in-the-fuel within a one-year period (short-term) and over the next 20 years (long-term) for all Piper PA–23 airplanes, from the first year of operation (1955) to present day (2022). All probable or contributable reported

incidents attributed to water-in-the-fuel that were reported were considered. The short- and long-term risk assessment calculations establish that an AD for the additional actions and the additional airplane models that were proposed to be added in the NPRM and SNPRM is not warranted. Accordingly, the NPRM and SNPRM are to be withdrawn.

The FAA will continue to monitor this situation and take appropriate action as required.

Withdrawal of the NPRM and SNPRM constitutes only such action and does not preclude the agency from issuing future rulemaking on this issue, nor does it commit the agency to any course of action in the future.

Regulatory Findings

Since this action only withdraws an NPRM and SNPRM, it is neither a proposed AD nor a final rule and therefore, not covered under Executive Order 12866 or the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Withdrawal

Accordingly, the notice of proposed rulemaking, which published in the **Federal Register** on September 19, 1995 (60 FR 48433), and the supplemental notice of proposed rulemaking, which published in the **Federal Register** on February 12, 1998 (63 FR 7085), are withdrawn.

Issued on October 20, 2022.

Christina Underwood,

Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2022–23170 Filed 10–28–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2022–1311; Project Identifier MCAI–2022–00624–E]

RIN 2120–AA64

Airworthiness Directives; Safran Helicopter Engines, S.A. (Type Certificate Previously Held by Turbomeca, S.A.) Turboshaft Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directive (AD) 2021–08–02, which applies to all Safran Helicopter Engines, S.A. (Safran) Arriel 2D and Arriel 2E model turboshaft engines. AD 2021–08–02 requires replacing certain critical parts before reaching their published in-service life limits, performing scheduled maintenance tasks before reaching their published periodicity, and performing unscheduled maintenance tasks when the engine meets certain conditions. Since the FAA issued AD 2021–08–02, Safran has revised the airworthiness limitation section (ALS) of the existing maintenance and overhaul manuals, introducing new and more restrictive instructions and maintenance tasks. This proposed AD would require revisions to the ALS of the operator's existing approved aircraft maintenance program (AMP), as applicable, as specified in a European Union Aviation Safety Agency (EASA) AD, which is proposed for incorporation by reference (IBR). The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by December 15, 2022.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* (202) 493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2022–1311; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For material identified in this NPRM, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: *ADs@easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (817) 222–5110.

FOR FURTHER INFORMATION CONTACT: Kevin Clark, Aviation Safety Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: (781) 238–7088; email: *kevin.m.clark@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under **ADDRESSES**. Include ''Docket No. FAA–2022–1311; Project Identifier MCAI–2022–00624–E'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend the proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *regulations.gov,* including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact we receive about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Kevin Clark, Aviation Safety Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803. Any commentary that the FAA

receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA issued AD 2021–08–02, Amendment 39–21496 (86 FR 26651, May 17, 2021) (AD 2021–08–02), for all Safran Arriel 2D and Arriel 2E model turboshaft engines. AD 2021–08–02 was prompted by the manufacturer revising the maintenance and overhaul manuals to introduce new or more restrictive airworthiness limitations and maintenance tasks. AD 2021–08–02 requires replacing certain critical parts before reaching their published in-service life limits, performing scheduled maintenance tasks before reaching their published periodicity, and performing unscheduled maintenance tasks when the engine meets certain conditions. As a terminating action, AD 2021–08–02 requires operators to revise the ALS of their existing approved AMP by incorporating the revised airworthiness limitations and maintenance tasks. The FAA issued AD 2021–08–02 to prevent failure of the engine.

Actions Since AD 2021–08–02 Was Issued

Since the FAA issued AD 2021–08–02, EASA, which is the Technical Agent for the Member States of the European Union, issued EASA AD 2022–0083, dated May 11, 2022 (EASA AD 2022–0083), which supersedes EASA AD 2018–0273, dated December 13, 2018 (EASA AD 2018–0273). EASA AD 2022–0083 states that the manufacturer published a revised ALS introducing new and more restrictive tasks and limitations. These new or more restrictive airworthiness limitations and maintenance tasks include initial and repetitive inspections for clogging of the power turbine air pressurization pipe. The FAA is proposing this AD to prevent failure of the engine. This unsafe condition, if not addressed, could result in uncontained release of a critical part, damage to the engine, and damage to the helicopter. See EASA AD 2022–0083 for additional background information.

Related Service Information Under 1 CFR Part 51

The FAA reviewed EASA AD 2022–0083. EASA AD 2022–0083 specifies instructions for accomplishing the actions specified in the applicable ALS, including performing maintenance tasks, replacing life-limited parts, and revising the existing approved AMP by incorporating the limitations, tasks, and associated thresholds and intervals described in the ALS. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in **ADDRESSES**.

Other Related Service Information

The FAA reviewed TASK 05–10–01–200–801–A01, Values of Authorized In-Service Life Limits—Airworthiness Limitations, of the Safran Helicopter Engines Arriel 2 Maintenance Manual, dated December 30, 2021, and TASK 05–10–10–200–801–A01, Airworthiness Limitations—Temporary Update No. 05–3—Tables of Mandatory Maintenance Tasks, of the Safran Helicopter Engines Arriel 2 Maintenance Manual, dated April 15, 2022.

The FAA reviewed Section 05–10–00, Airworthiness Limitations, of Chapter 05, Airworthiness Limitations–Frequencies–Inspections, of the Safran Helicopter Engines Arriel 2D and Arriel 2E Overhaul Manuals, Volume 1, No. X 292 R1 500 2, Update No. 23, dated December 30, 2021.

FAA's Determination

These products have been approved by the aviation authority of another country, and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with the State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI described above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would retain none of the requirements of AD 2021–08–02. This proposed AD would require accomplishing the actions specified in EASA AD 2022–0083, described previously, except as discussed under ''Differences Between this Proposed AD and the EASA AD.'' An owner/operator (pilot) holding at least at least a private pilot certificate may incorporate the actions and associated thresholds and intervals, including life limits and maintenance tasks, into existing approved maintenance or inspection program as applicable, and performance of this incorporation must be entered into the aircraft records showing compliance with this AD in accordance with 14 CFR 43.9(a) and 14 CFR 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.439. This is an exception to the FAA's standard maintenance regulations.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has since coordinated with other manufacturers and CAAs to use this process. As a result, the FAA proposes to incorporate by reference EASA AD 2022–0083 in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2022–0083 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in the EASA AD does not mean that operators need comply only with that section. For example, where the AD requirement refers to ''all required actions and compliance times,'' compliance with this AD requirement is not limited to the section titled ''Required Action(s) and Compliance Time(s)'' in EASA AD 2022–0083. Service information required by the EASA AD for compliance will be available at *regulations.gov* under Docket No. FAA–2022–1311 after the FAA final rule is published.

Differences Between This Proposed AD and the EASA AD

EASA AD 2022–0083 applies to Arriel 2D, 2E, 2H, 2L2, and 2N model turboshaft engines, whereas this proposed AD would only apply to Arriel 2D and Arriel 2E model turboshaft engines. Arriel 2H, 2L2, and 2N engines are not U.S. type certificated.

EASA AD 2022–0083 defines the AMP as the approved Aircraft Maintenance Programme on the basis of which the operator or the owner ensures the continuing airworthiness of each operated engine, this AD defines the AMP as the Aircraft Maintenance Program on the basis of which the operator or the owner ensures the continuing airworthiness of each operated helicopter.

EASA AD 2022–0083 requires revising the approved AMP within 12 months after its effective date, whereas this proposed AD would require incorporating the actions and associated thresholds and intervals, including life limits and maintenance tasks, into the existing approved maintenance or inspection program, as applicable,

within 90 days after the effective date of the AD.

This AD does not require compliance with paragraphs (1), (2), (4), or (5) of EASA AD 2022–0083.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 426 engines installed on helicopters of U.S. Registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Revise the ALS and the operator's existing approved AMP.	1 work-hour × $85 per hour = $85	$0	$85	$36,210

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

The FAA determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Would not affect intrastate aviation in Alaska, and

(3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by:

■ a. Removing Airworthiness Directive 2021–08–02, Amendment 39–21496 (86 FR 26651, May 17, 2021); and

■ b. Adding the following new airworthiness directive:

Safran Helicopter Engines, S.A. (Type Certificate previously held by Turbomeca, S.A.): Docket No. FAA–2022–1311; Project Identifier MCAI–2022–00624–E.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by December 15, 2022.

(b) Affected ADs

This AD replaces AD 2021–08–02, Amendment 39–21496 (86 FR 26651, May 17, 2021) (AD 2021–08–02).

(c) Applicability

This AD applies to all Safran Helicopter Engines, S.A. (Safran) (Type Certificate previously held by Turbomeca, S.A.) Arriel 2D and Arriel 2E model turboshaft engines.

(d) Subject

Joint Aircraft Service Component (JASC) Code 7250, Turbine Section.

(e) Unsafe Condition

This AD was prompted by the manufacturer revising the maintenance and overhaul manuals to introduce new or more restrictive airworthiness limitations and maintenance tasks. The FAA is issuing this AD to prevent failure of the engine. The unsafe condition, if not addressed, could result in uncontained release of a critical part, damage to the engine, and damage to the helicopter.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Required Actions

(1) Except as specified in paragraph (h) and (i) of this AD: Perform all required actions within the compliance times specified in, and in accordance with, European Union Aviation Safety Agency AD 2022–0083, dated May 11, 2022 (EASA AD 2022–0083).

(2) The actions required by paragraph (g)(1) of this AD may be performed by the owner/operator (pilot) holding at least a private pilot certificate and must be entered into the aircraft records showing compliance with this AD in accordance with 14 CFR 43.9(a) and 14 CFR 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.439.

(h) Exceptions to EASA AD 2022–0083

(1) Where EASA AD 2022–0083 defines the AMP as the approved Aircraft Maintenance Programme on the basis of which the operator or the owner ensures the continuing airworthiness of each operated engine, this AD defines the AMP as the Aircraft Maintenance Program on the basis of which the operator or the owner ensures the continuing airworthiness of each operated helicopter.

(2) Where EASA AD 2022–0083 refers to its effective date, this AD requires using the effective date of this AD.

(3) This AD does not require compliance with paragraph (1) of EASA AD 2022–0083.

(4) This AD does not require compliance with paragraph (2) of EASA AD 2022–0083.

(5) Where paragraph (3) of EASA AD 2022–0083 requires revising the approved aircraft maintenance program (AMP) within 12 months after the effective date of EASA AD 2021–0217, this AD requires incorporating the actions and associated thresholds and intervals, including life limits and maintenance tasks, into the existing approved maintenance or inspection program, as applicable, within 90 days after the effective date of this AD.

(6) This AD does not require compliance with paragraph (4) of EASA AD 2022–0083.

(7) This AD does not require compliance with paragraph (5) of EASA AD 2022–0083.

(8) The ''Remarks'' section of EASA AD 2022–0083 does not apply to this AD.

(i) Provisions for Alternative Actions, Thresholds, and Intervals, Including Life Limits

After performing the action required by paragraph (g) of this AD, no alternative actions and associated thresholds and intervals, including life limits, are allowed unless they are approved as specified in the provisions of the ''Ref. Publications'' section of EASA AD 2022–0083.

(j) Alternative Methods of Compliance (AMOCs)

The Manager, ECO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (k) of this AD and email to: *ANE-AD-AMOC@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(k) Additional Information

For more information about this AD, contact Kevin Clark, Aviation Safety Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: (781) 238–7088; email: *kevin.m.clark@faa.gov.*

(l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) European Union Aviation Safety Agency AD 2022–0083, dated May 11, 2022.

(ii) Reserved.

(3) For EASA AD 2022–0083, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: *ADs@easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.*

(4) You may view this service information at FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (817) 222–5110.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email: *fr.inspection@nara.gov,* or go to: *www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued on October 20, 2022.

Christina Underwood,

Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2022–23172 Filed 10–28–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2022–1308; Project Identifier MCAI–2022–00532–T]

RIN 2120–AA64

Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directive (AD) 2021–04–05, which applies to certain Airbus Canada Limited Partnership Model BD–500–1A10 and BD–500–1A11 airplanes. AD 2021–04–05 requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. Since the FAA issued AD 2021–04–05, the FAA has determined that new or more restrictive airworthiness limitations are necessary. This proposed AD would continue to require the actions in AD 2021–04–05 and require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by December 15, 2022.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2022–1308; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For service information identified in this NPRM, contact Airbus Canada Limited Partnership, 13100 Henri-Fabre Boulevard, Mirabel, Québec J7N 3C6, Canada; telephone 450–476–7676; email *a220_crc@abc.airbus;* website *a220world.airbus.com.*
- You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

FOR FURTHER INFORMATION CONTACT: Gabriel Kim, Aerospace Engineer, Airframe and Propulsion Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under **ADDRESSES**. Include ''Docket No. FAA–2022–1308; Project Identifier MCAI–2022–00532–T'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend the proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *regulations.gov,* including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as

private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Gabriel Kim, Aerospace Engineer, Airframe and Propulsion Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.* Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA issued AD 2021–04–05, Amendment 39–21426 (86 FR 10799, February 23, 2021) (AD 2021–04–05), which applies to certain Airbus Canada Limited Partnership Model BD–500–1A10 and BD–500–1A11 airplanes. AD 2021–04–05 requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. AD 2021–04–05 resulted from a determination that new or more restrictive airworthiness limitations are necessary. The FAA issued AD 2021–04–05 to address reduced structural integrity of the airplane or reduced controllability of the airplane.

Actions Since AD 2021–04–05 Was Issued

Since the FAA issued AD 2021–04–05, the FAA has determined that new or more restrictive airworthiness limitations are necessary

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued TCCA AD CF–2022–18, dated April 14, 2022 (TCCA AD CF–2022–18) (also referred to after this as the MCAI), to correct an unsafe condition for certain Airbus Canada Limited Partnership Model BD–500–1A10 and BD–500–1A11 airplanes. Airplanes with an original airworthiness certificate or original export certificate of airworthiness issued after February 3, 2022, must comply with the airworthiness limitations specified as part of the approved type design and referenced on the type certificate data sheet; this proposed AD therefore does not include those airplanes in the applicability.

You may examine the MCAI in the AD docket at *regulations.gov* by searching for and locating Docket No. FAA–2022–1308.

This proposed AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is proposing this AD to address reduced structural integrity of the airplane or reduced controllability of the airplane.

Related Service Information Under 1 CFR Part 51

Airbus Canada Limited Partnership has issued A220 Airworthiness Limitations, BD500–3AB48–11400–02, Issue 014.00, dated February 3, 2022. This service information describes airworthiness limitations for fuel tank systems, safe life limits, and certification maintenance requirements.

This proposed AD would also require Airbus Canada Limited Partnership A220 Airworthiness Limitations, BD500–3AB48–11400–02, Issue 011.00, dated June 18, 2020, which the Director of the Federal Register approved for incorporation by reference as of March 30, 2021 (86 FR 10799, February 23, 2021).

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with the State of Design Authority, the FAA has been notified of the unsafe condition described in the MCAI and service information referenced above. The FAA is proposing this AD because the FAA evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Proposed Requirements of This NPRM

This proposed AD would retain all of the requirements of AD 2021–04–05. This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. Revising the existing maintenance or inspection program as proposed in this AD would terminate the retained requirements from AD 2021–04–05 in paragraph (g) of this proposed AD, for Sections 01, ''Airworthiness limitations—Introduction;'' 02, ''Certification maintenance requirements—General;'' 04, ''ALI structural inspections—General;'' 05, ''Life limited parts (systems)—General;'' 06, ''Life limited parts (structures)—General;'' 07, ''Fuel system limitations—General;'' 08, ''Critical design configuration control limitations—General;'' 09, ''Power plant limitations—General;'' 10, ''Structural repair limitations—General;'' and 11, ''Limit of validity—General;'' of Airbus Canada Limited Partnership A220 Airworthiness Limitations, BD500–3AB48–11400–02, Issue 011.00, dated June 18, 2020, only.

This proposed AD would require revisions to certain operator maintenance documents to include new actions (*e.g.,* inspections) and Critical Design Configuration Control Limitations (CDCCLs). Compliance with these actions and CDCCLs is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed AD, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (k)(1) of this proposed AD.

Differences Between This Proposed AD and the MCAI

TCCA AD CF–2022–18 specifies to incorporate all sections of the airworthiness limitations document. This proposed AD would not require the incorporation of Section 03, ''Candidate CMR limitations—General,'' of Airbus Canada Limited Partnership A220 Airworthiness Limitations, BD500–3AB48–11400–02, Issue 014.00, dated February 3, 2022. However, this proposed AD would continue to require the incorporation of Section 03, ''Candidate CMR limitations—General,'' of Airbus Canada Limited Partnership A220 Airworthiness Limitations, BD500–3AB48–11400–02, Issue 011.00, dated June 18, 2020.

Costs of Compliance

The FAA estimates that this proposed AD affects 70 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

The FAA estimates the total cost per operator for the retained actions from AD 2021–04–05 to be $7,650 (90 work-hours × $85 per work-hour).

The FAA has determined that revising the maintenance or inspection program takes an average of 90 work-hours per operator, although the agency recognizes that this number may vary from operator to operator. Since operators incorporate maintenance or inspection program changes for their

affected fleet(s), the FAA has determined that a per-operator estimate is more accurate than a per-airplane estimate. Therefore, the agency estimates the average total cost per operator to be $7,650 (90 work-hours × $85 per work-hour).

The FAA estimates the total cost per operator for the new proposed actions to be $7,650 (90 work-hours × $85 per work-hour).

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

The FAA determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Would not affect intrastate aviation in Alaska, and

(3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by:

■ a. Removing Airworthiness Directive (AD) 2021–04–05, Amendment 39–21426 (86 FR 10799, February 23, 2021); and

■ b. Adding the following new AD:

Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.): Docket No. FAA–2022–1308; Project Identifier MCAI–2022–00532–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by December 15, 2022.

(b) Affected ADs

This AD replaces AD 2021–04–05, Amendment 39–21426 (86 FR 10799, February 23, 2021) (AD 2021–04–05).

(c) Applicability

This AD applies to Airbus Canada Limited Partnership airplanes, certificated in any category, as identified in paragraphs (c)(1) and (2) of this AD.

(1) Model BD–500–1A10 airplanes, serial numbers 50001 and subsequent with an original airworthiness certificate or original export certificate of airworthiness issued on or before February 3, 2022.

(2) Model BD–500–1A11 airplanes, serial numbers 55001 and subsequent with an original airworthiness certificate or original export certificate of airworthiness issued on or before February 3, 2022.

(d) Subject

Air Transport Association (ATA) of America Code 05, Time Limits/Maintenance Checks.

(e) Reason

This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to address reduced structural integrity of the airplane or reduced controllability of the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Retained Revision of the Existing Maintenance or Inspection Program, With a New Terminating Action

This paragraph restates the requirements of paragraph (g) of AD 2021–04–05, with a new terminating action. For airplanes with an original airworthiness certificate or original export certificate of airworthiness issued on or before June 18, 2020: Within 90 days after March 30, 2021 (the effective date of AD 2021–04–05), revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in Airbus Canada Limited Partnership A220 Airworthiness Limitations, BD500–3AB48–11400–02, Issue 011.00, dated June 18, 2020. The initial compliance time for doing the tasks is at the time specified in Airbus Canada Limited Partnership A220 Airworthiness Limitations, BD500–3AB48–11400–02, Issue 011.00, dated June 18, 2020, or within 90 days after March 30, 2021, whichever occurs later. Accomplishing the revision of the existing maintenance or inspection program required by paragraph (i) of this AD terminates the requirements of this paragraph for Sections 01, ''Airworthiness limitations—Introduction;'' 02, ''Certification maintenance requirements—General;'' 04, ''ALI structural inspections—General;'' 05, ''Life limited parts (systems)—General;'' 06, ''Life limited parts (structures)—General;'' 07, ''Fuel system limitations—General;'' 08, ''Critical design configuration control limitations—General;'' 09, ''Power plant limitations—General;'' 10, ''Structural repair limitations—General;'' and 11, ''Limit of validity—General;'' of Airbus Canada Limited Partnership A220 Airworthiness Limitations, BD500–3AB48–11400–02, Issue 011.00, dated June 18, 2020, only.

(h) Retained No Alternative Actions, Intervals, or Critical Design Configuration Control Limitations (CDCCLs), With a New Exception

This paragraph restates the requirements of paragraph (h) of AD 2021–04–05, with a new exception. Except as required by paragraph (i) of this AD, after the existing maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions (*e.g.,* inspections), intervals, or CDCCLs may be used unless the actions, intervals, and CDCCLs are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (k)(1) of this AD.

(i) New Maintenance or Inspection Program Revision

Within 90 days after the effective date of this AD, revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in Sections 01, ''Airworthiness limitations—Introduction;'' 02, ''Certification maintenance requirements—General;'' 04, ''ALI structural inspections—General;'' 05, ''Life limited parts—General;'' 06, ''Fuel system limitations—General;'' 07, ''Critical design configuration control limitations—General;'' 08, ''Power plant limitations—General;'' 09, ''Structural repair limitations—General;'' and 10, ''Limit of validity—General;'' inclusive of Airbus Canada Limited Partnership A220 Airworthiness Limitations, BD500–3AB48–11400–02, Issue 014.00, dated February 3, 2022. The initial compliance time for doing the tasks is at the time specified in Airbus Canada Limited Partnership A220 Airworthiness Limitations, BD500–3AB48–11400–02, Issue 014.00, dated February 3,

2022, or within 90 days after the effective date of this AD, whichever occurs later. Accomplishing the revision of the existing maintenance or inspection program required by this paragraph terminates the actions required by paragraph (g) of this AD for Sections 01, ''Airworthiness limitations—Introduction;'' 02, ''Certification maintenance requirements—General;'' 04, ''ALI structural inspections—General;'' 05, ''Life limited parts (systems)—General;'' 06, ''Life limited parts (structures)—General;'' 07, ''Fuel system limitations—General;'' 08, ''Critical design configuration control limitations—General;'' 09, ''Power plant limitations—General;'' 10, ''Structural repair limitations—General;'' and 11, ''Limit of validity—General;'' of Airbus Canada Limited Partnership A220 Airworthiness Limitations, BD500–3AB48–11400–02, Issue 011.00, dated June 18, 2020, only.

(j) New No Alternative Actions, Intervals, or CDCCLs

After the existing maintenance or inspection program has been revised as required by paragraph (i) of this AD, no alternative actions (*e.g.,* inspections), intervals, or CDCCLs may be used unless the actions, intervals, and CDCCLs are approved as an AMOC in accordance with the procedures specified in paragraph (k)(1) of this AD.

(k) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, New York ACO Branch, FAA; or Transport Canada Civil Aviation (TCCA); or Airbus Canada Limited Partnership's TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(l) Additional Information

(1) Refer to TCCA AD CF–2022–18, dated April 14, 2022, for related information. This TCCA AD may be found in the AD docket regulations.gov by searching for and locating Docket No. FAA–2022–1308.

(2) For more information about this AD, contact Gabriel Kim, Aerospace Engineer, Airframe and Propulsion Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.*

(m) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(3) The following service information was approved for IBR on December 5, 2022.

(i) Airbus Canada Limited Partnership A220 Airworthiness Limitations, BD500–3AB48–11400–02, Issue 014.00, dated February 3, 2022.

(ii) [Reserved]

(4) The following service information was approved for IBR on March 30, 2021 (86 FR 10799, February 23, 2021).

(i) Airbus Canada Limited Partnership A220 Airworthiness Limitations, BD500–3AB48–11400–02, Issue 011.00, dated June 18, 2020.

(ii) [Reserved]

(5) For service information identified in this AD, contact Airbus Canada Limited Partnership, 13100 Henri-Fabre Boulevard, Mirabel, Québec J7N 3C6, Canada; telephone 450–476–7676; email *a220_crc@abc.airbus;* website *a220world.airbus.com.*

(6) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(7) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email *fr.inspection@nara.gov,* or go to: *www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued on October 17, 2022.

Ross Landes,

Deputy Director for Regulatory Operations, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2022–23012 Filed 10–28–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2022–1313; Project Identifier MCAI–2021–01418–T]

RIN 2120–AA64

Airworthiness Directives; BAE Systems (Operations) Limited Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directive (AD) 99–25–11, which applies to certain BAE Systems (Operations) Limited Model BAe 146 and Avro 146–RJ series airplanes. AD 99–25–11 requires repetitive inspections for cracks along the face of the retraction attachment boss in the nose landing gear (NLG) sidewall; and corrective action, if necessary. Since the FAA issued AD 99–25–11, additional cracking was found that indicated additional airplanes are subject to the unsafe condition. This proposed AD would continue to require the actions in AD 99–25–11, and expand the applicability. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by December 15, 2022.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *regulations.gov*. Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact BAE Systems (Operations) Limited, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; telephone +44 1292 675207; fax +44 1292 675704; email *RApublications@baesystems.com;* website *baesystems.com/Businesses/RegionalAircraft/index.htm.* You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

Examining the AD Docket

You may examine the AD docket at *regulations.gov* by searching for and locating Docket No. FAA–2022–1313; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness

information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Todd Thompson, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3228; email *Todd.Thompson@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under **ADDRESSES**. Include ''Docket No. FAA–2022–1313; Project Identifier MCAI–2021–01418–T'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend the proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *regulations.gov*, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this proposed AD.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Todd Thompson, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3228; email *Todd.Thompson@faa.gov.* Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA issued AD 99–25–11, Amendment 39–11454 (64 FR 72522, December 28, 1999) (AD 99–25–11), for certain BAE Systems (Operations) Limited Model BAe 146 and Avro 146–RJ series airplanes. FAA AD 99–25–11 requires repetitive eddy current inspections for cracks along the face of the retraction attachment boss in the NLG sidewall; and corrective action, if necessary. FAA AD 99–25–11 was prompted by issuance of mandatory continuing airworthiness information by a foreign civil aviation authority. The FAA issued AD 99–25–11 to address cracking along the face of the retraction attachment boss in the NLG sidewall, which could result in premature extension of the NLG or result in depressurization of the airplane.

FAA AD 99–25–11 corresponds to British AD 015–10–98.

Actions Since AD 99–25–11 Was Issued

Since the FAA issued AD 99–25–11, the FAA has determined that additional airplanes are subject to the identified unsafe condition.

The Civil Aviation Authority (CAA), which is the aviation authority for the United Kingdom, has issued CAA AD G–2021–0016R1, dated February 18, 2022 (U.K. CAA AD G–2021–0016R1) (also referred to after this as the MCAI), to correct an unsafe condition for certain BAE Systems (Operations) Limited Model BAe 146 and Avro 146–RJ series airplanes. U.K. CAA AD G–2021–0016R1 superseded EASA AD 2007–0305, dated December 20, 2007, which superseded British AD 015–10–98. The FAA did not issue an AD corresponding to EASA AD 2007–0305.

Evidence of cracking was found on several in-service airplanes in the bore and along the face of the retraction jack attachment boss on the left-hand NLG sidewall. Undetected cracking of the NLG sidewall could lead to explosive decompression of the fuselage near to the flightcrew (since the NLG sidewall forms part of the nose fuselage pressure shell), leading to significant structural damage to the airframe and/or incapacitation of the flightcrew.

The effectivity of each revision of ISB.53–152 before Revision 8 was limited to airplanes that were not modified by torque tightening modification HCM01641A in production. BAE Systems (Operations) Limited has received reports of two airplanes with cracks at the NLG retraction jack attachment boss; those airplanes were post-modification HCM01641A and as such were not subject to the requirements of FAA AD 99–25–11. As a result of new findings and further analysis, BAE Systems (Operations) Limited issued Revision 8 of ISB.53–152, dated February 19, 2018, which extends the effectivity to all BAe 146 and Avro 146–RJ airplanes, except for airplanes post-modification HCM20011A, HCM20012A, HCM20013A, HCM20313A, HCM20314A, or HMC20315A.

Revisions prior to Revision 8 of ISB.53–152 included provisions for continued operation with certain crack conditions, which was also allowed in FAA AD 99–25–11 if approved as specified in paragraph (b) of this AD. The U.K. CAA and the FAA have determined that continued operation with known cracks is not acceptable. Therefore, this proposed AD would not allow flight with cracks.

The FAA is proposing this AD to address cracking along the face of the retraction attachment boss in the NLG sidewall, which could result in premature extension of the NLG or result in depressurization of the airplane. See the MCAI for additional background information.

Related Service Information Under 1 CFR Part 51

BAE Systems (Operations) Limited has issued Inspection Service Bulletin ISB.53–152, Revision 8, dated February 19, 2018. This service information describes procedures for repetitive eddy current inspections for cracking in the bore and along the face of the retraction attachment boss in the left-hand NLG sidewall and, and repair or replacement of a cracked sidewall.

This proposed AD would also require British Aerospace Service Bulletin SB.53–152, dated October 8, 1998, which the Director of the Federal Register approved for incorporation by reference as of February 1, 2000 (64 FR 72522, December 28, 1999).

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with the State of Design Authority, the FAA has been notified of the unsafe condition

described in the MCAI and service information referenced above. The FAA is proposing this AD because the FAA evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Proposed Requirements of This NPRM

This proposed AD would retain all of the requirements of AD 99–25–11 and add airplanes to the applicability. This proposed AD would also require accomplishing the actions specified in the service information described previously.

Costs of Compliance

The FAA estimates that this proposed AD affects 20 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Retained actions from AD 99–25–11	1 work-hour × $85 per hour = $85 per inspection cycle.	$0	$85 per inspection cycle.	Up to $1,700 per inspection cycle.
New proposed actions	2 work-hours × $85 per hour = $170	0	$170 per inspection cycle.	$3,400 per inspection cycle.

The FAA has received no definitive data on which to base the cost estimates for the on-condition actions specified in this proposed AD.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

The FAA has determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Will not affect intrastate aviation in Alaska, and

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by:

■ a. Removing Airworthiness Directive (AD) 99–25–11, Amendment 39–11454 (64 FR 72522, December 28, 1999); and

■ b. Adding the following new AD:

BAE Systems (Operations) Limited: Docket No. FAA–2022–1313; Project Identifier MCAI–2021–01418–T.

(a) Comments Due Date

The FAA must receive comments by December 15, 2022.

(b) Affected ADs

This AD replaces AD 99–25–11, Amendment 39–11454 (64 FR 72522, December 28, 1999) (AD 99–25–11).

(c) Applicability

This AD applies to BAE Systems (Operations) Limited Model BAe 146–100A, –200A, and –300A airplanes; and Model Avro 146–RJ70A, 146–RJ85A, and 146–RJ100A airplanes; certificated in any category, without modification HCM20011A, HCM20012A, HCM20013A, HCM20313A, HCM20314A, or HMC20315A.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Reason

This AD was prompted by a report of a crack found on the left-hand sidewall well on the nose landing gear (NLG), and by the determination that additional airplanes are subject to the identified unsafe condition. We are issuing this AD to address cracking along the face of the retraction attachment boss in the NLG sidewall, which could result in premature extension of the NLG or result in depressurization of the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Retained Repetitive Inspections, With New Terminating Action

This paragraph restates the requirements of paragraph (a) of AD 99–25–11, with new terminating action. For airplanes listed in British Aerospace Service Bulletin SB.53–152, dated October 8, 1998: Prior to the accumulation of 8,000 total flight cycles, or within 200 flight cycles after February 1, 2000 (the effective date of AD 99–25–11), whichever occurs later, perform an eddy current inspection to detect cracking along the face of the retraction attachment boss in the nose landing gear sidewall, in accordance with British Aerospace Service Bulletin SB.53–152, dated October 8, 1998. Thereafter, repeat the eddy current inspection at intervals not to exceed 2,600 flight cycles, except as provided in paragraph (j) of this AD.

(h) Retained Repair, With Revised Repair Approval

This paragraph restates the requirements of paragraph (b) of AD 99–25–11, with revised repair approval.

(1) If any crack is detected before the effective date of this AD, during any inspection required by paragraph (g) of this AD, prior to further flight, repair or reinspect in accordance with a method approved by either the Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate; or the Civil Aviation Authority (or its delegated agent). For a repair method to be approved by the Manager, International Branch, ANM–116, as required by this

paragraph, the Manager's approval letter must specifically reference this AD.

(2) If any crack is detected on or after the effective date of this AD during any inspection required by paragraph (g) of this AD: Before further flight, either repair using a method approved by the Manager, Large Aircraft Section, International Validation Branch, FAA; or the U.K. Civil Aviation Authority (U.K. CAA); or BAE Systems (Operations) Limited's U.K. CAA Design Organization Approval (DOA); or do the replacement specified in paragraph (i) of this AD. If approved by the DOA, the approval must include the DOA-authorized signature.

(i) New Requirements: Repetitive Inspections and Corrective Actions

(1) For all airplanes: Before the accumulation of 7,375 total flight cycles, or within 625 flight cycles after the effective date of this AD, or within 2,600 flight cycles since the most recent inspection required by paragraph (g) of this AD, whichever occurs latest, do an eddy current inspection for cracking in the bore and along the face of the retraction jack attachment boss in the left-hand nose landing gear sidewall, in accordance with the Accomplishment Instructions of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–152, Revision 8, dated February 19, 2018. Before further flight, repair or replace any cracked sidewall, as applicable, in accordance with BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–152, Revision 8, dated February 19, 2018. Repeat the inspection thereafter at intervals not to exceed 6,700 flight cycles, except as provided in paragraphs (i)(1)(i) and (ii) of this AD.

(i) For airplanes on which a repair identified for Option A, D, or E in Table 1 of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–152, Revision 8, dated February 19, 2018, has been done: Inspect within 20,000 flight cycles after the repair, and repeat thereafter at intervals not to exceed 4,000 flight cycles.

(ii) For airplanes on which the replacement with part number HC537L0002–000, –002, or –004 identified in Option F in Table 1 of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–152, Revision 8, dated February 19, 2018, has been done: Inspect within 20,000 flight cycles after the repair, and repeat thereafter at intervals not to exceed 4,000 flight cycles.

(2) For airplanes on which re-inspection of cracks was allowed as specified in paragraph (h)(1) of this AD: Within 2,600 flight cycles after the most recent inspection required by paragraph (g) of this AD, repair or replace any cracked sidewall, as applicable, in accordance with BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–152, Revision 8, dated February 19, 2018.

(j) Terminating Action

(1) Accomplishment of the initial inspection and applicable corrective actions required by paragraph (i) of this AD terminates the repetitive inspection requirements of paragraph (g) of this AD.

(2) Accomplishment of the action identified for Option B or C in Table 1 of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–152, Revision 8, dated February 19, 2018, terminates the repetitive inspection requirements of paragraphs (g) and (i)(1) of this AD.

(3) Accomplishment of the replacement with part number HC537L0002–006 identified for Option F in Table 1 of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–152, Revision 8, dated February 19, 2018, terminates the repetitive inspection requirements of paragraphs (g) and (i)(1) of this AD.

(k) Credit for Previous Actions

(1) This paragraph provides credit for actions required by paragraphs (i) and (j)(2) of this AD, if those actions were performed before the effective date of this AD using the service information identified in paragraphs (k)(1)(i) and (ii) of this AD.

(i) BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–152, Revision 6, dated March 5, 2014.

(ii) BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–152, Revision 7, dated May 7, 2014.

(2) This paragraph provides credit for the actions required by paragraph (j)(3) of this AD, if those actions were performed before the effective date of this AD using the service information identified in paragraphs (k)(2)(i) and (ii) of this AD, provided the sidewall replacement for Option F was part number HC537L0002–006.

(i) BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–152, Revision 6, dated March 5, 2014.

(ii) BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–152, Revision 7, dated May 7, 2014.

(l) No Reporting Requirement

Although BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–152, Revision 8, dated February 19, 2018, specifies to submit certain information to the manufacturer, this AD does not include that requirement.

(m) Other FAA AD Provisions

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Large Aircraft Section, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the Large Aircraft Section, International Validation Branch, send it to the attention of the person identified in paragraph (n)(2) of this AD. Information may be emailed to: *9-AVS-AIR-730-AMOC@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* As of the effective date of this AD, for any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or the U.K. CAA; or BAE Systems (Operations) Limited's U.K. CAA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(n) Related Information

(1) For related information, refer to U.K. CAA AD G–2021–0016R1, dated February 18, 2022. This mandatory continuing airworthiness information (MCAI) may be found in the AD docket at regulations.gov by searching for and locating Docket No. FAA–2022–1313.

(2) For more information about this AD, contact Todd Thompson, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3228; email *Todd.Thompson@faa.gov.*

(3) For service information identified in this AD, contact BAE Systems (Operations) Limited, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; telephone +44 1292 675207; fax +44 1292 675704; email *RApublications@baesystems.com;* website *baesystems.com/Businesses/RegionalAircraft/index.htm.* You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

Issued on October 20, 2022.

Christina Underwood,

Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2022–23201 Filed 10–28–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2022–1267; Airspace Docket No. 22–AAL–23]

RIN 2120–AA66

Proposed Revocation of Federal Colored Airway A–9; Bettles, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to remove Colored Federal airway A–9 due to the planned decommissioning of the Evansville, AK (EAV), Non-Directional Beacon (NDB), which provides navigation guidance for the affected route. The Evansville, AK (EAV), NDB is scheduled to be decommissioned effective on June 15, 2023.

DATES: Comments must be received on or before December 15, 2022.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590; telephone: (800) 647–5527, or (202) 366–9826. You must identify FAA Docket No. FAA–2022–1267; Airspace Docket No. 22–AAL–23 at the beginning of your comments. You may also submit comments through the internet at *www.regulations.gov.*

FAA Order 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Paul Gallant, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would modify the route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers (FAA Docket No. FAA–2022–1267; Airspace Docket No. 22–AAL–23) and be submitted in triplicate to the Docket Management Facility (see **ADDRESSES** section for address and phone number). You may also submit comments through the internet at *www.regulations.gov.*

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to FAA Docket No. FAA–2022–1267; Airspace Docket No. 22–AAL–23.'' The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified comment closing date will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the comment closing date. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Western Service Center, Operations Support Group, Federal Aviation Administration, 2200 South 216th St., Des Moines, WA 98198.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022. FAA Order 7400.11G is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

Background

Due to the high cost of maintenance, and the FAA's move toward Global Navigation Satellite System-based navigation, a decision was made to remove the Evansville, AK (EAV), NDB from service. This action will require revocation of Colored Federal Airway A–9.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 to remove Colored Federal airway A–9. A–9 currently extends from the Browerville, AK (VIR), NDB, to the Evansville, AK (EAV), NDB, to the Chena, AK (CUN), NDB. The FAA proposes to remove the entire route. The existing VHF Omnidirectional Range (VOR) Federal airway V–444, and area navigation (RNAV) route T–232 provide alternative routes for A–9.

Colored Federal airways are published in paragraph 6009 of FAA Order 7400.11G dated August 19, 2022, and effective September 15, 2022, which is incorporated by reference in 14 CFR part 71.1. The Colored Federal Airway listed in this document will be subsequently removed from the FAA Order JO 7400.11.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and

Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

Paragraph 6009 Colored Federal Airways.

* * * * *

A–9 [Removed]

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Issued in Washington, DC, on October 19, 2022.

Scott M. Rosenbloom,

Manager, Airspace Rules and Regulations.

[FR Doc. 2022–23083 Filed 10–28–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2202–1260; Airspace Docket No. 22–ACE–9]

RIN 2120–AA66

Proposed Establishment of Area Navigation (RNAV) Route T–465; Northcentral United States

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish Area Navigation (RNAV) route T–465 in the northcentral United States. The new RNAV routes would expand the availability of RNAV routing within the National Airspace System (NAS) in support of transitioning it from ground-based to satellite-based navigation.

DATES: Comments must be received on or before December 15, 2022.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590; telephone: (800) 647–5527, or (202) 366–9826. You must identify FAA Docket No. FAA–2202–1260; Airspace Docket No. 22–ACE–9 at the beginning of your comments. You may also submit comments through the internet at *www.regulations.gov.*

FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would expand the availability of RNAV in the northcentral United States and improve the efficient flow of air traffic within the NAS by lessening the dependency on ground-based navigation.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA–2202–1260; Airspace Docket No. 22–ACE–9) and be submitted in triplicate to the Docket Management Facility (see **ADDRESSES** section for address and phone number). You may also submit comments through the internet at *www.regulations.gov.*

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to FAA Docket No. FAA–2202–1260; Airspace Docket No. 22–ACE–9.'' The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified comment closing date will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the comment closing date. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Operations Support Group, Central Service Center, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX, 76177.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective

September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

Background

In 2003, Congress enacted the Vision 100—Century of Aviation Reauthorization Act (Pub. L. 108–176), which established a joint planning and development office in the FAA to manage the work related to the Next Generation Air Transportation System (NextGen). Today, NextGen is an ongoing FAA-led modernization of the nation's air transportation system to make flying safer, more efficient, and more predictable.

In support of NextGen efforts to improve the safety and efficiency of the NAS, as well as transition the NAS from a ground-based to a satellite-based Performance Based Navigation (PBN) system, the FAA is proposing to establish RNAV route T–465 to provide additional enroute structure within the NAS. This action would reduce air traffic control (ATC) sector workload and complexity, reduce pilot-to-controller communications (requests for direct routings), and increase NAS capacity and efficiency in the areas of the new RNAV T-route.

Additionally, the proposed T–465 would provide Instrument Flight Rules (IFR) pilots that are equipped for RNAV additional Air Traffic Service (ATS) route options for navigating from the Des Moines, IA, area to the NITZR, MN, waypoint (WP) located near Morristown, MN. The NITZR WP is also located within the primary arrival corridor used by the Minneapolis Air Route Traffic Control Center to sequence arrival air traffic into the Minneapolis Approach Control airspace for arrival in the Minneapolis terminal area. Visual Flight Rules (VFR) pilots, equipped with RNAV PBN capabilities, who elect to navigate via ATS routes, could also take advantage of the proposed T–465.

Lastly, RNAV equipped aircraft using the proposed T–465 would be able to navigate via a more accurate route than is available with current published airways and would result in time, fuel, and cost savings while also facilitate minimizing carbon emissions produced by each aircraft on the route.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by establishing RNAV route T–465. The proposed new route is described below.

T–465: T–465 is a new RNAV route that would extend between the Des Moines, IA, VORTAC and the NITZR, MN, WP located near Morristown, MN. This T-route would provide enroute routing adjacent to VOR Federal airways V–13 and V–161 between the Des Moines VORTAC and the Mason City, IA, VHF Omnidirectional Range/Distance Measuring Equipment (VOR/DME) navigational aid; and enroute routing adjacent to VOR Federal airways V–13 and V–505 between the Mason City VOR/DME and the NITZR WP.

United States Area Navigation Routes are published in paragraph 6011 of FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022, which is incorporated by reference in 14 CFR 71.1. The RNAV route listed in this document would be subsequently published in FAA Order JO 7400.11.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

Paragraph 6011 United States Area Navigation Routes.

* * * * *

T–465 Des Moines, IA (DSM) to NITZR, MN [New]

Des Moines, IA (DSM)	VORTAC	(Lat. 41°26′15.45″ N, long. 093°38′54.81″ W)
RRAZZ, IA	WP	(Lat. 43°17′00.00″ N, long. 093°33′05.00″ W)
DEMLL, MN	WP	(Lat. 43°57′55.00″ N, long. 093°29′29.00″ W)
NITZR, MN	WP	(Lat. 44°11′10.48″ N, long. 093°27′57.86″ W)

Issued in Washington, DC, on October 18, 2022.

Scott M. Rosenbloom,

Manager, Airspace Rules and Regulations.

[FR Doc. 2022–23074 Filed 10–28–22; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 721

[EPA–HQ–OPPT–2022–0462; FRL–10183–02–OCSPP]

RIN 2070–AB27

Significant New Use Rules on Certain Chemical Substances (22–2.5e)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing significant new use rules (SNURs) under the Toxic Substances Control Act (TSCA) for chemical substances that were the subject of premanufacture notices (PMNs) and are also subject to Orders issued by EPA pursuant to TSCA. The SNURs require persons who intend to manufacture (defined by statute to include import) or process any of these chemical substances for an activity that is proposed as a significant new use by this rule to notify EPA at least 90 days before commencing that activity. The required notification initiates EPA's evaluation of the use, under the conditions of use for that chemical substance, within the applicable review period. Persons may not commence manufacture or processing for the significant new use until EPA has conducted a review of the notice, made an appropriate determination on the notice, and has taken such actions as are required by that determination.

DATES: Comments must be received on or before November 30, 2022.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPPT–2022–0462, through the Federal eRulemaking Portal at *https://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting and visiting the docket, along with more information about dockets generally, is available at *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT:

For technical information contact: William Wysong, New Chemicals Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–4163; email address: *wysong.william@epa.gov.*

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: *TSCA-Hotline@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you manufacture, process, or use the chemical substances contained in this proposed rule. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Manufacturers or processors of one or more subject chemical substances (NAICS codes 325 and 324110), *e.g.,* chemical manufacturing and petroleum refineries.

This action may also affect certain entities through pre-existing import certification and export notification rules under TSCA. Chemical importers are subject to the TSCA section 13 (15 U.S.C. 2612) import provisions promulgated at 19 CFR 12.118 through 12.127 and 19 CFR 127.28. Chemical importers must certify that the shipment of the chemical substance complies with all applicable rules and Orders under TSCA, which would include the SNUR requirements should these proposed rules be finalized. The EPA policy in support of import certification appears at 40 CFR part 707, subpart B. In addition, pursuant to 40 CFR 721.20, any persons who export or intend to export a chemical substance that is the subject of this proposed rule on or after November 30, 2022 are subject to the export notification provisions of TSCA section 12(b) (15 U.S.C. 2611(b)) (see 40 CFR 721.20), and must comply with the export notification requirements in 40 CFR part 707, subpart D.

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through *regulations.gov* or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at *https://www.epa.gov/dockets/commenting-epa-dockets.*

II. Background

A. What action is the Agency taking?

EPA is proposing these SNURs under TSCA section 5(a)(2) (15 U.S.C. 2604(a)(2)) for certain chemical substances that were the subject of PMNs. These proposed SNURs would require persons to notify EPA at least 90 days before commencing the manufacture or processing of any of these chemical substances for an activity proposed as a significant new use. Receipt of such notices would allow EPA to assess risks and, if appropriate, to regulate the significant new use before it may occur.

The docket for these proposed SNURs, identified as docket ID number EPA–HQ–OPPT–2022–0462, includes information considered by the Agency in developing these proposed SNURs.

B. What is the Agency's authority for taking this action?

TSCA section 5(a)(2) (15 U.S.C. 2604(a)(2)) authorizes EPA to determine that a use of a chemical substance is a ''significant new use.'' EPA must make this determination by rule after considering all relevant factors, including the four TSCA section 5(a)(2) factors listed in Unit III.

C. Applicability of General Provisions

General provisions for SNURs appear in 40 CFR part 721, subpart A. These provisions describe persons subject to the rule, recordkeeping requirements, exemptions to reporting requirements, and applicability of the rule to uses occurring before the effective date of the rule. Provisions relating to user fees appear at 40 CFR part 700. Pursuant to 40 CFR 721.1(c), persons subject to these SNURs must comply with the same significant new use notice (SNUN) requirements and EPA regulatory procedures as submitters of PMNs under TSCA section 5(a)(1)(A). These

requirements include the information submission requirements of TSCA sections 5(b) and 5(d)(1), the exemptions authorized by TSCA sections 5(h)(1), (h)(2), (h)(3), and (h)(5), and the regulations at 40 CFR part 720. Once EPA receives a SNUN and before the manufacture or processing for the significant new use can commence, EPA must either determine that the use is not likely to present an unreasonable risk of injury under the conditions of use for the chemical substance or take such regulatory action as is associated with an alternative determination. If EPA determines that the use is not likely to present an unreasonable risk, EPA is required under TSCA section 5(g) to make public, and submit for publication in the **Federal Register**, a statement of EPA's findings.

III. Significant New Use Determination

TSCA section 5(a)(2) states that EPA's determination that a use of a chemical substance is a significant new use must be made after consideration of all relevant factors, including:

- The projected volume of manufacturing and processing of a chemical substance.
- The extent to which a use changes the type or form of exposure of human beings or the environment to a chemical substance.
- The extent to which a use increases the magnitude and duration of exposure of human beings or the environment to a chemical substance.
- The reasonably anticipated manner and methods of manufacturing, processing, distribution in commerce, and disposal of a chemical substance.

In determining what would constitute a significant new use for the chemical substances that are the subject of these SNURs, EPA considered relevant information about the toxicity of the chemical substances, potential human exposures and environmental releases that may be associated with possible uses of these chemical substances, in the context of the four TSCA section 5(a)(2) factors listed in this unit.

The proposed rules include PMN substances that are subject to Orders issued under TSCA section 5(e)(1)(A), as required by the determinations made under TSCA section 5(a)(3)(B). The TSCA Orders require protective measures to limit exposures or otherwise mitigate the potential unreasonable risk. The proposed SNURs identify significant new uses as any manufacturing, processing, use, distribution in commerce, or disposal that does not conform to the restrictions imposed by the underlying TSCA Orders, consistent with TSCA section 5(f)(4).

Where EPA determined that the PMN substance may present an unreasonable risk of injury to human health via inhalation exposure, the underlying TSCA Order usually requires that potentially exposed employees wear specified respirators unless actual measurements of the workplace air show that air-borne concentrations of the PMN substance are below a New Chemical Exposure Limit (NCEL), and includes requirements addressing performance criteria for sampling and analytical methods, periodic monitoring, respiratory protection, and recordkeeping. No comparable NCEL provisions currently exist in 40 CFR part 721, subpart B, for SNURs. Therefore, for these cases, the individual SNURs in 40 CFR part 721, subpart E, will state that persons subject to the SNUR who wish to pursue NCELs as an alternative to the 40 CFR 721.63 respirator requirements may request to do so under 40 CFR 721.30. EPA expects that persons whose 40 CFR 721.30 requests to use the NCELs approach for SNURs that are approved by EPA will be required to comply with NCELs provisions that are comparable to those contained in the corresponding TSCA Order for the same chemical substance.

IV. Rationale and Objectives of the Proposed Rule

A. Rationale

During review of the PMNs submitted for the chemical substances that are the subject to these proposed SNURs, EPA concluded that regulation was warranted under TSCA section 5(e), pending the development of information sufficient to make reasoned evaluations of the health or environmental effects of the chemical substances. The basis for such findings is outlined in Unit V. Based on these findings, TSCA section 5(e) Orders requiring the use of appropriate exposure controls were negotiated with the PMN submitters. As a general matter, EPA believes it is necessary to follow the TSCA Orders with a SNUR that identifies the absence of those protective measures as significant new uses to ensure that all manufacturers and processors—not just the original submitter—are held to the same standard.

B. Objectives

EPA is proposing these SNURs for specific chemical substances which have undergone premanufacture review because the Agency wants:

- To identify as significant new uses any manufacturing, processing, use, distribution in commerce, or disposal that does not conform to the restrictions imposed by the underlying TSCA Orders, consistent with TSCA section 5(f)(4).
- To have an opportunity to review and evaluate data submitted in a SNUN before the notice submitter begins manufacturing or processing a listed chemical substance for the described significant new use.
- To be able to either determine that the prospective manufacture or processing is not likely to present an unreasonable risk, or to take necessary regulatory action associated with any other determination before the described significant new use of the chemical substance occurs.

V. Substances Subject to This Proposed Rule

EPA is proposing significant new use and recordkeeping requirements for certain chemical substances in 40 CFR part 721, subpart E. In this unit, EPA provides the following information for each chemical substance that is identified in this unit as subject to this proposed rule:

- PMN number (the proposed CFR citation assigned in the regulatory text section of the proposed rule).
- Chemical name (generic name, if the specific name is claimed as CBI).
- Chemical Abstracts Service (CAS) Registry number (if assigned for non-confidential chemical identities).
- Effective date of and basis for the TSCA Section 5(e) Order.
- Potentially Useful Information.

The chemicals subject to these proposed SNURs are as follows:

PMN Number: P–16–349 (40 CFR 721.11752)

Chemical Name: Quaternary ammonium salt of polyisobutene succinic acid (generic).

CAS Number: Not available.

Effective date of modification of TSCA Order: October 18, 2021.

Basis for TSCA Order modification: The PMN states that the generic (non-confidential) use of the substance will be as a fuel additive. On November 30, 2018, EPA issued a Consent Order regarding premanufacture notice P–16–349. The Order was issued under TSCA sections 5(a)(3)(B)(i) and 5(e)(I)(A)(i), based on a finding that the available information is insufficient to permit a reasoned evaluation of the environmental effects of the PMN substance. The order required the Company to submit to EPA certain toxicity testing before any manufacturing, processing, or use of the PMN substance to address potential

environmental risks. The Order was also issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health and the environment. Additionally, the Order was issued under TSCA sections 5(a)(3)(B)(ii)(II) and 5(e)(1)(A)(ii)(II), based on a finding that the substance is or will be produced in substantial quantities and that the substance either enters or may reasonably be anticipated to enter the environment in substantial quantities, or there is or may be significant (or substantial) human exposure to the substance.

On January 20, 2020, the Company submitted to EPA the following testing in accordance with the requirements of the Consent Order: an inherent biodegradability study/Zahn-Wellens/EMPA test based on OECD Test Guideline 302B; a freshwater acute fish toxicity study; a marine acute fish toxicity study; an acute aquatic invertebrate toxicity; and an algal toxicity test. The Company also provided a report indicating that the fish acute toxicity mitigated by humic acid test was not conducted as no toxic effects were observed in the fish acute toxicity test. The required ecotoxicity and fate tests were reviewed and found to be acceptable. The results of these tests demonstrated that the substance has low environmental hazard.

On October 18, 2021, EPA issued a modified Consent Order to allow manufacturing, processing, and use of the PMN substance under certain limitations. Based on comparison to analogous chemical substances, EPA has identified concerns for developmental toxicity. Based on the surfactant properties of the PMN substance, EPA has also identified concerns for lung effects. To protect against these human health risks, the consent Order modification requires:

- Use of personal protective equipment where there is a potential for dermal exposure;
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS;
- No use of the PMN substance in any consumer product to be added to gasoline or diesel fuels by the consumer;
- Use of the PMN substance only for the confidential use allowed in the Order; and
- No manufacture, processing, or use of the PMN substance in any manner that results in inhalation exposure.

The proposed SNUR designates as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that would be designated by this SNUR. EPA has determined that information that would inform the understanding of absorption and developmental effects would be potentially useful to characterize the human health effects of the PMN substance. Although the Order does not require the development of this information, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–18–27 (40 CFR 721.11753)

Chemical Name: 2-Propenoic acid, 2-alkyl-, 2-(dialkylamino)alkyl ester, polymer with alpha-(2-alkyl-1-oxo-2-alken-1-yl)-omega-methoxypoly(oxy-1,2-alkanediyl) (generic).

CAS Number: Not available.

Effective Date of TSCA Order: December 1, 2021.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use of the substance will be as an additive in coatings. Based on structural alerts for aliphatic amines and polyamines, information provided in the SDS, and comparison to analogous substances, EPA has identified concerns for irritation to the skin, eyes, and respiratory tract, lung effects, and skin sensitization. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Use of personal protective equipment where there is a potential for dermal exposure;
- Use of a NIOSH-certified particulate respirator with an APF of at least 50, or of at least 1,000 when spray applied, where there is a potential for inhalation exposure;
- No use of the PMN substance in formulations greater than 0.1% for spray applications; and
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS.

The proposed SNUR would designate as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of specific target organ toxicity, pulmonary effects, eye irritation, skin irritation, and skin sensitization testing may be potentially useful to characterize the health effects of the PMN substance. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–18–301 (40 CFR 721.11754)

Chemical Name: Alkanedioic acid, polymer with cycloalkyl dimethanol, alkyl and cycloalkyl diisocyanates, dimethyl-alkanediol, dihydroxyalkanoic acid methylenebis[isocyanatocyclohexane, hydroxyethyl acrylate- and polyalkyl glycol monoalkyl ether blocked (generic).

CAS Number: Not available.

Effective date of TSCA Order: June 22, 2021.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use of the substance will be as a coating component. Based on the TSCA New Chemical Program Chemical Category for acrylates, EPA identified irritation and sensitization hazards for the PMN substance. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Use of personal protective equipment where there is a potential for dermal exposure;
- Use of a NIOSH-certified respirator with an APF of at least 50 where there is a potential for inhalation exposure;
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS; and
- No use of the PMN substance in a consumer product.

The proposed SNUR designates as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that would be designated by this SNUR. EPA has determined that information that would inform the understanding of skin irritation and sensitization would be potentially useful to characterize the human health effects of the PMN substance. Although the Order does not require the development of this information, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–18–340 (40 CFR 721.11755)

Chemical Name: Poly(oxy-1,4-butanediyl), alpha-hydro-omega-hydroxy-, polymer with 1,1′-methylenebis[4-isocyanatobenzene),caprolactam-blocked.

CAS Number: 2247074–17–3.

Effective Date of TSCA Order: March 22, 2022.

Basis for TSCA Order: The PMN states that the use of the substance will be for one component thermoset elastomer manufacture. Based on the structural alert for diisocyanates, EPA has identified concerns for skin and respiratory sensitization. Based on test data for the hydrolysis product caprolactam, EPA has also identified concerns for neurotoxicity, reproductive/developmental toxicity, respiratory tract effects, and systemic effects. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Use of personal protective equipment where there is a potential for dermal exposure;
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS;
- No manufacture without the use of a packed tower scrubber that removes at least 95% of the PMN substance prior to release;
- No manufacturing, processing, or use of the PMN substance in any manner that results in inhalation exposure;
- No use of the PMN substance other than in one component thermoset elastomer manufacture; and
- No use of the PMN substance in a consumer product.

The proposed SNUR designates as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that would be designated by this SNUR. EPA has determined that the results of skin sensitization, reproductive toxicity (developmental effects), pulmonary effects, neurotoxicity, and other specific target organ toxicity testing may be potentially useful to characterize the human health effects of the PMN substance. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–19–165 (40 CFR 721.11756)

Chemical Name: Tall oil pitch, fraction, sterol-low (generic).

CAS Number: Not available.

Effective Date of TSCA Order: September 24, 2021.

Basis for TSCA Order: The PMN states that the generic (non-confidential) uses will be as a plasticizer in rubber and an additive for asphalt. EPA is unable to determine acute and chronic concentration of concern values for sediment-dwelling organisms and amphibians due to expected partitioning to sediments and a lack of scientific data to characterize the environmental hazards. The Order was issued under TSCA sections 5(a)(3)(B)(i) and 5(e)(1)(A)(i), based on a finding that the information available to the Agency is insufficient to permit a reasoned evaluation of the health and environmental effects of the new chemical substance. To protect against these risks, the Order requires:

- No release of the PMN substance, or any waste stream containing the PMN substance, into water.

The proposed SNUR would designate as a ''significant new use'' the absence of this protective measure.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of aquatic toxicity testing may be potentially useful to characterize the environmental effects of the PMN substance. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–20–10 (40 CFR 721.11757)

Chemical Name: Carboxylic acid, reaction products with metal hydroxide, inorganic dioxide and metal (generic).

CAS Number: Not available.

Effective Date of TSCA Order: October 15, 2021.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use of the substance will be as a polymerization auxiliary. Based on the potential for chelation of nutrient metals, EPA has identified concerns for developmental and blood effects. Based on test data on components of the PMN substance and test data on a metabolite, EPA has identified concerns for systemic toxicity, reproductive and developmental toxicity, genotoxicity, and skin sensitization. Based on test data on the PMN substance, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 11 ppb. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Use of personal protective equipment where there is a potential for dermal exposure;
- Use of a NIOSH-certified particulate respirator with an APF of at least 1,000, or an APF of 50 if dust controls are implemented that demonstrate an exposure reduction of at least 30% where there is a potential for inhalation exposure;
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS; and
- No release of the PMN substance resulting in surface water concentrations that exceed 11 ppb.

The proposed SNUR would designate as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer

or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of acute toxicity, skin absorption, skin sensitization, genetic toxicity, specific target organ toxicity, reproductive/developmental toxicity, and neurotoxicity testing may be potentially useful to characterize the health effects of the PMN substance. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Numbers: P–20–62 (40 CFR 721.11758), P–20–63 (40 CFR 721.11759), P–20–64 (40 CFR 721.11760), and P–20–65 (40 CFR 721.11761)

Chemical Names: Multi-walled carbon nanotubes; closed; 4.4–12.8 nm diameter; bundle length 10.6–211.1 µm; Grade: Jenotube 6 (P–20–62), Multi-walled carbon nanotubes; closed; 5.1–11.6 nm diameter; bundle length 1.9–552.0 µm; Grade: Jenotube 8 (P–20–63), Multi-walled carbon nanotubes; closed; 7.9–14.2 nm diameter; bundle length 9.4–106.4 µm; Grade: Jenotube 10 (P–20–64), and Multi-walled carbon nanotubes; closed; 17.0–34.7 nm diameter; globular shape; Grade: Jenotube 20 (P–20–65).

CAS Numbers: Not available.

Effective Date of TSCA Order: October 12, 2021.

Basis for TSCA Order: The PMNs state that the use of the substances will be as electrically conductive materials, heat dissipation materials, heat generation materials, additives for weight reduction, additives to improve physical or mechanical properties, additives in batteries, energy storage, and electrode applications, and additives in field emission applications. Based on analogy to asbestos fibers and data for other multi-walled carbon nanotubes, EPA has identified concerns for lung effects (lung overload and lung carcinogenicity) if poorly soluble, respirable particulates and fibers are inhaled. Based on comparison to analogous chemical substances, EPA has identified concerns for eye irritation and systemic effects. Based on the presence of cobalt oxide as a residual at 2.1%, EPA has identified concerns for the P–20–64 chemical substance for acute neurotoxicity, dermal and respiratory sensitization, mutagenicity and carcinogenicity. EPA was unable to estimate the environmental hazard of these new chemical substances. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substances may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- No domestic manufacture (*i.e.,* import only);
- No processing or use of the PMN substances in an application method that generates a vapor, mist, dust, or aerosol unless such application method occurs in an enclosed process;
- Use of personal protective equipment where there is a potential for dermal exposure;
- Use of a NIOSH-certified respirator with an APF of at least 50 where there is a potential for inhalation exposure;
- No manufacture of the PMN substances with a maximum weight % of cobalt oxide impurity in exceedance of 2.1%;
- Process and use of the PMN substances only as electrically conductive materials, heat dissipation materials, heat generation materials, additives for weight reduction, additives to improve physical or mechanical properties, additives in batteries, energy storage, and electrode applications, or as additives in field emission applications;
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS; and
- No release of the PMN substances, or any waste stream containing the PMN substances, into water.

The proposed SNUR would designate as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of specific target organ toxicity, carcinogenicity, eye irritation, and aquatic toxicity testing may be potentially useful to characterize the human health and environmental effects of the PMN substances. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–20–70 (40 CFR 721.11762)

Chemical Name: Nonanamide, N,N-dimethyl.

CAS Number: 6225–08–7.

Effective Date of TSCA Order: February 10, 2022.

Basis for TSCA Order: The PMN states that the use of the substance will be as a solvent for use in formulated pesticide products. Based on structure and physical/chemical properties, EPA has identified concerns for lung effects (surfactancy) and aspiration. Based on submitted test data and comparison to analogous chemical substances, EPA has also identified concerns for irritation to the skin and eyes, systemic effects, and reproductive/developmental effects. Based on comparison to an analogous chemical substance, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 96 ppb. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Use of personal protective equipment where there is a potential for dermal exposure;
- Use of a NIOSH-certified gas/vapor respirator with an APF of at least 10 where there is a potential for inhalation exposure;
- No processing use of the PMN substance other than as a solvent for use in formulated pesticide products;
- No manufacture of the PMN substance other than by import into the United States (*i.e.,* no domestic manufacture) using 20,000 kg International Organization for Standardization tank containers (ISOtainers) or 1,000 kg intermediate bulk containers (IBCs);
- No release of the PMN substance resulting in surface water concentrations that exceed 96 ppb; and
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS.

The proposed SNUR would designate as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of chronic aquatic toxicity testing may be potentially useful to characterize the environmental effects of the PMN substance. Although the Order does not require these tests, the Order's

restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–20–84 (40 CFR 721.11763)

Chemical Name: 2-Propenoic acid, 2-methyl, 2-(dimethylamino)ethyl ester, polymers with 2-(C16-18-acylamino)ethyl acrylate and hydroxyalkyl acrylate, acetates (salts) (generic).

CAS Number: Not available.

Effective Date of TSCA Order: October 20, 2021.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use of the substance will be as a paper treatment additive. Based on the pH of the PMN substance, EPA has identified concerns for skin, eye, and respiratory tract irritation. Based on analogue data, EPA has also identified concerns for lung effects. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Use of personal protective equipment where there is a potential for dermal exposure;
- No processing or use of the PMN substance in any manner that results in inhalation exposure;
- No use of the PMN substance in a product applied by a consumer; and
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS.

The proposed SNUR would designate as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of specific target organ toxicity and pulmonary effects testing may be potentially useful to characterize the health effects of the PMN substance. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–20–105 (40 CFR 721.11764)

Chemical Name: 4H-Pyran-4-one, 3-[(2,5-dihydro-4-methyl-5-oxo-2-furanyl)oxy]-2-methyl.

CAS Number: 1333341–34–6.

Effective Date of TSCA Order: November 9, 2021.

Basis for TSCA Order: The PMN states that the use of the substance will be to promote microbial activity in the soil, resulting in increased availability of nutrients in the soil, including nitrogen and phosphorus, for crops (for use on commercial farming operations). Based on test data on the PMN substance, EPA has identified concerns for skin and eye irritation. Based on comparison to analogous substances, EPA has also identified concerns systemic effects and reproductive/developmental effects. Based on comparison to analogous vinyl esters, EPA predicts that toxicity to aquatic organisms may occur at concentrations that exceed 5 ppb. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Use of personal protective equipment where there is a potential for dermal exposure;
- Use of a NIOSH-certified particulate respirator with an APF of at least 50 where there is a potential for inhalation exposure;
- No processing of the PMN substance other than in a facility that employs an on-site sump system used to capture fugitive dust releases and disposes the solid waste captured by this sump system by landfill;
- No processing of the PMN substance except under negative pressure when transferring the substance as a solid material in order to minimize exposures to fugitive dust/particulates;
- No domestic manufacture of the PMN substance (*i.e.,* import only);
- No use of the PMN substance in a consumer product;
- No use of the PMN substance in spray applications at a concentration exceeding 0.01% in formulation;
- No use of the PMN substance other than to promote microbial activity in the soil, resulting in increased availability of nutrients in the soil, including nitrogen and phosphorus, for crops (for use on commercial farming operations); and
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS.

The proposed SNUR would designate as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of specific target organ toxicity and aquatic toxicity testing may be potentially useful to characterize the health and environmental effects of the PMN substance. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–20–127 (40 CFR 721.11765)

Chemical Name: 2H-Pyran, tetrahydro-4-methyl.

CAS Number: 4717–96–8.

Effective Date of TSCA Order: December 21, 2021.

Basis for TSCA Order: The PMN states that the use of the substance will be as an industrial solvent. Based on submitted test data, EPA has identified concerns for aspiration, skin corrosion, serious eye damage, systemic effects including central nervous system effects, and reproductive and developmental toxicity. Based on comparison to analogous neutral organic substances, EPA has determined that toxicity to aquatic organisms may occur at concentrations that exceed 540 ppb. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Use of a NIOSH-certified particulate respirator with an APF of at least 50 where there is a potential for inhalation exposure;
- No use of the PMN substance in a consumer product;
- Use of personal protective equipment where there is a potential for dermal exposure;
- No release of the PMN substance resulting in surface water concentrations that exceed 540 ppb; and
- Establishment of a hazard communication program, including

human health precautionary statements on each label and in the SDS.

The proposed SNUR would designate as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of aquatic toxicity testing may be potentially useful to characterize the environmental effects of the PMN substance. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–20–130 (40 CFR 721.11766)

Chemical Name: Organic acid ester, polymer with aliphatic diols and 1,1′-methylenebis[4-isocyanatobenzene] (generic).

CAS Number: Not available.

Effective Date of TSCA Order: March 22, 2022.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use of the substance will be as a component of industrial coatings. Based on a structural alert for isocyanates and information provided in the SDS, EPA has identified concerns for dermal and respiratory sensitization and lung damage. Based on test data for methylene diphenyl diisocyanate (MDI) and other confidential analogous chemical substances, EPA has also identified concerns for portal-of-entry inhalation effects, lung effects, lymph node effects, carcinogenicity, genotoxicity, skin and eye irritation, and dermal and respiratory sensitization. Based on test data for 4,4′-Methylenedianiline (MDA), the hydrolysis product of MDI, EPA has identified concerns for acute toxicity, clinical signs, genotoxicity, carcinogenicity, eye irritation, skin irritation, skin sensitization, and body weight, blood, stomach, liver, kidney, thyroid, spleen, reproductive, and eye effects. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Use of personal protective equipment where there is a potential for dermal exposure;
- Use of a NIOSH-certified Gas/Vapor respirator with an APF of at least 50 where there is a potential for inhalation exposure;
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS;
- No use of the PMN substance in any manner or method that involves spray application;
- No use of the PMN substance in a consumer product; and
- No release of the PMN substance to water.

The proposed SNUR designates as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that would be designated by this SNUR. EPA has determined that worker exposure data may be potentially useful to characterize human health effects of the PMN substance. Although the Order does not require this, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–21–3 (40 CFR 721.11767)

Chemical Name: 4,4-Methylenebis (2,6-dimethyl phenol) polymer with 2-(chloromethyl)oxirane, 1,4-benzene diol, 2-methyl-2-propenoic acid, mixed alkyl substituted 2-methyl 2-propenoate, and ethyl 2-propenoate, reaction products with 2-(dimethylamino) ethanol (generic).

CAS Number: Not available.

Effective Date of TSCA Order: March 10, 2022.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use of the substance will be as a polymeric film former for coatings. Based on structural alerts for amines and acid groups, EPA has identified concerns for irritation to the skin, eyes, and respiratory tract. Based on a potential metabolite released from the anion, EPA has identified concerns for developmental effects. Based on potential for chelation of nutrient metals by the acid groups of the anion, EPA has also identified developmental, blood, liver, and kidney effects. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Use of personal protective equipment where there is a potential for dermal exposure;
- Use of a NIOSH-certified Gas/Vapor respirator with an APF of at least 10 where there is a potential for inhalation exposure;
- No use of the PMN substance in a consumer product; and
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS.

The proposed SNUR would designate as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of developmental toxicity, skin irritation, and eye damage testing may be potentially useful to characterize the health effects of the PMN substance. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Numbers: P–21–28 (40 CFR 721.11768) and P–21–29 (40 CFR 721.11769)

Chemical Names: Phenol, methylethylidene, polymer chloromethyl epoxide and methylethylidene bis-oxy, bis-amine (generic) (P–21–28) and Amine, methylethylidene bis(oxy) (generic) (P–21–29).

CAS Numbers: Not available.

Effective Date of TSCA Order: November 9, 2021.

Basis for TSCA Order: The PMNs state that the use of the substances will be as an epoxy polymer used in reaction to make epoxy (P–21–28) and an epoxy monomer used in polymer reactions (P–21–29). Based on test data on the residual and an analogue, EPA has identified concerns for corrosion to the skin, eyes, and respiratory tract, acute toxicity, systemic effects, irritation to the skin and eyes, and skin sensitization. Based on analogy to diamines, EPA has identified concerns

for respiratory sensitization. Based on comparison to analogous aliphatic amines, EPA predicts that toxicity to aquatic organisms may occur at concentrations that exceed 100 ppb (for P–21–28) and 840 ppb (for P–21–29). The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substances may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Use of personal protective equipment where there is a potential for dermal exposure;
- Use of a NIOSH-certified particulate respirator with an APF of at least 50 for non-spray applications or 1,000 for spray applications where there is a potential for inhalation exposure (P–21–28);
- Use of a NIOSH-certified gas/vapor respirator with an APF of at least 50 (non-spray applications) or a NIOSH-certified combination particulate and gas/vapor respirator with an APF of at least 1,000 (spray applications) where there is a potential for inhalation exposure (P–21–29);
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS; and
- No release of the PMN substances resulting in surface water concentrations that exceed 100 ppb for P–21–28 or 840 ppb for P–21–29.

The proposed SNUR would designate as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of metabolism or pharmacokinetics, specific target organ toxicity, skin irritation/corrosion, skin irritation/eye damage, skin sensitization, aquatic toxicity (P–21–28), and chronic aquatic toxicity (P–21–29) testing may be potentially useful to characterize the human health and environmental effects of the PMN substances. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–21–34 (40 CFR 721.11770)

Chemical Name: Carbamic acid, N-[3-(trialkoxysilyl)propyl]-, C,C′-[2,2,4(or 2,4,4)-trimethyl-1,6-hexanediyl] ester (generic).

CAS Number: Not available.

Effective Date of TSCA Order: February 27, 2022.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use of the substances will be as a crosslinker for automotive coatings and a crosslinker for wood and plastic coatings. Based on comparison to analogous substances, EPA has identified concerns for respiratory tract effects and systemic, reproductive, and developmental effects. Based on comparison to analogous alkoxysilanes, EPA has determined that toxicity to aquatic organisms may occur at concentrations that exceed 1 ppb. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- No release of the PMN substance resulting in surface water concentrations that exceed 1 ppb; and
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS.

The proposed SNUR would designate as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of metabolism or pharmacokinetics, specific target organ toxicity, reproductive toxicity, developmental toxicity, and biodegradation testing may be potentially useful to characterize the health and fate effects of the PMN substance. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–21–67 (40 CFR 721.11771)

Chemical Name: Arylfurandione, [bis(trihaloalkyl)alkylidene]bis-, polymer with alkanediamine (generic).

CAS Number: Not available.

Effective Date of TSCA Order: December 8, 2021.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use of the substance will be as a polymer used in the manufacture of films. Based on the high molecular weight and low water solubility of the PMN substance, EPA has identified concerns for lung effects. Based on structural alerts and information provided in the SDS, EPA has also identified concerns for dermal irritation. For the incineration product, EPA has identified concerns for systemic effects. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Manufacture or processing of the PMN substance only at a particle size of 10 microns or greater;
- Use of personal protective equipment where there is a potential for dermal exposure;
- Whenever the PMN substance or waste streams containing the PMN substance are disposed of by incineration, such incineration must occur at a minimum temperature of 870 degrees Celsius; and
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS.

The proposed SNUR would designate as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of skin irritation testing may be potentially useful to characterize the health effects of the PMN substance. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–21–93 (40 CFR 721.11772)

Chemical Name: Phosphonic acid, dimethyl ester, reaction products with alkyl-alkyl-alkanedial and alkanediol (generic).

CAS Number: Not available.

Effective Date of TSCA Order: December 1, 2021.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use of the substance will be as an anti-wear additive for lubricants. Based on a test data on the PMN substance, EPA has identified concerns for skin corrosion, developmental toxicity, neurotoxicity, and systemic effects. Based on information provided in the SDS, EPA has also identified concerns for skin corrosion, serious eye damage, respiratory tract irritation, and developmental toxicity. Based on residual feedstock and the potential for methanol release, EPA has also identified concerns for eye irritation, systemic toxicity, neurotoxicity, and developmental effects. Based on comparison to analogous esters, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 180 ppb. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Use of personal protective equipment where there is a potential for dermal exposure;
- No manufacture, processing, or use of the PMN substance in any manner that generates a dust, mist, particulate, or aerosol that results in inhalation exposure;
- No use of the PMN substance in consumer products where the concentration of the PMN substance equals or exceeds 3%;
- No release of the PMN substance resulting in surface water concentrations that exceed 180 ppb; and
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS.

The proposed SNUR would designate as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of aquatic toxicity and fate testing may be potentially useful to characterize the environmental effects of the PMN substance. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–21–94 (40 CFR 721.11773)

Chemical Name: Silane, halogenated (generic).

CAS Number: Not available.

Effective Date of TSCA Order: January 20, 2022.

Basis for TSCA Order: The PMN states that the use of the substance will be as a deposition precursor for the manufacture of electronic components. Based on the reactivity of the PMN substance, information in the SDS, and analogue data for dichlorosilane and silicon tetrachloride, EPA has identified concerns for corrosion to skin, eyes, and the respiratory tract. Based on analogue test data for dichlorosilane, EPA has also identified concerns for systemic effects. Based on test data on a disassociation product, EPA has also identified concerns for thyroid effects, immunotoxicity, and developmental neurotoxicity. Based on comparison to an analogous chemical substance, EPA predicts that toxicity to aquatic organisms may occur at concentrations that exceed 3 ppb. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Use of personal protective equipment where there is a potential for dermal exposure;
- Use of a NIOSH-certified respirator with an APF of at least 1,000 where there is a potential for inhalation exposure, or compliance with an NCEL of 0.05 mg/m^3 as an 8-hour time-weighted average to prevent inhalation exposure;
- No use of the PMN substance other than as a deposition precursor in the manufacture of electronic components;
- No release of the PMN substance resulting in surface water concentrations that exceed 3 ppb; and
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS.

The proposed SNUR would designate as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of skin corrosion, eye damage, specific target organ toxicity, pulmonary effects, developmental neurotoxicity, and aquatic toxicity testing may be potentially useful to characterize the health and environmental effects of the PMN substance. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–21–115 (40 CFR 721.11774)

Chemical Name: Heteromonocycle, polymer, substituted aliphatic carbamate, [2-[(1-oxo-2-propen-1-yl)oxy]alkyl]ester (generic).

CAS Number: Not available.

Effective Date of TSCA Order: November 3, 2021.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use of the substance will be as a raw material for industrial additive manufacturing, UV-curable inks, coatings, and adhesives. Based on the presence of bifunctional acrylates and information provided in the TSCA New Chemical Program Chemical Categories for acrylates, EPA has identified concerns for irritation to the skin, eyes, and respiratory tract, and skin and respiratory sensitization. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Use of personal protective equipment where there is a potential for dermal exposure;
- Use of a NIOSH-certified particulate respirator with an APF of at least 50, or of at least 1,000 when spray applied, where there is a potential for inhalation exposure;
- No use of the PMN substance in a consumer product; and
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS.

The proposed SNUR would designate as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer

or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of skin irritation, sensitization, and eye damage testing may be potentially useful to characterize the health effects of the PMN substance. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–21–141 (40 CFR 721.11775)

Chemical Name: Alkanes, C4–8-branched and linear.

CAS Number: 2529890–37–5.

Effective Date of TSCA Order: January 4, 2022.

Basis for TSCA Order: The PMN states that the use of the substance will be as a transportation fuel. Based on the constituents of the PMN substance, EPA has identified concerns for skin and eye irritation, respiratory depression/irritation, acute toxicity, neurotoxicity, systemic toxicity, neurotoxicity, body weight effects, reproductive and developmental toxicity, and genotoxicity. Based on an analogue mixture, EPA has also identified concerns for respiratory tract effects and carcinogenicity. Based on the chemical composition as a petroleum replacement, EPA has also identified concerns for hydrocarbon pneumonia/aspiration. Based on comparison to analogous neutral organic substances, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 3 ppb. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Use of personal protective equipment where there is a potential for dermal exposure; and
- No manufacturing, processing, or use of the PMN substance other than for use as a transportation fuel, refinery feedstock; or fuel blending additive.

The proposed SNUR would designate as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of skin irritation, eye irritation, respiratory depression/irritation, hydrocarbon pneumonia/aspiration, reproductive and developmental toxicity, systemic toxicity, genotoxicity, carcinogenicity, and aquatic toxicity testing may be potentially useful to characterize the health and environmental effects of the PMN substance. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

PMN Number: P–21–196 (40 CFR 721.11776)

Chemical Name: 5H-1,2-Oxathiole, 2,2-dioxide.

CAS Number: 21806–61–1.

Effective Date of TSCA Order: June 20, 2022.

Basis for TSCA Order: The PMN states that the use of the substance will be as an additive in battery electrolyte formulations. Based on information provided in the SDS, EPA has identified concerns for acute toxicity, eye irritation, genotoxicity, and carcinogenicity. Based on OECD Toolbox results, EPA has identified concerns for skin sensitization. Based on submitted test data, EPA has identified concerns for acute toxicity, skin sensitization, genotoxicity, neurotoxicity, reproductive, and developmental effects. Based on alkylating potential of the PMN substance, EPA has identified concerns for eye irritation, skin sensitization, acute toxicity, genotoxicity, carcinogenicity, and liver and developmental effects. Based on test data for analogous substance, EPA has also identified concerns for acute toxicity, clinical signs, eye irritation and corrosion, genotoxicity, and carcinogenicity. Based on submitted test data, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 23 ppb. The Order was issued under TSCA sections 5(a)(3)(B)(ii)(I) and 5(e)(1)(A)(ii)(I), based on a finding that in the absence of sufficient information to permit a reasoned evaluation, the substance may present an unreasonable risk of injury to human health or the environment. To protect against these risks, the Order requires:

- Manufacture of the PMN substance only by import into the United States (*i.e.,* no domestic manufacture).
- Process and use of the PMN substance only in an enclosed process except that sampling and equipment cleaning operations need not occur in an enclosed process. During sampling and equipment cleaning operations each person is required to wear a National Institute for Occupational Safety and Health (NIOSH)-certified full-face respirator with an Assigned Protection Factor (APF) of 1,000 and dermal personal protective equipment.
- Establishment of a hazard communication program, including human health precautionary statements on each label and in the SDS; and
- Disposal of the PMN substance only by incineration with 99.9% efficiency.

The proposed SNUR would designate as a ''significant new use'' the absence of these protective measures.

Potentially Useful Information: EPA has determined that certain information may be potentially useful in support of a request by the PMN submitter to modify the Order, or if a manufacturer or processor is considering submitting a SNUN for a significant new use that will be designated by this SNUR. EPA has determined that the results of neurotoxicity, carcinogenicity, and aquatic toxicity testing may be potentially useful to characterize the human health and environmental effects of the PMN substance. Although the Order does not require these tests, the Order's restrictions remain in effect until the Order is modified or revoked by EPA based on submission of this or other relevant information.

VI. Applicability of the Proposed Significant New Use Designation

To establish a significant new use, EPA must determine that the use is not ongoing. The chemical substances subject to this proposed rule have undergone premanufacture review. In cases where EPA has not received a notice of commencement (NOC) and the chemical substance has not been added to the TSCA Inventory, no person may commence such activities without first submitting a PMN. Therefore, for chemical substances for which an NOC has not been submitted EPA concludes that the designated significant new uses are not ongoing.

When chemical substances identified in this proposed rule are added to the TSCA Inventory, EPA recognizes that, before the rule is effective, other persons might engage in a use that has been identified as a significant new use. However, TSCA Orders have been issued for these chemical substances, and the PMN submitters are prohibited by the TSCA Orders from undertaking activities which would be designated as significant new uses. The identities of many of the chemical substances subject to this proposed rule have been claimed as confidential per 40 CFR 720.85. Based on this, the Agency believes that

it is highly unlikely that any of the significant new uses described in the regulatory text of this proposed rule are ongoing.

EPA designates October 31, 2022 as the cutoff date for determining whether the new use is ongoing. The objective of EPA's approach is to ensure that a person cannot defeat a SNUR by initiating a significant new use before the effective date of the final rule.

In the unlikely event that a person began commercial manufacture or processing of the chemical substances for a significant new use identified as of that date would have to cease any such activity upon the effective date of the final rule. To resume their activities, these persons would have to first comply with all applicable SNUR notification requirements and wait until EPA has conducted a review of the notice, made an appropriate determination on the notice, and has taken such actions as are required with that determination.

Issuance of a SNUR for a chemical substance does not signify that the chemical substance is listed on the TSCA Chemical Substance Inventory (TSCA Inventory). Guidance on how to determine if a chemical substance is on the TSCA Inventory is available on the internet at *https://www.epa.gov/tsca-inventory.*

VII. Development and Submission of Information

EPA recognizes that TSCA section 5 does not require developing any particular new information (*e.g.,* generating test data) before submission of a SNUN. There is an exception: If a person is required to submit information for a chemical substance pursuant to a rule, TSCA Order or consent agreement under TSCA section 4, then TSCA section 5(b)(1)(A) requires such information to be submitted to EPA at the time of submission of the SNUN.

In the absence of a rule, Order, or consent agreement under TSCA section 4 covering the chemical substance, persons are required only to submit information in their possession or control and to describe any other information known or reasonably ascertainable (see 40 CFR 720.50). However, upon review of PMNs and SNUNs, the Agency has the authority to require appropriate testing. Unit V. lists potentially useful information for the SNURs listed in this document. Descriptions of this information is provided for informational purposes. The potentially useful information identified in Unit V. will be useful to EPA's evaluation in the event that someone submits a SNUN for the significant new use.

EPA strongly encourages persons, before performing any testing, to consult with the Agency. Furthermore, pursuant to TSCA section 4(h), which pertains to reduction of testing in vertebrate animals, EPA encourages dialog with the Agency on the use of alternative test methods and strategies (also called New Approach Methodologies, or NAMs), if available, to generate the recommended test data. EPA encourages dialog with Agency representatives to help determine how best the submitter can meet both the data needs and the objective of TSCA section 4(h). For more information on alternative test methods and strategies to reduce vertebrate animal testing, visit *https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/alternative-test-methods-and-strategies-reduce.*

In some of the TSCA Orders for the chemical substances identified in this rule, EPA has established time limits in view of the lack of data on the potential health and environmental risks that may be posed by the significant new uses or increased exposure to the chemical substances. These limits cannot be exceeded unless the PMN submitter first submits the results of specified tests that would permit a reasoned evaluation of the potential risks posed by these chemical substances. The SNURs contain the same time limits as the TSCA Orders. Exceeding these production limits is defined as a significant new use. Persons who intend to exceed the time limit must notify the Agency by submitting a SNUN at least 90 days in advance of commencement of non-exempt commercial manufacture or processing.

Any request by EPA for the triggered and pended testing described in the TSCA Orders was made based on EPA's consideration of available screening-level data, if any, as well as other available information on appropriate testing for the PMN substances. Further, any such testing request on the part of EPA that includes testing on vertebrates was made after consideration of available toxicity information, computational toxicology and bioinformatics, and high-throughput screening methods and their prediction models.

The potentially useful information listed in Unit V. may not be the only means of addressing the potential risks of the chemical substance. However, submitting a SNUN without any test data or other information may increase the likelihood that EPA will take action under TSCA section 5(e) or 5(f). EPA recommends that potential SNUN submitters contact EPA early enough so that they will be able to conduct the appropriate tests.

SNUN submitters should be aware that EPA will be better able to evaluate SNUNs which provide detailed information on the following:

- Human exposure and environmental release that may result from the significant new use of the chemical substances.
- Information on risks posed by the chemical substances compared to risks posed by potential substitutes.

VIII. SNUN Submissions

According to 40 CFR 721.1(c), persons submitting a SNUN must comply with the same notification requirements and EPA regulatory procedures as persons submitting a PMN, including submission of test data on health and environmental effects as described in 40 CFR 720.50. SNUNs must be submitted on EPA Form No. 7710–25, generated using e-PMN software, and submitted to the Agency in accordance with the procedures set forth in 40 CFR 720.40. E–PMN software is available electronically at *https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca.*

IX. Economic Analysis

EPA has evaluated the potential costs of establishing SNUN requirements for potential manufacturers and processors of the chemical substances subject to this proposed rule. EPA's complete economic analysis is available in the docket for this rulemaking.

X. Statutory and Executive Order Reviews

Additional information about these statutes and Executive orders can be found at *https://www.epa.gov/laws-regulations-and-executive-orders.*

A. Executive Orders 12866: Regulatory Planning and Review and 13563: Improving Regulations and Regulatory Review

This action proposes to establish SNURs for several new chemical substances that were the subject of PMNs. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011).

B. Paperwork Reduction Act (PRA)

According to the PRA (44 U.S.C. 3501 *et seq.*), an agency may not conduct or sponsor, and a person is not required to respond to a collection of information that requires OMB approval under PRA,

unless it has been approved by OMB and displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the CFR, after appearing in the **Federal Register**, are listed in 40 CFR part 9, and included on the related collection instrument or form, if applicable.

The information collection activities associated with SNURs have already been approved by OMB under the PRA and assigned OMB control number 2070–0012 (EPA ICR No. 574). This proposed rule does not contain any burden requiring additional OMB approval. If an entity were to submit a SNUN to the Agency, the annual burden is estimated to average between 30 and 170 hours per response. This burden estimate includes the time needed to review instructions, search existing data sources, gather and maintain the data needed, and complete, review, and submit the required SNUN.

Send any comments about the accuracy of the burden estimate, and any suggested methods for minimizing respondent burden, including using automated collection techniques, to the Director, Regulatory Support Division, Office of Mission Support (2822T), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001. Please remember to include the OMB control number in any correspondence, but do not submit any completed forms to this address.

C. Regulatory Flexibility Act (RFA)

Pursuant to the RFA section 605(b) (5 U.S.C. 601 *et seq.*), the Agency hereby certifies that promulgation of these SNURs would not have a significant adverse economic impact on a substantial number of small entities. The requirement to submit a SNUN applies to any person (including small or large entities) who intends to engage in any activity described in the final rule as a ''significant new use.'' Because these uses are ''new,'' based on all information currently available to EPA, it appears that no small or large entities presently engage in such activities. A SNUR requires that any person who intends to engage in such activity in the future must first notify EPA by submitting a SNUN. EPA's experience to date is that, in response to the promulgation of SNURs covering over 1,000 chemicals, the Agency receives only a small number of notices per year. For example, the number of SNUNs received was seven in Federal fiscal year (FY) 2013, 13 in FY2014, six in FY2015, 10 in FY2016, 14 in FY2017, and 18 in FY2018 and only a fraction of these were from small businesses. In addition, the Agency currently offers relief to qualifying small businesses by reducing the SNUN submission fee from $19,020 to $3,330. This lower fee reduces the total reporting and recordkeeping of cost of submitting a SNUN to about $11,164 for qualifying small firms. Therefore, the potential economic impacts of complying with this proposed SNUR are not expected to be significant or adversely impact a substantial number of small entities. In a SNUR that published in the **Federal Register** of June 2, 1997 (62 FR 29684) (FRL–5597–1), the Agency presented its general determination that final SNURs are not expected to have a significant economic impact on a substantial number of small entities, which was provided to the Chief Counsel for Advocacy of the Small Business Administration.

D. Unfunded Mandates Reform Act (UMRA)

Based on EPA's experience with proposing and finalizing SNURs, State, local, and Tribal governments have not been impacted by these rulemakings, and EPA does not have any reasons to believe that any State, local, or Tribal government will be impacted by this action. As such, EPA has determined that this proposed rule would not impose any enforceable duty, contain any unfunded mandate, or otherwise have any effect on small governments subject to the requirements of UMRA sections 202, 203, 204, or 205 (2 U.S.C. 1501 *et seq.*).

E. Executive Order 13132: Federalism

This action would not have a substantial direct effect on States, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999).

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action would not have Tribal implications as specified in Executive Order 13175 (65 FR 67249, November 9, 2000), because it is not expected to have substantial direct effects on Indian Tribes. This action would not significantly nor uniquely affect the communities of Indian Tribal governments, nor would it involve or impose any requirements that affect Indian Tribes.

G. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

This action is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because this is not an economically significant regulatory action as defined by Executive Order 12866, and this action does not address environmental health or safety risks disproportionately affecting children.

H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211 (66 FR 28355, May 22, 2001), because this action is not expected to affect energy supply, distribution, or use and because this action has not otherwise been designated as a significant energy action by the Administrator of OMB's Office of Information and Regulatory Affairs.

I. National Technology Transfer and Advancement Act (NTTAA)

This action does not involve any technical standards subject to NTTAA section 12(d) (15 U.S.C. 272 note).

J. Executive Orders 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations and 14008: Tackling the Climate Crisis at Home and Abroad

EPA believes that this action is not subject to Executive Orders 12898 (59 FR 7629, February 16, 1994) and 14008 (86 FR 7619, January 27, 2021) because it does not establish an environmental health or safety standard.

List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: October 20, 2022.

Tala Henry,

Deputy Director, Office of Pollution Prevention and Toxics.

Therefore, for the reasons stated in the preamble, it is proposed that 40 CFR chapter I be amended as follows:

PART 721—SIGNIFICANT NEW USES OF CHEMICAL SUBSTANCES

■ 1. The authority citation for part 721 continues to read as follows:

Authority: 15 U.S.C. 2604, 2607, and 2625(c).

■ 2. Add §§ 721.11752 through 721.11776 to subpart E to read as follows:

Subpart E—Significant New Uses for Specific Chemical Substances

Sec.

* * * * *

721.11752 Quaternary ammonium salt of polyisobutene succinic acid (generic).
721.11753 2-Propenoic acid, 2-alkyl-, 2-(dialkylamino)alkyl ester, polymer with alpha-(2-alkyl-1-oxo-2-alken-1-yl)-omega-methoxypoly(oxy-1,2-alkanediyl) (generic).
721.11754 Alkanedioic acid, polymer with cycloalkyl dimethanol, alkyl and cycloalkyl diisocyanates, dimethyl-alkanediol, dihydroxyalkanoic acid methylenebis[isocyanatocyclohexane, hydroxyethyl acrylate- and polyalkyl glycol monoalkyl ether blocked (generic)
721.11755 Poly(oxy-1,4-butanediyl), alpha-hydro-omega-hydroxy-, polymer with 1,1′-methylenebis[4-isocyanatobenzene),caprolactam-blocked.
721.11756 Tall oil pitch, fraction, sterol-low (generic).
721.11757 Carboxylic acid, reaction products with metal hydroxide, inorganic dioxide and metal (generic).
721.11758 Multi-walled carbon nanotubes; closed; 4.4–12.8 nm diameter; bundle length 10.6–211.1 μm; Grade: Jenotube 6.
721.11759 Multi-walled carbon nanotubes; closed; 5.1–11.6 nm diameter; bundle length 1.9–552.0 μm; Grade: Jenotube 8.
721.11760 Multi-walled carbon nanotubes; closed; 7.9–14.2 nm diameter; bundle length 9.4–106.4 μm; Grade: Jenotube 10.
721.11761 Multi-walled carbon nanotubes; closed; 17.0–34.7 nm diameter; globular shape; Grade: Jenotube 20.
721.11762 Nonanamide, N,N-dimethyl.
721.11763 2-Propenoic acid, 2-methyl, 2-(dimethylamino)ethyl ester, polymers with 2-(C16–18-acylamino)ethyl acrylate and hydroxyalkyl acrylate, acetates (salts) (generic).
721.11764 4H-Pyran-4-one, 3-[(2,5-dihydro-4-methyl-5-oxo-2-furanyl)oxy]-2-methyl.
721.11765 2H-Pyran, tetrahydro-4-methyl.
721.11766 Organic acid ester, polymer with aliphatic diols and 1,1′-methylenebis[4-isocyanatobenzene] (generic).
721.11767 4,4-Methylenebis (2,6-dimethyl phenol) polymer with 2-(chloromethyl)oxirane, 1,4-benzene diol, 2-methyl-2-propenoic acid, mixed alkyl substituted 2-methyl 2-propenoate, and ethyl 2-propenoate, reaction products with 2-(dimethylamino) ethanol (generic). 21–3
721.11768 Phenol, methylethylidene, polymer chloromethyl epoxide and methylethylidene bis-oxy, bis-amine (generic).
721.11769 Amine, methylethylidene bis(oxy) (generic)
721.11770 Carbamic acid, N-[3-(trialkoxysilyl)propyl]-, C,C′-[2,2,4(or 2,4,4)-trimethyl-1,6-hexanediyl] ester (generic).
721.11771 Arylfurandione, [bis(trihaloalkyl)alkylidene]bis-, polymer with alkanediamine (generic).
721.11772 Phosphonic acid, dimethyl ester, reaction products with alkyl-alkyl-alkanediol and alkanediol (generic).
721.11773 Silane, halogenated (generic).
721.11774 Heteromonocycle, polymer, substituted aliphatic carbamate, [2-[(1-oxo-2-propen-1-yl)oxy]alkyl]ester (generic).
721.11775 Alkanes, C4–8-branched and linear.
721.11776 5H–1,2-Oxathiole, 2,2-dioxide.

* * * * *

§ 721.11752 Quaternary ammonium salt of polyisobutene succinic acid (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as quaternary ammonium salt of polyisobutene succinic acid (PMN P–16–349) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (6)(vii), (7), and (c). For purposes of § 721.63(b), the concentration is set at 1.0%.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (f), (g)(1)(ix), (2)(i) and (v), and (5). For purposes of § 721.72(e), the concentration is set at 1.0%. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(k). It is a significant new use to manufacture, process, or use the substance in any manner that results in inhalation exposure. It is a significant new use to use the substance in any consumer product to be added to gasoline or diesel fuels by the consumer.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11753 2-Propenoic acid, 2-alkyl-, 2-(dialkylamino)alkyl ester, polymer with alpha-(2-alkyl-1-oxo-2-alken-1-yl)-omega-methoxypoly(oxy-1,2-alkanediyl) (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as 2-propenoic acid, 2-alkyl-, 2-(dialkylamino)alkyl ester, polymer with alpha-(2-alkyl-1-oxo-2-alken-1-yl)-omega-methoxypoly(oxy-1,2-alkanediyl) (PMN P–18–27) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted (cured) or when present as an impurity at less than 1% by weight.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (5) through (8), and (c). For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 50 or of at least 1,000 during spray applications.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (d), (f), (g)(1), and (5). For purposes of § 721.72(g)(1), this substance may cause: specific target organ toxicity; skin irritation; eye irritation; skin sensitization. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* It is a significant new use to use the substance in formulations at greater than 0.1% for spray applications.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11754 Alkanedioic acid, polymer with cycloalkyl dimethanol, alkyl and cycloalkyl diisocyanates, dimethyl-alkanediol, dihydroxyalkanoic acid methylenebis [isocyanatocyclohexane, hydroxyethyl acrylate- and polyalkyl glycol monoalkyl ether blocked (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as alkanedioic acid, polymer with cycloalkyl dimethanol, alkyl and cycloalkyl diisocyanates, dimethyl-alkanediol, dihydroxyalkanoic acid methylenebis [isocyanatocyclohexane, hydroxyethyl acrylate- and polyalkyl

glycol monoalkyl ether blocked (PMN P–18–301) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (7), and (c).

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (d), (f), (g)(1), and (5). For purposes of § 721.72(g)(1), this substance may cause: skin irritation; skin sensitization; eye irritation; respiratory sensitization. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(o).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11755 Poly(oxy-1,4-butanediyl), alpha-hydro-omega-hydroxy-, polymer with 1,1′-methylenebis[4-isocyanatobenzene), caprolactam-blocked.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified as poly(oxy-1,4-butanediyl), alpha-hydro-omega-hydroxy-, polymer with 1,1′-methylenebis[4-isocyanatobenzene),caprolactam-blocked (P–18–340; CAS No. 2247074–17–3) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted (cured).

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3) and (7), and (c).

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (d), (f), (g)(1), and (5). For purposes of § 721.72(g)(1), this substance may cause: respiratory sensitization; skin sensitization; reproductive toxicity; specific target organ toxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(o). It is a significant new use to use the substance other than for one component thermoset elastomer manufacture. It is a significant new use to manufacture, process, or use the substance in any manner that results in inhalation exposure. It is a significant new use to manufacture the substance without the use of a packed tower scrubber that removes at least 95 percent of the substance prior to release.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11756 Tall oil pitch, fraction, sterol-low (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as tall oil pitch, fraction, sterol-low (PMN P–19–165) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted (cured).

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (c), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11757 Carboxylic acid, reaction products with metal hydroxide, inorganic dioxide and metal (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as carboxylic acid, reaction products with metal hydroxide, inorganic dioxide and metal (PMN P–20–10) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted (cured).

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (5), (6)(vii), (7), (8), and (c). For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 1,000, or an APF of 50 if dust controls are implemented that demonstrate an exposure reduction of at least 30%.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (d), (f), (g)(1), (3)(iii), and (5). For purposes of § 721.72(g)(1), this substance may cause: skin sensitization; genetic toxicity; reproductive toxicity; specific target organ toxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4), where N=11.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (h), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11758 Multi-walled carbon nanotubes; closed; 4.4–12.8 nm diameter; bundle length 10.6–211.1 μm; Grade: Jenotube 6.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified as multi-walled carbon nanotubes; closed; 4.4–12.8 nm diameter; bundle length 10.6–211.1 μm; Grade: Jenotube 6 (PMN P–20–62) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted or cured or incorporated into an article.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (5), (6)(vii), (7), (8), and (c). For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 50.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (d), (f), (g)(1), (3)(iii), and (5). For purposes of § 721.72(g)(1), this substance may cause: skin sensitization; eye irritation; respiratory sensitization; carcinogenicity; specific target organ toxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f). It is a significant new use to manufacture the substance with a maximum weight percent of cobalt oxide impurity in excess of 2.1%. It is a significant new use to process or use the substance other than as an electrically conductive material, a heat dissipation material, a heat generation material, an additive for weight reduction, an additive to improve physical or mechanical properties, an additive in batteries, energy storage, and electrode applications, or an additive in field emission applications. It is a significant new use to process or use the substance in application methods that do not generate a vapor, mist, dust, or aerosol unless such an application method occurs in an enclosed process.

(iv) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11759 Multi-walled carbon nanotubes; closed; 5.1–11.6 nm diameter; bundle length 1.9–552.0 μm; Grade: Jenotube 8.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified as multi-walled carbon nanotubes; closed; 5.1–11.6 nm diameter; bundle length 1.9–552.0 μm; Grade: Jenotube 8 (PMN P–20–63) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted or cured or incorporated into an article.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (5), (6)(vii), (7), (8), and (c). For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 50.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (d), (f), (g)(1), (3)(iii), and (5). For purposes of § 721.72(g)(1), this substance may cause: skin sensitization; eye irritation; respiratory sensitization; carcinogenicity; specific target organ toxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f). It is a significant new use to manufacture the substance with a maximum weight percentage of cobalt oxide impurity in excess of 2.1%. It is a significant new use to process or use the substance other than as an electrically conductive material, a heat dissipation material, a heat generation material, an additive for weight reduction, an additive to improve physical or mechanical properties, an additive in batteries, energy storage, and electrode applications, or an additive in field emission applications. It is a significant new use to process or use the substance in application methods that do not generate a vapor, mist, dust, or aerosol unless such an application method occurs in an enclosed process.

(iv) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11760 Multi-walled carbon nanotubes; closed; 7.9–14.2 nm diameter; bundle length 9.4–106.4 μm; Grade: Jenotube 10.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified as multi-walled carbon nanotubes; closed; 7.9–14.2 nm diameter; bundle length 9.4–106.4 μm; Grade: Jenotube 10 (PMN P–20–64) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted or cured or incorporated into an article.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (5), (6)(vii), (7), (8), and (c). For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 50.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (d), (f), (g)(1), (3)(iii), and (5). For purposes of § 721.72(g)(1), this substance may cause: skin sensitization; eye irritation; respiratory sensitization; carcinogenicity; specific target organ toxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f). It is a significant new use to manufacture the substance with a maximum weight percentage of cobalt oxide impurity in excess of 2.1%. It is a significant new use to process or use the substance other than as an electrically conductive material, a heat dissipation material, a heat generation material, an additive for weight reduction, an additive to improve physical or mechanical properties, an additive in batteries, energy storage, and electrode applications, or an additive in field emission applications. It is a significant new use to process or use the substance in application methods that do not generate a vapor, mist, dust, or aerosol unless such an application method occurs in an enclosed process.

(iv) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in

§ 721.125(a) through (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11761 Multi-walled carbon nanotubes; closed; 17.0–34.7 nm diameter; globular shape; Grade: Jenotube 20.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified as multi-walled carbon nanotubes; closed; 17.0–34.7 nm diameter; globular shape; Grade: Jenotube 20 (PMN P–20–65) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted or cured or incorporated into an article.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (5), (6)(vii), (7), (8), and (c). For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 50.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (d), (f), (g)(1), (3)(iii), and (5). For purposes of § 721.72(g)(1), this substance may cause: skin sensitization; eye irritation; respiratory sensitization; carcinogenicity; specific target organ toxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f). It is a significant new use to manufacture the substance with a maximum weight percentage of cobalt oxide impurity in excess of 2.1%. It is a significant new use to process or use the substance other than as an electrically conductive material, a heat dissipation material, a heat generation material, an additive for weight reduction, an additive to improve physical or mechanical properties, an additive in batteries, energy storage, and electrode applications, or an additive in field emission applications. It is a significant new use to process or use the substance in application methods that do not generate a vapor, mist, dust, or aerosol unless such an application method occurs in an enclosed process.

(iv) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11762 Nonanamide, N,N-dimethyl.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified as nonanamide, N,N-dimethyl (PMN P–20–70; CAS No. 6225–08–7) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (5), (6)(v), (vi), (7), (8), (b), and (c). For purposes of § 721.63(b), the concentration is set at 1.0%. For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 10.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (f), (g)(1), (3)(iii), and (5). For purposes of § 721.72(e), the concentration is set at 1.0%. For purposes of § 721.72(g)(1), this substance may cause: skin irritation; eye irritation; specific target organ toxicity; reproductive toxicity; aspiration hazard. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* It is a significant new use to use the substance other than as a solvent for use in formulated pesticide products. It is a significant new use to manufacture the substance other than by import into the United States (*i.e.,* no domestic manufacture) using 20,000 kg International Organization for Standardization tank containers (ISOtainers) or 1,000 kg intermediate bulk containers (IBCs).

(iv) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4), where N = 96.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11763 2-Propenoic acid, 2-methyl, 2-(dimethylamino)ethyl ester, polymers with 2-(C16-18-acylamino)ethyl acrylate and hydroxyalkyl acrylate, acetates (salts) (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as 2-propenoic acid, 2-methyl, 2-(dimethylamino)ethyl ester, polymers with 2-(C16-18-acylamino)ethyl acrylate and hydroxyalkyl acrylate, acetates (salts) (PMN P–20–84) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted (cured).

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3) and (7), (b), and (c). For purposes of § 721.63(b), the concentration is set at 1.0%.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (f), (g)(1), and (5). For purposes of § 721.72(e), the concentration is set at 1.0%. For purposes of § 721.72(g)(1), this substance may cause: skin irritation; eye irritation; specific target organ toxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(o). It is a significant new use to process or use the substance in any manner that results in inhalation exposure.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11764 4H-Pyran-4-one, 3-[(2,5-dihydro-4-methyl-5-oxo-2-furanyl)oxy]-2-methyl.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified as 4H-pyran-4-one, 3-[(2,5-dihydro-4-methyl-5-oxo-2-furanyl)oxy]-2-methyl (PMN P–20–105; CAS No. 1333341–34–6) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (5), (6)(vii), (7), (8), (b), and (c). For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 50. For purposes of § 721.63(b), the concentration is set at 1.0%.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (f), (g)(1), (3)(iii), and (5). For purposes of § 721.72(e), the concentration is set at 1.0%. For purposes of § 721.72(g)(1), this substance may cause: specific target organ toxicity; reproductive toxicity; skin irritation; eye irritation. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f) and (o). It is a significant new use to process the substance other than in a facility that employs an on-site sump system used to capture fugitive dust releases and disposes the solid waste captured by this sump system by landfill. It is a significant new use to process the substance except under negative pressure when transferring the substance as a solid material in order to minimize exposures to fugitive dust/particles. It is a significant new use to use the substance in spray applications at a concentration exceeding 0.01% in formulation. It is a significant new use to use the substance other than to promote microbial activity in the soil, resulting in increases availability of nutrients in the soil, including nitrogen and phosphorus, for crops (for use on commercial farming operations).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11765 2H-Pyran, tetrahydro-4-methyl.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified as 2H-pyran, tetrahydro-4-methyl (PMN P–20–127; CAS No. 4717–96–8) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (5), (6)(v), (vi), (7), (8), (b), and (c). For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 50. For purposes of § 721.63(b), the concentration is set at 1.0%.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (f), (g)(1), (3)(iii), and (5). For purposes of § 721.72(e), the concentration is set at 1.0%. For purposes of § 721.72(g)(1), this substance may cause: skin corrosion; serious eye damage; specific target organ toxicity; aspiration hazard. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(o).

(iv) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4), where N=540.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11766 Organic acid ester, polymer with aliphatic diols and 1,1′-methylenebis[4-isocyanatobenzene] (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as organic acid ester, polymer with aliphatic diols and 1,1′-methylenebis[4-isocyanatobenzene] (PMN P–20–130) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted (cured).

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (5), (6)(ix), (7), (8), and (c). For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 50.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (d), (f), (g)(1), and (5). For purposes of § 721.72(g)(1), this substance may cause: acute toxicity; skin irritation; respiratory sensitization; skin sensitization; genetic toxicity; carcinogenicity; reproductive toxicity; specific target organ toxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer use.* Requirements as specified in § 721.80(o). It is a significant new use to use the substance in any manner or method that involves spray application.

(iv) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11767 4,4-Methylenebis (2,6-dimethyl phenol) polymer with 2-(chloromethyl)oxirane, 1,4-benzene diol, 2-methyl-2-propenoic acid, mixed alkyl substituted 2-methyl 2-propenoate, and ethyl 2-propenoate, reaction products with 2-(dimethylamino) ethanol (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as 4,4-methylenebis (2,6-dimethyl phenol) polymer with 2-(chloromethyl)oxirane, 1,4-benzene diol, 2-methyl-2-propenoic acid, mixed alkyl substituted 2-methyl 2-propenoate,

and ethyl 2-propenoate, reaction products with 2-(dimethylamino) ethanol (PMN P–21–3) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted (cured).

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (5), (6)(vii), (7), (8), (b), and (c). For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 10. For purposes of § 721.63(b), the concentration is set at 1.0%.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (f), (g)(1), and (5). For purposes of § 721.72(g)(1), this substance may cause: skin irritation; eye irritation. For purposes of § 721.72(e), the concentration is set at 1.0%. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(o).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11768 Phenol, methylethylidene, polymer chloromethyl epoxide and methylethylidene bis-oxy, bis-amine (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as phenol, methylethylidene, polymer chloromethyl epoxide and methylethylidene bis-oxy, bis-amine (PMN P–21–28) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (5), (6)(vii), (7), (8), and (c). For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 50 in non-spray applications and 1,000 in spray applications.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (d), (f) (g)(1), (3)(iii), and (5). For purposes of § 721.72(g)(1), this substance may cause: acute toxicity; skin corrosion; skin irritation; serious eye damage; eye irritation; respiratory sensitization; skin sensitization; specific target organ toxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4), where N = 100.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (h), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11769 Amine, methylethylidene bis(oxy) (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as amine, methylethylidene bis(oxy) (generic) (PMN P–21–29) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted (cured).

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (5), (6)(vii), (7), (8), and (c). For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 50 in non-spray applications and 1,000 in spray applications.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (d), (f) (g)(1), (3)(iii), and (5). For purposes of § 721.72(g)(1), this substance may cause: acute toxicity; skin corrosion; skin irritation; serious eye damage; eye irritation; respiratory sensitization; skin sensitization; specific target organ toxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4), where N = 840.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (h), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11770 Carbamic acid, N-[3-(trialkoxysilyl)propyl]-, C,C′-[2,2,4(or 2,4,4)-trimethyl-1,6-hexanediyl] ester (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as carbamic acid, N-[3-(trialkoxysilyl)propyl]-, C,C′-[2,2,4(or 2,4,4)-trimethyl-1,6-hexanediyl] ester (PMN P–21–34) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted (cured).

(2) The significant new uses are:

(i) *Hazard communication.* Requirements as specified in § 721.72(a) through (f), (g)(1), (3)(iii), and (5). For purposes of § 721.72(e), the concentration is set at 1.0%. For purposes of § 721.72(g)(1), this substance may cause: specific target organ toxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(ii) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4), where N = 1.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (c), (f), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11771 Arylfurandione, [bis(trihaloalkyl)alkylidene]bis-, polymer with alkanediamine (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as arylfurandione, [bis(trihaloalkyl)alkylidene]bis-, polymer with alkanediamine (PMN P–21–67) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted, cured, or formed into an article.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3) and (7), (b), and (c). For purposes of § 721.63(b), the concentration is set at 1.0%.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (f), (g)(1), and (5). For purposes of § 721.72(e), the concentration is set at 1.0%. For purposes of § 721.72(g)(1), this substance may cause: skin irritation; eye irritation; specific target organ toxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* It is a significant new use to manufacture or process the substance unless at a particle size of 10 microns or greater.

(iv) *Disposal.* It is a significant new use to dispose of the substance or waste streams containing the substance by incineration unless such incineration occurs at a minimum temperature of 870 degrees Celsius.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (j) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11772 Phosphonic acid, dimethyl ester, reaction products with alkyl-alkyl-alkanediol and alkanediol (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as phosphonic acid, dimethyl ester, reaction products with alkyl-alkyl-alkanediol and alkanediol (PMN P–21–93) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted (cured).

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3) and (7), (b), and (c). For purposes of § 721.63(b), the concentration is set at 1.0%.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (f), (g)(1), (3)(iii), and (5). For purposes of § 721.72(e), the concentration is set at 1.0%. For purposes of § 721.72(g)(1), this substance may cause: skin corrosion; serious eye damage; eye irritation; reproductive toxicity; specific target organ toxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* It is a significant new use to manufacture, process, or use the substance in any manner that generates a dust, mist, particulate, or aerosol that results in inhalation exposure. It is a significant new use to use the substance in consumer products where the concentration of the substance equals or exceeds 3%.

(iv) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4), where N = 180.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11773 Silane, halogenated (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as silane, halogenated (PMN P–21–94) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted (cured).

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (5), (6)(vii), (7), (8), (b), and (c). For purposes of § 721.63(b), the concentration is set at 1.0%. For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 1,000.

(A) As an alternative to the respirator requirements in paragraph (a)(2)(i) of this section, a manufacture or processor may choose to follow the new chemical exposure limit (NCEL) provision listed in the TSCA Order for this substance. The NCEL is 0.05 mg/m^3 as an 8-hour time weighted average. Persons who wish to pursue NCELs as an alternative to § 721.63 respirator requirements may request to do so under § 721.30. Persons whose § 721.30 requests to use the NCELs approach are approved by EPA will be required to follow NCELs provisions comparable to those contained in the corresponding TSCA Order.

(B) [Reserved]

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (f), (g)(1), (3)(iii), and (5). For purposes of § 721.72(e), the concentration is set at 1.0%. For purposes of § 721.72(g)(1), this substance may cause: skin corrosion; eye damage; specific target organ toxicity; pulmonary effects; developmental neurotoxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* It is a significant new use to use the substance other than as a deposition precursor for the manufacture of electronic components.

(iv) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4), where N = 3.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11774 Heteromonocycle, polymer, substituted aliphatic carbamate, [2-[(1-oxo-2-propen-1-yl)oxy]alkyl]ester (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified

generically as heteromonocycle, polymer, substituted aliphatic carbamate, [2-[(1-oxo-2-propen-1-yl)oxy]alkyl]ester (PMN P–21–115) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (5), (6)(vii), (7), (8), and (c). For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 50 or of at least 1,000 during spray applications.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (d), (f), (g)(1), and (5). For purposes of § 721.72(g)(1), this substance may cause: skin irritation; eye irritation; skin sensitization; respiratory sensitization. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(o).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11775 Alkanes, C4–8-branched and linear.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified as alkanes, C4–8-branched and linear (PMN P–21–141; CAS No. 2529890–37–5) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3) and (7), (b), and (c). For purposes of § 721.63(b), the concentration is set at 0.1%.

(ii) *Industrial, commercial, and consumer activities.* It is a significant new use to manufacture, process, or use the substance other than for use as a transportation fuel, refinery feedstock, or fuel blending additive.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11776 5H-1,2-Oxathiole, 2,2-dioxide.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified as 5H-1,2-Oxathiole, 2,2-dioxide (PMN P–21–196; CAS No. 21806–61–1) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been incorporated into an article.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(3), (5), (6)(v) (vi), (7), (8), (b), and (c). For purposes of § 721.63(a)(5), respirators must provide a National Institute for Occupational Safety and Health (NIOSH) assigned protection factor (APF) of at least 1000. For purposes of § 721.63(b), the concentration is set at 0.1%.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (d), (f), (g)(1), (3)(iii), and (5). For purposes of § 721.72(g)(1), this substance may cause: carcinogenicity, reproductive toxicity, skin sensitization; respiratory sensitization; genetic toxicity; specific target organ toxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f). It is a significant new use to process or use the substance other than an enclosed system unless the worker personal protective equipment described in paragraph (a)(2)(i) of this section is used.

(iv) *Disposal.* Requirements as specified in § 721.85(b)(1) and (2), and (c)(1) and (2). It is a significant new use to dispose of the substance by incineration unless the removal efficiency is at least 99.9%.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (j) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

* * * * *

[FR Doc. 2022–23376 Filed 10–28–22; 8:45 am]

BILLING CODE 6560–50–P

Notices

Federal Register
Vol. 87, No. 209
Monday, October 31, 2022

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

AGENCY FOR INTERNATIONAL DEVELOPMENT

60-Day Notice of Proposed Information Collection: Partner Information Form (PIF)

AGENCY: U.S. Agency for International Development.

ACTION: Notice of request for public comment.

SUMMARY: The U.S. Agency for International Development (USAID) seeks Office of Management and Budget (OMB) approval for the information collection described below. In accordance with the Paperwork Reduction Act of 1995, USAID requests public comment on this collection from all interested individuals and organizations. The purpose of this notice is to allow 60 days for public comment preceding submission of the collection to OMB.

DATES: Comments must be received no later than December 30, 2022

ADDRESSES: You may submit comments by any of the following methods:

1. *Web:* Through the Federal eRulemaking Portal at *https://www.regulations.gov* by entering ''Docket Number: AID–2019–0005'' in the Search field and following the instructions for submitting comments.
2. *Email: rulemaking@usaid.gov.*
3. *Mail, Hand Delivery, or Courier:* USAID, Bureau for Management, Office of Management Policy, Budget, and Performance (M/MPBP), 500 D ST SW, Washington, DC 20547.

FOR FURTHER INFORMATION CONTACT: Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed collection instrument and supporting documents, to Ruth Buckley at (202) 921–5068, via email at *rulemaking@usaid.gov,* or via mail at USAID, Bureau for Management, Office of Management Policy, Budget, and Performance (M/MPBP), 500 D ST SW, Washington, DC 20547.

SUPPLEMENTARY INFORMATION:

Instructions

All comments must be in writing and submitted through one of the methods specified in the **ADDRESSES** section above. All submissions (and attachments) must include the form number, information collection title, and OMB control number. Please include your name, title, organization, postal address, telephone number, and email address in the text of the message. Please note that USAID recommends sending all comments via email or via the Federal eRulemaking Portal because security screening precautions have slowed the delivery and dependability of surface mail to USAID/Washington. Please note that comments submitted in response to this Notice are public record. We recommend that you do not submit detailed personal information, Confidential Business Information (CBI), or any information that is otherwise protected from disclosure by statute. USAID will only address comments that explain why this form would be inappropriate, ineffective, or unacceptable without a change. Comments that are insubstantial or outside the scope of the notice of request for public comment may not be considered.

Overview of Information Collection

- *Title of Information Collection:* Partner Information Form.
- *OMB Control Number:* 0412–0577.
- *Type of Request:* Revision of a Currently Approved Collection.
- *Originating Office:* Bureau for Management, Office of Management Policy, Budget, and Performance (M/MPBP).
- *Form Number:* AID 500–13.
- *Respondents:* Potential awardees and subawardees.
- *Estimated Annual Number of Responses:* 5,800.
- *Average Time per Response:* 1 hour 30 minutes.
- *Total Estimated Burden Time:* 8,700 hours.
- *Frequency:* On occasion.
- *Obligation to Respond:* Voluntary.

USAID solicits public comments on the following:

- Evaluate whether the proposed information collection is necessary for the proper functions of the Agency.
- Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the reporting burden on respondents, including the use of automated collection techniques or other forms of information technology.

Abstract of Proposed Collection

USAID collects information from individuals and organizations to conduct screening to help ensure that USAID funds, USAID-funded activities, or other resources will not be used to provide support to entities or individuals deemed to be a risk to national security.

USAID vets prospective awardees seeking funding from USAID to mitigate the risk that such funds might benefit entities or individuals who present a national security risk. To conduct vetting, USAID collects information from prospective awardees and subawardees regarding their directors, officers, and/or key employees. The information collected is compared to information gathered from commercial, public, and U.S. Government databases to determine the risk that the applying organization or individual might use Agency funds or programs in a way that presents a threat to national security.

Methodology

USAID collects information via mail or electronic submission.

Ruth Buckley,

Director, Bureau for Management, Office of Management Policy, Budget, and Performance, U.S. Agency for International Development.

[FR Doc. 2022–23750 Filed 10–28–22; 8:45 am]

BILLING CODE 6116–01–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments are required regarding; whether the

collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by November 30, 2022 will be considered. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *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.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Farm Service Agency

Title: 7 CFR 764, Direct Loan Making.

OMB Control Number: 0560–0237.

Summary of Collection: The Farm Loan Program (FLP) in the Farm Service Agency (FSA) provides loans to family farmers to purchase real estate and equipment and finance agricultural production. The regulation as specified in 7 CFR 764 covered by this collection describes the policies and procedures the agency uses to provide supervised credit to FLP applicants requesting direct loan assistance in accordance with the provisions of the Consolidated Farm and Rural Development Act (CONTACT) (Pub. L. 87–128), as amended. Direct loan making information collection requirements include financial and production records of the operation, as well as information necessary to obtain liens on collateral, provide evidence of the indebtedness, and ensure repayment of the loan. FSA will use several forms and non-forms to collect the information.

Need and Use of the Information: Information is submitted by the applicants to the local agency office serving the county in which their business is headquartered. The information is necessary to thoroughly evaluate the applicant's request for a direct loan and is used by agency officials to: (1) Ensure that cash flow projections used in determining loan repayment are based on the actual production history of the operation, (2) Ensure that a loan is adequately secured; (3) Ensure the applicant meets the statutorily established program eligibility requirements; and (4) Obtain assignment on income or sales proceeds, when appropriate, to ensure timely repayment of the loans.

Since the agency is mandated to provide supervised credit, failure to collect the information, or collecting it less frequently, could result in the failure of the farm operation or loss of agency security property.

Description of Respondents: Business or other for-profit; Farms.

Number of Respondents: 184,871.

Frequency of Responses: Reporting: On occasion; Annually.

Total Burden Hours: 285,272.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2022–23595 Filed 10–28–22; 8:45 am]

BILLING CODE 3410–05–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments are requested regarding; whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by November 30, 2022 will be considered. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Food and Nutrition Service

Title: Summer Food Site Locations for State Agencies.

OMB Control Number: 0584–0649.

Summary of Collection: Section 13 of the Richard B. Russell National School Lunch Act (NSLA) authorizes the Summer Food Service Program (SFSP) and the National School Lunch Program Seamless Summer Option (SSO) to provide low-income children with access to nutritious meals when school is not in session. Meals meeting Federal nutrition guidelines are served at no cost to all children 18 years old and under at approved SFSP and SSO sites in areas in which at least 50 percent of children are eligible for free and reduced price school meals during the school year. SFSP and SSO sites operate, by design, for a short period during the summer and their locations, hours and days of operations may not be well known to those children who depend on school lunch during the school year. The FNS–905 Summer Food Site Locator will collect this information and make it available to the public. For this revision, the responses and burden hours have increased due to an adjustment in the number of responses submitted per respondent. In addition, $1,713 that was mistakenly reported as part of the annualized respondent capital, start-up, operational, and maintenance costs in the last submission have been removed and are no longer being reported as burden costs.

Need and Use of the Information: This is an ongoing, voluntary information collection which is used by FNS to update the USDA National Hunger Clearinghouse, which is mandated under Section 26 of the NSLA. FNS collects information about

the summer meal sites from State agencies using FNS–905. This form collects the site name, location, and operating details about the summer meal sites, such as dates and times of site operation. This data is then used to populate the USDA National Hunger Clearinghouse. The National Hunger Clearinghouse collects, develops, and distributes information and resources to help build the capacity of emergency food providers to address the immediate needs of struggling families and individuals while promoting self-reliance and access to healthy food. FNS also uses this information to increase participation in FNS nutrition programs through the development, coordination, and evaluation of strategic initiatives, partnerships, and outreach activities.

Description of Respondents: State, Local, or Tribal Government.

Number of Respondents: 53.

Frequency of Responses: Reporting: 11 responses in summer.

Total Burden Hours: 73.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2022–23596 Filed 10–28–22; 8:45 am]

BILLING CODE 3410–30–P

COMMISSION ON CIVIL RIGHTS

Sunshine Act Meeting

AGENCY: U.S. Commission on Civil Rights, Commission on the Social Status of Black Men and Boys (CSSBMB).

ACTION: Notice of CSSBMB public briefing.

DATES: Thursday, November 3, 2022, 1:00 p.m.–3:30 p.m. EDT.

ADDRESSES: The Briefing will take place virtually via YouTube: *https://www.youtube.com/user/USCCR/videos.*

FOR FURTHER INFORMATION CONTACT: Mr. Mark Spencer Esq., at (202) 578–0091, *pressbmb@usccr.gov.*

SUPPLEMENTARY INFORMATION: In accordance with Public Law 116–156, 1134 Stat. 700 (2020), the Commission on the Social Status of Black Men and Boys (CSSBMB) will hold a public briefing focused on preventative strategies to mitigate the social disparities of Black men in America.

This briefing is open to the public via livestream on the Commission on Civil Rights' YouTube Page at *https://www.youtube.com/user/USCCR/videos.* (Streaming information subject to change.) Public participation is available for the event with view access, along with an audio option for listening. Computer assisted real-time transcription (CART) will be provided. The web link to access CART (in English) on Thursday November 3, 2022, is, *https://www.steamtext.net/player?event=USCCR* (*subject to change). Please note that CART is text-only translation that occurs in real time during the meeting and is not an exact transcript.

* Date and meeting details are subject to change. For more information on the CSSBMB or the upcoming public briefing, please visit CSSBMB's website at *www.usccr.gov/about/CSSBMB.*

Briefing Agenda

I. Opening Remarks by CSSBMB Chair, The Honorable Frederica S. Wilson (FL–24)
II. Call to Order
III. Introduction of theme: ''Unlocking America's Democratic Potential by Reducing Inequality in the Classroom''—Mr. Mark Spencer Esq., CSSBMB Staff Director
IV. Roundtable Discussion with Expert Educators
V. Break
VI. Business Meeting

Adjourn Briefing

Dated: October 27, 2022.

Angelia Rorison,

USCCR Media and Communications Director.

[FR Doc. 2022–23752 Filed 10–27–22; 4:15 pm]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Census Bureau

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Survey of State Government Research and Development

AGENCY: Census Bureau, Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act (PRA) of 1995, invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment on the proposed extension of the Survey of State Government Research and Development, prior to the submission of the information collection request (ICR) to OMB for approval.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before December 30, 2022.

ADDRESSES: Interested persons are invited to submit written comments by email to *Thomas.J.Smith@census.gov.* Please reference Survey of State Government Research and Development in the subject line of your comments. You may also submit comments, identified by Docket Number USBC–2022–0021, to the Federal e-Rulemaking Portal: *http://www.regulations.gov.* All comments received are part of the public record. No comments will be posted to *http://www.regulations.gov* for public viewing until after the comment period has closed. Comments will generally be posted without change. All Personally Identifiable Information (for example, name and address) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. You may submit attachments to electronic comments in Microsoft Word, Excel, or Adobe PDF file formats.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Michael Flaherty, Chief Research, Development & Innovation Surveys Branch, 301–763–7699, *Michael.J.Flaherty@census.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

The Census Bureau conducts the Survey of State Government Research and Development (SGRD) to measure research and development performed and funded by state government agencies in the United States. The Census Bureau conducts the survey on behalf of the National Center for Science and Engineering Statistics (NCSES) within the National Science Foundation.

The National Science Foundation Act of 1950, as amended, includes a statutory charge to ''provide a central clearinghouse for the collection, interpretation, and analysis of data on scientific and engineering resources and to provide a source of information for policy formulation by other agencies in the Federal Government.'' This mandate was further codified in the America COMPETES Reauthorization Act of 2010 section 505, which requires NCSES to ''collect, acquire, analyze, report, and disseminate . . . statistical data on (A) research and development trends . . .'' Under the aegis of these legislative mandates, NCSES has sponsored

surveys of research and development (R&D) since 1951, including the SGRD since 2006. The Census Bureau's authorization to undertake this work is found at 13 U.S.C. 8(b) which provides that the Census Bureau ''may make special statistical compilations and surveys for departments, agencies, and establishments of the Federal government, the government of the District of Columbia, the government of any possession or area (including political subdivisions thereof) . . . State or local agencies, or other public and private persons and agencies.''

The SGRD is the only comprehensive source of state government research and development expenditure data collected on a nationwide scale using uniform definitions, concepts, and procedures. The collection covers the expenditures of all agencies in the fifty state governments, the District of Columbia, and Puerto Rico that perform or fund R&D. The NCSES coordinates with the Census Bureau for the data collection. The NCSES uses this collection to satisfy, in part, its need to collect research and development expenditures data.

Fiscal data provided by respondents aid data users in measuring the effectiveness of resource allocation. The products of this data collection make it possible for data users to obtain information on such things as expenditures according to source of funding (*e.g.,* federal funds or state funds), by performer of the work (*e.g.,* intramural and extramural to state agencies), by function (*e.g.,* agriculture, energy, health, transportation, etc.), by type of work (*e.g.,* basic research, applied research, or experimental development) for intramural performance of R&D, and by R&D plant (*e.g.,* construction projects). Final results produced by NCSES contain state and national estimates useful to a variety of data users interested in research and development performance including: The National Science Board; the Office of Management and Budget; the Office of Science and Technology Policy and other science policy makers; institutional researchers; and private organizations.

We have analyzed responses to a question about burden which appears on the instrument. That analysis indicates that the average burden for agency respondents should be 2 hours rather than the current estimate of 3 hours. We are adjusting the burden of the collection downward accordingly.

The survey announcements and forms used in the SGRD are: *Survey Announcement.* An introductory email from the Directors of the NCSES and the Census Bureau is sent to Chief of Staff of Governor's Office to announce the survey collection and to solicit assignment of a State Coordinator. The State Coordinator's Announcement is sent electronically at the beginning of each survey period to solicit assistance in identifying state agencies which may perform or fund R&D activities.

Form SRD–1. This form contains item descriptions and definitions of the research and development items collected by the Census Bureau on behalf of the NCSES. All states supply their data by electronic means.

II. Method of Collection

The Census Bureau emails Chief of Staff for the 50 state governors, the mayor of DC, and the governor of Puerto Rico requesting that they appoint a state coordinator for the survey. The Census Bureau then emails the state coordinators a spreadsheet asking them to identify state agencies that may have the capacity to perform or fund R&D. The Census Bureau subsequently emails the survey form to each state agency identified by the respective state coordinators. The form contains embedded data checks and auto-summing functionality. Agencies are asked to complete and email back the form. Alternatively, agencies are able to report to the Census Bureau by telephone.

III. Data

OMB Control Number: 0607–0933.

Form Number(s): SRD–1.

Type of Review: Regular submission, request for an extension, without change, of a currently approved collection.

Affected Public: State government agencies.

Estimated Number of Respondents: 51 governors, 1 mayor, 52 state coordinators, and approximately 700 state government agencies.

Estimated Time per Response: 5 minutes for each governor or mayor, 1 hour for each state coordinator, and 2 hours for each state agency surveyed.

Estimated Total Annual Burden Hours: 1,456.

Estimated Total Annual Cost to Public: $0 (This is not the cost of respondents' time, but the indirect costs respondents may incur for such things as purchases of specialized software or hardware needed to report, or expenditures for accounting or records maintenance services required specifically by the collection.)

Respondent's Obligation: Voluntary.

Legal Authority: National Science Foundation Act of 1950 as amended and the America COMPETES Reauthorization Act of 2010, title 42 U.S.C. 1861–76; title 13, U.S.C. 8(b).

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include, or summarize, each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2022–23658 Filed 10–28–22; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–28–2022]

Foreign-Trade Zone (FTZ) 241—Fort Lauderdale, Florida, Authorization of Production Activity, Almod Diamonds Ltd., Inc. (Jewelry, Precious and Semi-Precious Stones, and Pearls), Miramar, Florida

On June 28, 2022, Almod Diamonds Ltd., Inc., submitted a notification of proposed production activity to the FTZ Board for its facility within FTZ 241, in Miramar, Florida.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (87 FR 40484, July 7,

2022). On October 26, 2022, the applicant was notified of the FTZ Board's decision that no further review of the activity is warranted at this time. The production activity described in the notification was authorized, subject to the FTZ Act and the FTZ Board's regulations, including Section 400.14.

Dated: October 26, 2022.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2022–23637 Filed 10–28–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–044]

1,1,1,2-Tetrafluoroethane From the People's Republic of China: Continuation of Antidumping Duty Order

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: As a result of the determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC) that revocation of the antidumping duty (AD) order on 1,1,1,2-Tetrafluoroethane (R–134a) from the People's Republic of China (China) would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, Commerce is publishing a notice of continuation of the AD order.

DATES: Applicable October 31, 2022.

FOR FURTHER INFORMATION CONTACT: Patrick Barton, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0012.

SUPPLEMENTARY INFORMATION:

Background

On April 19, 2017, Commerce published the AD order on R–134a from China.[1] On March 1, 2022, Commerce initiated the first five-year (sunset) review of the *Order* pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).[2] As a result of its review, Commerce determined that revocation of the *Order* would likely lead to a continuation or recurrence of dumping and, therefore, notified the ITC of the magnitude of the margins likely to prevail should the *Order* be revoked.[3] On October 25, 2022, the ITC published its determination, pursuant to section 751(c) of the Act, that revocation of the *Order* would likely lead to a continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[4]

Scope of the Order

The merchandise covered by the *Order* is 1,1,1,2-Tetrafluoroethane, R–134a, or its chemical equivalent, regardless of form, type, or purity level. The chemical formula for 1,1,1,2-Tetrafluoroethane is CF3–CH2 F, and the Chemical Abstracts Service (CAS) registry number is CAS 811–97–2.[5]

Merchandise subject to the *Order* is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 2903.45.1000. Although the HTSUS subheading and CAS registry number are provided for convenience and customs purposes, the written description of the scope is dispositive.

Continuation of the Order

As a result of the determinations by Commerce and the ITC that revocation of the *Order* would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, Commerce hereby orders the continuation of the *Order.* U.S. Customs and Border Protection will continue to collect AD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of the continuation of the *Order* will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, Commerce intends to initiate the next five-year review of the *Order* not later than 30 days prior to the fifth anniversary of the effective date of continuation.

Administrative Protective Order

This notice also serves as the only reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely notification of return/destruction or conversion to judicial protective order is hereby requested. Failure to comply is a violation of the APO which may be subject to sanctions.

Notification to Interested Parties

This five-year (sunset) review and this notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act.

Dated: October 25, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2022–23639 Filed 10–28–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–810 and A–583–815]

Welded ASTM A–312 Stainless Steel Pipe From the Republic of Korea and Taiwan: Final Results of Expedited Fifth Sunset Reviews of the Antidumping Duty Orders

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: As a result of these expedited sunset reviews, the U.S. Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) orders on welded ASTM A–312 stainless steel pipe (WSSP) from the Republic of Korea (Korea) and Taiwan would be likely to lead to continuation or recurrence of dumping at the levels indicated in the ''Final Results of Review'' section of this notice.

DATES: Applicable October 31, 2022.

FOR FURTHER INFORMATION CONTACT: Jacqueline Arrowsmith, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5255.

SUPPLEMENTARY INFORMATION:

[1] *See 1,1,1,2-Tetrafluoroethane (R–134a) from the People's Republic of China: Antidumping Duty Order,* 82 FR 18422 (April 19, 2017) (*Order*).

[2] *See Initiation of Five-Year (Sunset) Reviews,* 87 FR 11416 (March 1, 2022).

[3] *See 1,1,1,2-Tetrafluoroethane (R–134a) from the People's Republic of China: Final Results of the First Expedited Sunset Review of the Antidumping Duty Order,* 87 FR 40498 (July 7, 2022), and accompanying Issues and Decision Memorandum.

[4] *See 1,1,1,2-Tetrafluoroethane (R–134a) from China,* 87 FR 64521 (October 25, 2022); *see also 1,1,1,2-Tetrafluoroethane (R–134a) from China,* Inv. No. 731–TA–1313 (Review), USITC Pub. 5378 (October 2022).

[5] 1,1,1,2-Tetrafluoroethane is sold under a number of trade names including Klea 134a and Zephex 134a (Mexichem Fluor); Genetron 134a (Honeywell); FreonTM 134a, Suva 134a, Dymel 134a, and Dymel P134a (Chemours); Solkane 134a (Solvay); and Forane 134a (Arkema). Generically, 1,1,1,2-Tetrafluoroethane has been sold as Fluorocarbon 134a, R–134a, HFC–134a, HF A–134a, Refrigerant 134a, and UN3159.

Background

On May 2, 2022, Commerce published the notice of initiation of the sunset review of the AD orders on WSSP from Korea and Taiwan, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).[1] On May 13, 2022, Commerce received a notice of intent to participate from the domestic interested parties [2] for both of the *Orders* within the 15-day deadline specified in 19 CFR 351.218(d)(1)(i).[3] The domestic interested parties claimed interested party status under section 771(9)(C) of the Act, as manufacturers of the domestic like product in the United States.[4] On June 1, 2022, the domestic interested parties submitted a timely substantive response for both sunset reviews within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).[5] Commerce did not receive a substantive response from any other interested parties with respect to the *Orders* covered by these sunset reviews.

On June 21, 2022, Commerce notified the U.S. International Trade Commission that it did not receive an adequate substantive response from respondent interested parties in either of these sunset reviews.[6] As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce is conducting expedited (120-day) sunset reviews of these *Orders.*

Scope of the Orders

The products covered by the *Orders* are shipments of WSSP from Korea and Taiwan that meet the standards and specifications set forth by the American Society for Testing and Materials (ASTM) for the welded form of chromium-nickel pipe designated ASTM A–312. For a full description of the scope of the *Orders, see* the Issues and Decision Memorandum.[7]

Analysis of Comments Received

All issues raised in these sunset reviews are addressed in the Issues and Decision Memorandum. A list of topics discussed in the Issues and Decision Memorandum is included as an appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* A complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNotices/ListLayout.aspx.*

Final Results of Sunset Reviews

Pursuant to sections 751(c) and 752(c) of the Act, Commerce determines that revocation of the *Orders* would be likely to lead to continuation or recurrence of dumping, and that the magnitude of the dumping margins likely to prevail would be weighted-average margins of up to 17.14 percent for Korea and up to 31.90 percent for Taiwan.

Administrative Protective Order

This notice serves as the only reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a). Timely notification of the destruction of APO materials or conversion to judicial protective orders is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

We are issuing and publishing these final results in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act, and 19 CFR 351.218(e)(1)(ii)(C)(2) and 19 CFR 351.221(c)(5)(ii).

Dated: August 29, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the *Orders*
IV. History of the *Orders*
V. Legal Framework
VI. Discussion of the Issues
1. Likelihood of Continuation or Recurrence of Dumping
2. Magnitude of the Margins of Dumping Likely to Prevail
VII. Final Results of Sunset Reviews
VIII. Recommendation

[FR Doc. 2022–23600 Filed 10–28–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–533–878]

Stainless Steel Flanges From India: Final Results of Countervailing Duty Administrative Review; 2020

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of stainless steel flanges (steel flanges) from India during the period of review, January 1, 2020, through December 31, 2020.

DATES: Applicable October 31, 2022.

FOR FURTHER INFORMATION CONTACT: Eliza Siordia, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3878.

SUPPLEMENTARY INFORMATION:

Background

On July 12, 2022, Commerce published the *Preliminary Results* of this administrative review in the **Federal Register**.[1] Although we invited interested parties to comment on the *Preliminary Results,*[2] we received no comments. Accordingly, no decision memorandum accompanies this **Federal Register** notice, and no changes have

[1] *See Initiation of Five-Year (Sunset) Review,* 87 FR 25617 (May 2, 2022). *See also Antidumping Duty Order and Clarification of Final Determination: Certain Welded Stainless Steel Pipes from Korea,* 57 FR 62301 (December 30, 1992); *Notice of Amended Final Determination and Antidumping Duty Order: Certain Welded Stainless Steel Pipe from the Republic of Korea,* 60 FR 10064 (February 23, 1995) (*Korea Order*); *Amended Final Determination and Antidumping Duty Order: Certain Welded Stainless Steel Pipe from Taiwan,* 57 FR 62300 (December 30, 1992); and *Notice of Amended Final Determination and Antidumping Duty Order; Certain Welded Stainless Steel Pipes from Taiwan,* 59 FR 6619 (February11, 1994) (*Taiwan Order*) (collectively *Orders*).

[2] The domestic interested parties are Bristol Metals, Felker Brothers Corporation and Primus Pipe & Tube Inc. These domestic parties are producers of welded austenitic stainless steel pipe in the United States. Bristol Metals was a petitioner in the original AD investigation.

[3] *See* Domestic Interested Parties' Letters, ''Notice of Intent to Participate—South Korea,'' dated May 13, 2022; and ''Notice of Intent to Participate—Taiwan,'' dated May 13, 2022.

[4] *Id.* at 2.

[5] *See* Domestic Interested Parties' Letters, ''Substantive Response of Domestic Producers to Notice of Initiation,'' dated June 1, 2022; and ''Substantive Response of Domestic Producers to Notice of Initiation,'' dated June 1, 2022.

[6] *See* Commerce's Letter, ''Sunset Reviews Initiated on May 2, 2022,'' dated June 21, 2022.

[7] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the Fifth Expedited Sunset Reviews of the Antidumping Duty Orders on Welded ASTM A–312 Stainless Steel Pipe from the Republic of Korea and Taiwan,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[1] *See Stainless Steel Flanges from India: Preliminary Results of Countervailing Duty Administrative Review; 2020,* 87 FR 41282 (July 12, 2022) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[2] *Id.,* 87 FR at 41283.

been made in the final results of this review.

Scope of the Order [3]

The merchandise covered by the *Order* is stainless steel flanges from India. For a complete description of the scope of the *Order, see* Appendix I.

Final Results of Review

For the period January 1, 2020, through December 31, 2020, we determine that the following net subsidy rates exist:

Company	Subsidy rate (percent *ad valorem*)
Chandan Steel Limited	4.31
Goodluck India Limited [4]	3.34
Non-Selected Companies Under Review [5]	4.14

Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with the final results of review within five days of a public announcement or, if there is no public announcement, within five days of the date of publication of the notice of final results in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because we have made no changes from the *Preliminary Results,* there are no calculations to disclose.

Assessment Rates

Consistent with section 751(a)(2)(C) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.212(b)(2), upon completion of the administrative review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries covered by this review. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

[3] *See Stainless Steel Flanges from India: Countervailing Duty Order,* 83 FR 50336 (October 5, 2018) (*Order*).

[4] Entries for Goodluck India Limited may have been made under the company name Good Luck Engineering Co. or Goodluck Engineering Co. *See* Preliminary Decision Memorandum.

[5] *See* Appendix II for a list of companies not selected for individual examination.

Cash Deposit Requirements

Pursuant to section 751(a)(2)(C) of the Act, Commerce intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts indicated above on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the most recent company-specific or all-others rate applicable to the company, as appropriate. These cash deposit instructions, when imposed, shall remain in effect until further notice.

Administrative Protective Order

This notice also serves as a reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing these final results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(5).

Dated: October 24, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Order

The scope of the *Order* covers certain forged stainless steel flanges, whether unfinished, semi-finished, or finished (certain forged stainless steel flanges). Certain forged stainless steel flanges are generally manufactured to, but not limited to, the material specification of ASTM/ASME A/SA182 or comparable domestic or foreign specifications. Certain forged stainless steel flanges are made in various grades such as, but not limited to, 304, 304L, 316, and 316L (or combinations thereof). The term ''stainless steel'' used in this scope refers to an alloy steel containing, by actual weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements.

Unfinished stainless steel flanges possess the approximate shape of finished stainless steel flanges and have not yet been machined to final specification after the initial forging or like operations. These machining processes may include, but are not limited to, boring, facing, spot facing, drilling, tapering, threading, beveling, heating, or compressing. Semi-finished stainless steel flanges are unfinished stainless steel flanges that have undergone some machining processes.

The scope includes six general types of flanges. They are: (1) weld neck, generally used in butt-weld line connection; (2) threaded, generally used for threaded line connections; (3) slip-on, generally used to slide over pipe; (4) lap joint, generally used with stub-ends/butt-weld line connections; (5) socket weld, generally used to fit pipe into a machine recession; and (6) blind, generally used to seal off a line. The sizes and descriptions of the flanges within the scope include all pressure classes of ASME B16.5 and range from one-half inch to twenty-four inches nominal pipe size. Specifically excluded from the scope of this *Order* are cast stainless steel flanges. Cast stainless steel flanges generally are manufactured to specification ASTM A351.

The country of origin for certain forged stainless steel flanges, whether unfinished, semi-finished, or finished is the country where the flange was forged. Subject merchandise includes stainless steel flanges as defined above that have been further processed in a third country. The processing includes, but is not limited to, boring, facing, spot facing, drilling, tapering, threading, beveling, heating, or compressing, and/or any other processing that would not otherwise remove the merchandise from the scope of the *Order* if performed in the country of manufacture of the stainless steel flanges.

Merchandise subject to the *Order* is typically imported under headings 7307.21.1000 and 7307.21.5000 of the Harmonized Tariff Schedule of the United States (HTSUS). While HTSUS subheadings and ASTM specifications are provided for convenience and customs purposes, the written description of the scope is dispositive.

Appendix II

Companies Not Selected for Individual Examination

1. Ae Engineers and Exporters
2. Armstrong International Pvt. Ltd.
3. Avini Metal Limited
4. Balkrishna Steel Forge Pvt. Ltd.
5. Bebitz Flanges Works Pvt. Ltd.
6. BFN Forgings Private Limited
7. Broadway Overseas Ltd.
8. CD Industries (Prop. Kisaan Engineering Works Pvt. Ltd.).
9. CHW Forge Private
10. Dart Global Logistics Pvt.
11. Dongguan Good Luck Industrial Co., Ltd.
12. Dongguan Good Luck Furniture Industrial Co., Ltd.
13. Echjay Forgings Private Limited
14. Emerson Process Management
15. Expeditors International
16. Fivebros Forgings Pvt. Ltd.
17. Fluid Controls Pvt. Ltd.
18. G I Auto Private.
19. G. I. Auto Pvt. Ltd.
20. Hilton Metal Forging Limited
21. Jai Auto Pvt. Ltd.
22. Jay Jagdamba Ltd.
23. Jay Jagdamba Profile Private Limited
24. Jay Jagdamba Forgings Private Limited
25. Katariya Steel Distributors

26. Kisaan Die Tech Pvt. Ltd.
27. Pashupati lspat Pvt. Ltd.
28. Pashupati Tradex Pvt., Ltd.
29. Pradeep Metals Ltd.
30. Rajan Techno Cast.
31. Rajan Techno Cast Pvt. Ltd.
32. Rolex Fittings India Pvt. Ltd.
33. Rollwell Forge Pvt. Ltd.
34. Safewater Lines (I) Pvt. Ltd.
35. Saini Flange Pvt. Ltd.
36. Saini Flanges Private.
37. Shree Jay Jagdamba Flanges Pvt. Ltd.
38. Transworld Enterprises
39. Viraj Profiles Ltd.

[FR Doc. 2022–23601 Filed 10–28–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Minority Business Development Agency

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Online Customer Relationship Management (CRM)/Performance Databases

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on September 1, 2022, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: Minority Business Development Agency.

Title: Online Customer Relationship Management (CRM)/Performance Databases.

OMB Control Number: 0640–0002.

Form Number(s): None.

Type of Request: Regular Submission. Revision of a currently approved collection.

Number of Respondents: 6,035.

Average Hours per Response: 1 minute to 150 minutes, varies depending on instrument.

Burden Hours: 5,032.

Needs and Uses: MBDA requires all grant participants to report basic client information, service activities and progress on attainment of program goals via the Online CRM/Performance Database. The Online CRM/Performance Database is used to regularly monitor and evaluate the progress of the MBDA programs, to provide the Department and OMB with a summary of the quantitative information required to be submitted about government supported programs, to implement the GPRA/MA, conduct program evaluation in support of the Evidence Act. This information is also summarized and included in the MBDA Annual Performance Report, which is made available to the public.

Affected Public: Individuals or households; Business or other for-profit organizations; Not-for-profit institutions; State, Local, or Tribal government; Federal government.

Frequency: System is used regularly to monitor progress; Daily use.

Respondent's Obligation: Required to Obtain or Retain Benefits.

Legal Authority: Executive Order 11625; Minority Business Development Act (MBD Act), 15 U.S.C. 9501–9598, specifically, §§ 9543 (a).

This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *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 and entering either the title of the collection or the OMB Control Number 0640–0002.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2022–23599 Filed 10–28–22; 8:45 am]

BILLING CODE 3510–21–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XC482]

Caribbean Fishery Management Council; Public Meeting

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

ACTION: Notice of a public meeting.

SUMMARY: The Caribbean Fishery Management Council's (Council) Outreach and Education Advisory Panel (OEAP) will hold a hybrid public meeting on November 22, 2022, to discuss the items contained in the agenda in the **SUPPLEMENTARY INFORMATION**.

DATES: The OEAP hybrid public meeting will be held on November 22, 2022, from 9:30 a.m. to 5 p.m., AST.

ADDRESSES: The meeting will be held at the Courtyard by Marriott Isla Verde Beach Resort, 7012 Boca de Cangrejos Avenue, Carolina, Puerto Rico 00979. See **SUPPLEMENTARY INFORMATION** to join the meeting virtually.

FOR FURTHER INFORMATION CONTACT: Diana Martino, phone: (787) 226–8849, Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico 00918–1903.

SUPPLEMENTARY INFORMATION: You may join the OEAP hybrid public meeting (via Zoom) from a computer, tablet or smartphone by entering the following address:

OEAP Zoom Meeting

November 22, 2022, 9:30 a.m. to 5 p.m., AST

Join Zoom Meeting: https://us02web.zoom.us/j/84039986774?pwd=SUhDc1hXeFloQWF3ajVtL2ZHRGN3Zz09.

Meeting ID: 840 3998 6774
Passcode: 179728
One tap mobile:
+17879667727,,84039986774#,,,,*179728# Puerto Rico
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November 22, 2022

9:30 a.m.–9:45 a.m.

—Call to Order
—Adoption of Agenda

9:45 a.m.–10:15 a.m.

—OEAP Chairperson's Report
—Updates:
—Meetings and Webinars Attended: NOAA Caribbean, FEP–TAP, DAPs, CFMC Meeting
—Calendar 2023
—Recipe Book
—Illustrated Booklet on Climate Change and US Caribbean Fisheries—MREP update

—Update status of O & E products Approved by the CFMC: Bulletin boards with Fisheries Information for Fish Markets/Restaurants and Signs on MPAs, St. Croix MPAs Poster and Fact Sheet.

10:15 a.m.–10:20 a.m.

—Break

10:20 a.m.–11 a.m.

—Status of Fishery Ecosystem Plan (FEP)—Update
—Outreach and Education Strategies Needed
—OEAP Recommendations

11 a.m.–12 p.m.

—Island-Based Fishery Management Plans Update
—Island-Based FMPs Fact Sheets

12 p.m.–1 p.m.

—Lunch

1 p.m.–5 p.m.

—OEAP Recommendation for Outreach Strategies on IBFMPs for Puerto Rico, St. Thomas/St. John, and St. Croix, USVI
—Liaisons Recommendations
—Liaisons Reports:
  —Wilson Santiago/Puerto Rico
  —Nicole Greaux/St. Thomas/St. John, USVI
  —Mavel Maldonado/St. Croix, USVI
—CFMC Facebook, Instagram and YouTube Communications with Stakeholders
—Other Business

The order of business may be adjusted as necessary to accommodate the completion of agenda items. The meeting will begin on November 22, 2022 at 9:30 a.m., and will end on November 22, 2022, at 5 p.m. Other than the start time, interested parties should be aware that discussions may start earlier or later than indicated. In addition, the meeting may be extended from, or completed prior to the date established in this notice.

Special Accommodations

For any additional information on this public virtual meeting, please contact Diana Martino, Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico, 00918–1903, telephone: (787) 226–8849.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: October 26, 2022.

Diane M. DeJames-Daly,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2022–23622 Filed 10–28–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XC481]

New England Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public joint meeting of its Habitat Advisory Panel and Committee via webinar to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Friday, November 12, 2022, at 9 a.m. Webinar registration URL information: *https://attendee.gotowebinar.com/register/7839935047339593995.*

ADDRESSES:

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Advisory Panel and Committee will discuss progress on the Atlantic Salmon Aquaculture Framework, including goals, objectives, and draft management alternatives. They will also discuss potential 2023 work priorities in advance of the December Council meeting, focusing on possible new actions: (1) revisions to Habitat Management Areas on the northern edge of Georges Bank, including consideration of recent research, and (2) essential fish habitat 5-year review and updates to designations. Discuss other business, as necessary.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies, Executive Director, at (978) 465–0492, at least 5 days prior to the date. This meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: October 26, 2022.

Diane M. DeJames-Daly,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2022–23621 Filed 10–28–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XC477]

Atlantic Highly Migratory Species; Advisory Panel

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

ACTION: Notice; solicitation of nominations.

SUMMARY: NMFS solicits nominations for the Atlantic Highly Migratory Species (HMS) Advisory Panel (AP). NMFS consults with and considers the comments and views of the HMS AP when preparing and implementing Fishery Management Plans (FMPs) or FMP amendments for Atlantic tunas, swordfish, sharks, and billfish. Nominations are being sought to fill approximately one-third (10) of the seats on the HMS AP for 3-year appointments. Individuals with definable interests in the recreational and commercial fishing and related industries, environmental community, academia, and non-governmental organizations are considered for membership on the HMS AP.

DATES: Nominations must be received on or before November 30, 2022.

ADDRESSES: You may submit nominations and requests for the Advisory Panel Statement of Organization, Practices, and Procedures by email to *HMSAP.Nominations@noaa.gov.* Include in the subject line the following identifier: ''HMS AP Nominations.''

FOR FURTHER INFORMATION CONTACT: Tiffany Weidner at (301) 427–8550 or

via email at *HMSAP.Nominations@noaa.gov.*

SUPPLEMENTARY INFORMATION: Atlantic HMS fisheries (tunas, billfish, swordfish, and sharks) are managed under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) and the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*). The 2006 Consolidated Atlantic HMS FMP and its amendments are implemented by regulations at 50 CFR part 635.

The Magnuson-Stevens Act requires the establishment of an AP for each FMP for HMS, *i.e.,* tunas, swordfish, billfish, and sharks (16 U.S.C. 1854(g)(1)(A)–(B)). Since the inception of the AP in 1998, NMFS has consulted with and considered the comments and views of AP members when preparing and implementing HMS FMPs or FMP amendments. In this notice, NMFS solicits nominations for the HMS AP. Nominations are being sought to fill approximately one-third (10) of the seats on the HMS AP for 3-year appointments. Individuals with definable interests in the recreational and commercial fishing and related industries, environmental community, academia, and non-governmental organizations are considered for membership on the HMS AP as described below.

Procedures and Guidelines

A. Nomination Procedures for Appointments to the AP

Nomination packages should include:

1. The name of the nominee and a description of his/her interest in HMS or HMS fisheries, or in particular species of sharks, swordfish, tunas, or billfish;

2. Contact information, including mailing address, phone, and email of the nominee;

3. A statement of background and/or qualifications;

4. A written commitment that the nominee shall actively participate in good faith, and consistent with ethics obligations, in the meetings and tasks of the HMS AP; and

5. A list of outreach resources that the nominee has at his/her disposal to communicate qualifications for HMS AP membership.

Qualification for membership includes one or more of the following: (1) experience in HMS recreational fisheries; (2) experience in HMS commercial fisheries; (3) experience in fishery-related industries (*e.g.,* marinas, bait and tackle shops); (4) experience in the scientific community working with HMS; and/or (5) representation of a private, non-governmental, regional, national, or international organization that represents marine fisheries, or environmental, governmental, or academic interests regarding HMS.

Tenure for the HMS AP

Member tenure will be for 3 years, with approximately one-third of the members' terms expiring on December 31 of each year. Nominations are sought for terms beginning January 2023 and expiring December 2025.

Members can serve a maximum of three consecutive terms (a total of 9 consecutive years). Afterwards, a member must then sit off the HMS AP for a single year before reapplying for a new term.

B. Participants

Nominations for the HMS AP will be accepted to allow representation from commercial and recreational fishing interests, academic/scientific interests, and the environmental/non-governmental organization community, for individuals who are knowledgeable about HMS and/or HMS fisheries. Current representation on the HMS AP, as shown in table 1, consists of 12 members representing commercial interests, 12 members representing recreational interests, 4 members representing environmental interests, 4 academic representatives, and the ICCAT Advisory Committee Chair. NMFS seeks to fill three commercial, five recreational, and two environmental organization vacancies for terms starting in 2023.

In filling vacancies, NMFS will seek to maintain the current representation from each of the sectors. NMFS also considers species expertise and representation from the fishing regions (Northeast, Mid-Atlantic, Southeast, Gulf of Mexico, and Caribbean) to ensure the diversity and balance of the HMS AP. Table 1 includes the current representation on the HMS AP by sector, region, and species with terms that are expiring identified in the ''Member Status'' column. It is not meant to indicate that NMFS will only consider persons who have expertise in the species or fishing regions that are listed. Rather, NMFS will aim toward having as diverse and balanced an AP as possible. The intent is to have a group that, as a whole, reflects an appropriate and equitable balance and mix of interests given the responsibilities of the HMS AP.

TABLE 1—CURRENT REPRESENTATION ON THE HMS AP BY SECTOR, REGION, AND SPECIES

Sector	Fishing region	Species	Date appointed	Date term expires	Member status
Academic	Southeast/Gulf of Mexico	Sharks	1/1/2022	12/31/2023	Active
Academic	Northeast/Mid-Atlantic	Tuna/Shark	1/1/2022	12/31/2024	Active.
Academic	Southeast/Gulf of Mexico	Sharks	1/1/2022	12/31/2024	Active.
Academic	Northeast	Tunas	1/1/2022	12/31/2024	Active.
Commercial	Mid-Atlantic	HMS/Shark	1/1/2020	12/31/2022	Expiring.
Commercial	Mid-Atlantic	Swordfish/Tuna	1/1/2020	12/31/2022	Expiring.
Commercial	Gulf of Mexico	Shark	1/1/2020	12/31/2022	Expiring.
Commercial	Gulf of Mexico	Sharks	1/1/2021	12/31/2023	Active.
Commercial	Northeast	Tuna	1/1/2021	12/31/2023	Active.
Commercial	Gulf of Mexico/Southeast	Swordfish/Tuna	1/1/2021	12/31/2023	Active.
Commercial	Gulf of Mexico	Tuna	1/1/2021	12/31/2023	Active.
Commercial	Northeast	Tuna	1/1/2021	12/31/2023	Active.
Commercial	Northeast/Southeast/Gulf of Mexico.	HMS/Tuna	1/1/2022	12/31/2024	Active.
Commercial	Southeast	Sharks	1/1/2022	12/31/2024	Active.
Commercial	Gulf of Mexico	All	1/1/2022	12/31/2024	Active.
Commercial	Northeast	Swordfish/Tuna	1/1/2022	12/31/2024	Active.
Environmental	All	Tuna	1/1/2020	12/31/2022	Expiring.
Environmental	All	HMS	1/1/2020	12/31/2022	Expiring.
Environmental	All	Shark	1/1/2021	12/31/2023	Active.

TABLE 1—CURRENT REPRESENTATION ON THE HMS AP BY SECTOR, REGION, AND SPECIES—Continued

Sector	Fishing region	Species	Date appointed	Date term expires	Member status
Environmental	Caribbean	HMS	1/1/2022	12/31/2024	Active.
Recreational	Northeast	HMS	1/1/2020	12/31/2022	Expiring.
Recreational	Northeast	Tuna/Sharks	1/1/2020	12/31/2022	Expiring.
Recreational	Mid-Atlantic	HMS	1/1/2020	12/31/2022	Expiring.
Recreational	Southeast	Billfish	1/1/2020	12/31/2022	Expiring.
Recreational	Gulf of Mexico	HMS	1/1/2020	12/31/2022	Expiring.
Recreational	All	Billfish	1/1/2021	12/31/2023	Active.
Recreational	Mid-Atlantic	Shark	1/1/2021	12/31/2023	Active.
Recreational	Southeast/Mid-Atlantic	Billfish	1/1/2021	12/31/2023	Active.
Recreational	Northeast	Tuna/Shark	1/1/2022	12/31/2024	Active.
Recreational	Northeast/Southeast/Gulf of Mexico.	All	1/1/2022	12/31/2024	Active.
Recreational	Mid-Atlantic	HMS	1/1/2022	12/31/2024	Active.
Recreational	Southeast	HMS/Billfish	1/1/2022	12/31/2024	Active.

Note: Terms that are expiring or associated with current members stepping down are marked as ''Expiring''.

Five additional members on the HMS AP include one member representing each of the following Councils: New England Fishery Management Council, the Mid-Atlantic Fishery Management Council, the South Atlantic Fishery Management Council, the Gulf of Mexico Fishery Management Council, and the Caribbean Fishery Management Council. The HMS AP also includes 22 ex-officio participants: 20 representatives of the coastal states and 2 representatives of the interstate commissions (the Atlantic States Marine Fisheries Commission and the Gulf States Marine Fisheries Commission).

NMFS will provide the necessary administrative support, including technical assistance, for the HMS AP. However, NMFS will not compensate participants with monetary support of any kind. Depending on availability of funds, members may be reimbursed for travel costs related to the HMS AP meetings.

C. Meeting Schedule

Meetings of the HMS AP will be held as frequently as necessary but are routinely held twice each year. In recent years, meetings have been held once in the spring, and once in the fall. The meetings may be held in conjunction with public hearings.

Dated: October 26, 2022.

Jennifer M. Wallace,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2022–23653 Filed 10–28–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XC458]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Naval Base San Diego Pier 6 Replacement Project, San Diego, California

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

ACTION: Notice; issuance of renewal incidental harassment authorization (IHA).

SUMMARY: In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA), as amended, notification is hereby given that NMFS has issued a renewal IHA to the U.S. Navy (Navy) to incidentally harass marine mammals incidental to the Naval Base San Diego Pier 6 Replacement Project in San Diego, California.

DATES: This renewal IHA is valid from October 17, 2022 through September 30, 2023.

FOR FURTHER INFORMATION CONTACT: Amy Fowler, Office of Protected Resources, NMFS, (301) 427–8401. Electronic copies of the original application, Renewal request, and supporting documents (including NMFS **Federal Register** notices of the original proposed and final authorizations, and the previous IHA), as well as a list of the references cited in this document, may be obtained online at: *https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act.* In case of problems accessing these documents, please call the contact listed above.

SUPPLEMENTARY INFORMATION:

Background

The Marine Mammal Protection Act (MMPA) prohibits the ''take'' of marine mammals, with certain exceptions. Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) 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 proposed or, if the taking is limited to harassment, a notice of a proposed incidental take authorization is provided to the public for review.

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and other ''means of effecting the least practicable adverse impact'' on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of such species or stocks for taking for certain subsistence uses (referred to here as ''mitigation measures''). Monitoring and reporting of such takings are also required. The meaning of key terms such as ''take,'' ''harassment,'' and ''negligible impact'' can be found in section 3 of the MMPA (16 U.S.C. 1362) and the agency's regulations at 50 CFR 216.103.

NMFS' regulations implementing the MMPA at 50 CFR 216.107(e) indicate that IHAs may be renewed for additional periods of time not to exceed one year for each reauthorization. In the notice of proposed IHA for the initial authorization, NMFS described the circumstances under which we would consider issuing a renewal for this activity, and requested public comment on a potential renewal under those circumstances. Specifically, on a case-by-case basis, NMFS may issue a one-time one-year renewal IHA following notice to the public providing an additional 15 days for public comments when (1) up to another year of identical or nearly identical, or nearly identical, activities as described in the Detailed Description of Specified Activities section of the initial IHA issuance notice is planned or (2) the activities as described in the Detailed Description of Specified Activities section of the initial IHA issuance notice would not be completed by the time the initial IHA expires and a renewal would allow for completion of the activities beyond that described in the **DATES** section of the initial IHA issuance, provided all of the following conditions are met:

(1) A request for renewal is received no later than 60 days prior to the needed renewal IHA effective date (recognizing that the renewal IHA expiration date cannot extend beyond 1 year from expiration of the initial IHA).

(2) The request for renewal must include the following:

- An explanation that the activities to be conducted under the requested renewal IHA are identical to the activities analyzed under the initial IHA, are a subset of the activities, or include changes so minor (*e.g.,* reduction in pile size) that the changes do not affect the previous analyses, mitigation and monitoring requirements, or take estimates (with the exception of reducing the type or amount of take).
- A preliminary monitoring report showing the results of the required monitoring to date and an explanation showing that the monitoring results do not indicate impacts of a scale or nature not previously analyzed or authorized.

(3) Upon review of the request for renewal, the status of the affected species or stocks, and any other pertinent information, NMFS determines that there are no more than minor changes in the activities, the mitigation and monitoring measures will remain the same and appropriate, and the findings in the initial IHA remain valid.

An additional public comment period of 15 days (for a total of 45 days), with direct notice by email, phone, or postal service to commenters on the initial IHA, is provided to allow for any additional comments on the proposed renewal. A description of the renewal process may be found on our website at: *www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-harassment-authorization-renewals.*

History of Request

On January 22, 2021, NMFS issued an IHA to the Navy to take California sea lions (*Zalophus californianus*), by Level B harassment only, incidental to the Naval Base San Diego Pier 6 Replacement Project in San Diego, California (86 FR 7993; February 3, 2021), effective from October 1, 2021 through September 30, 2022. On July 29, 2022, NMFS received an application for the renewal of that initial IHA. As described in the application for renewal IHA, the activities for which incidental take is requested consist of activities that are covered by the initial authorization but will not be completed prior to its expiration. As required, the applicant also provided a preliminary monitoring report (available at *https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities*) which confirms that the applicant has implemented the required mitigation and monitoring, and which also shows that no impacts of a scale or nature not previously analyzed or authorized have occurred as a result of the activities conducted. The notice of the proposed renewal incidental harassment authorization was published on September 20, 2022 (87 FR 57480).

Description of the Specified Activities and Anticipated Impacts

The purpose of the Naval Base San Diego Pier 6 Replacement Project is to remove and replace a decaying and inadequate pier for Navy ships. Specifically, the planned in-water construction work authorized under the initial IHA included removing piles that supported the existing pier and installing new piles using an impact hammer. After first removing the above-water structures and utilities, the Navy planned to remove a total of 1,998 piles, including 1,833 12 to 24-inch (in) square concrete piles, 149 12-in composite (timber-plastic) piles, and 16 16-in I-shaped steel piles. Once demolition had opened up space, the Navy planned to begin construction in the same location on a new pier measuring 37 meters (m; 120 feet (ft)) wide by 457 m (1,500 ft) long. New construction work involved impact driving of 966 piles, including 528 24-in octagonal concrete structural piles, 208 24-in square concrete fender piles, four 20-in square concrete piles for a load-out ramp, and 226 16-in fiberglass secondary and corner fender piles. Pile installation and removal was expected to take no more than 250 days.

Of the planned pile removal and installation activities described in the initial IHA, the Navy removed a total of 1,835 concrete piles over 70 days using a vibratory hammer and installed a total of 526 new concrete piles over 62 days using an impact hammer (Table 1). The Navy also removed 149 12-in composite piles and 16 16-in I-shaped steel piles using direct pull (*i.e.,* no pile hammer required). All planned pile removal activities described in the initial IHA have been completed. The Navy now plans to install the remaining piles over the course of approximately 54 days starting in November or early December 2022 and continuing through February 2023.

The types of impacts of the Navy's planned activities are identical to those described in the initial IHA. As in the initial IHA, NMFS anticipates that only the U.S. stock of California sea lions may be taken by Level B harassment incidental to underwater noise resulting from construction associated with the remaining planned activities.

The following documents are referenced in this notice and include important supporting information:

- **Federal Register** notice of proposed initial IHA (85 FR 80027; December 11, 2020);
- **Federal Register** notice of final initial IHA (86 FR 7993; February 3, 2021); and
- Initial IHA application, references cited, IHA renewal request, and preliminary monitoring report (available at *www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities*).

Detailed Description of the Activity

The purpose of the project is to remove and replace a decaying and inadequate pier built in 1945. A new, wider pier is needed to provide adequate ship berthing infrastructure to support modern Navy ships and fleet readiness. All in-water demolition (*i.e.,* pile removal) and installation of concrete structural piles has been completed. The remaining in-water construction activities covered under this IHA renewal include the following:

- Impact installation of 204 2-in square concrete fender piles; and
- Impact installation of 226 16-in round fiberglass fender piles.

TABLE 1—SUMMARY OF COMPLETED AND REMAINING PILE DRIVING ACTIVITIES

Method	Pile type	Number of piles planned in initial IHA	Number of piles completed	Number of piles remaining	Total days of completed work	Total estimated days remaining
Demolition of Existing Pier:						
Vibratory Extraction, High-pressure Water Jetting, Hydraulic Pile Clipper, and/or Hydraulic Chainsaw.	24-in square pre-cast concrete, 20-in square pre-stressed/pre-cast concrete piles.	1,833	[a] 1,835	0	70	0
	12-in composite (timber-plastic) piles.	149	[b] 149	0		
Vibratory Extraction	16-in I-shaped steel piles ...	16	[b] 16	0		
Total	.....	1,998	1,835	0		
Construction of New Pier:						
Impact Pile Driving	24-in octagonal concrete structural test piles.	15	9	0	62	54
	24-in octagonal concrete structural piles.	513	517	0		
	24-in square concrete fender system test piles.	4	[c] 0	[c] 0		
	24-in square concrete primary fender piles.	204	0	204		
	20-in square concrete pile for load-out ramp cradle.	4	[d] 0	[d] 0		
	16-in fiberglass secondary and corner fender piles.	226	0	226		
Total		966	526	430	132	54

[a] Note that the total observed piles removed (1,835 piles) exceeds by two the proposed number of 20-in and 24-in piles described in the initial IHA (1,833 piles). This is likely due to command PSOs double counting piles as a result of difficulties encountered when viewing/tracking the large number of piles removed during the course of demolition activities at Pier 6.

[b] All 12-in composite piles and 16-inch I-shaped steel piles were removed via direct pull with no vibratory hammer required.

[c] 24-in square concrete fender system test piles have been removed from the construction plan.

[d] These 20-in square concrete piles were changed to 24-in octagonal concrete piles and are included in the total number of 24-in octagonal concrete piles installed above.

A detailed description of the construction activities for which authorization of take is authorized here may be found in the **Federal Register** notice of proposed IHA for the initial IHA (85 FR 80027; December 11, 2020). The location, timing (*e.g.,* seasonality), and nature of the pile driving operations, including the type and size of piles and the methods of pile driving, are identical to those analyzed in the initial IHA. The IHA renewal is effective from **DATE** through September 30, 2023.

Description of Marine Mammals

A description of the marine mammals in the area of the activities for which authorization of take is authorized here, including information on abundance, status, distribution, and hearing, may be found in the **Federal Register** notice of the proposed IHA for the initial authorization (85 FR 80027; December 11, 2020). NMFS has reviewed the monitoring data from the initial IHA, recent Stock Assessment Reports, information on relevant Unusual Mortality Events, and other scientific literature, and determined that neither this nor any other new information affects which species or stocks have the potential to be affected or the pertinent information in the Description of the Marine Mammals in the Area of Specified Activities contained in the supporting documents for the initial IHA.

Potential Effects on Marine Mammals and Their Habitat

A description of the potential effects of the specified activity on marine mammals and their habitat for the activities for which take is authorized here may be found in the **Federal Register** notice of the proposed IHA for the initial authorization (85 FR 80027; December 11, 2020). NMFS has reviewed the monitoring data from the initial IHA, recent Stock Assessment Reports, information on relevant Unusual Mortality Events, and other scientific literature, and determined that neither this nor any other new information affects our initial analysis of impacts on marine mammals and their habitat.

Estimated Take

A detailed description of the methods and inputs used to estimate take for the specified activity are found in the **Federal Register** notice for the proposed and final initial IHAs (85 FR 80027; December 11, 2020 and 86 FR 7993; February 3, 2021). Specifically, the source levels and marine mammal occurrence data applicable to this authorization remain unchanged from the previously issued IHA, with the exception of fewer days of activity since the planned activities are a subset of those covered in the initial IHA. Similarly, the stocks taken, methods of take, and types of take remain unchanged from the previously issued IHA.

Based on the number of piles to be installed, the Navy estimates that the remaining activity would take 54 days (Table 1). As in the initial IHA, the Navy estimates four California sea lions could be present in the project area each day. Multiplication of the above estimate of animals per day (4) times the days of work (54) results in an estimated 216 Level B harassment takes of California sea lions (Table 2). The Navy intends to avoid Level A harassment take by shutting down activities if a California sea lion approaches within 20 m of the project site, which encompasses all Level A harassment ensonification

zones. Therefore, no take by Level A harassment is anticipated or authorized.

TABLE 2—AUTHORIZED TAKE AND PROPORTION OF STOCK POTENTIALLY AFFECTED

Species	Days of activity remaining	Estimated daily occurrence (# per day)	Authorized take by Level B harassment	Authorized take by Level A harassment	Percent of stock
California sea lion (*Zalophus californianus*) U.S. Stock	54	4	216	0	0.08

Description of Mitigation, Monitoring and Reporting Measures

With the exception of measures specific to vibratory pile removal that are not relevant to this IHA renewal, the mitigation, monitoring, and reporting measures included as requirements in this authorization are identical to those included in the **Federal Register** notice announcing the issuance of the initial IHA (86 FR 7993; February 3, 2021), and the discussion of the least practicable adverse impact included in that document remains accurate. The following measures are included in this renewal:

Mitigation

Establishment of Shutdown Zones—The Navy must establish shutdown zones for all pile driving and removal activities. The purpose of a shutdown zone is generally to define an area within which shutdown of the activity would occur upon sighting of a marine mammal (or in anticipation of an animal entering the defined area). Shutdown zones typically vary based on the activity type and marine mammal hearing group (Table 3). In this case, there is only one species affected and all Level A harassment isopleths are less than 10 m radius. To be conservative, the Navy must establish a 20 m shutdown zone for all pile driving or removal activities.

The placement of Protected Species Observers (PSOs) during all pile driving and removal activities (described in detail in the Monitoring section below) must ensure that the entire shutdown zone is visible during pile installation. Should environmental conditions deteriorate such that marine mammals within the entire shutdown zone would not be visible (*e.g.,* fog, heavy rain), pile driving and removal must be delayed until the PSO is confident marine mammals within the shutdown zone could be detected.

For in-water heavy machinery work other than pile driving, if a marine mammal comes within 10 m, operations must cease and vessels must reduce speed to the minimum level required to maintain steerage and safe working conditions. This type of work could include the following activities: (1) movement of the barge to the pile location; or (2) positioning of the pile on the substrate via a crane (*i.e.,* stabbing the pile).

The Navy must conduct briefings between construction supervisors and crews and the marine mammal monitoring team prior to the start of all pile driving activity and when new personnel join the work, to explain responsibilities, communication procedures, marine mammal monitoring protocol, and operational procedures.

For marine mammal species for which take by Level B harassment has not been authorized, in-water pile driving must shut down immediately if such species are observed within or entering the Level B harassment zone.

If take reaches the authorized limit for an authorized species, pile installation must be stopped as these species approach the Level B harassment zone to avoid additional take.

Monitoring for Level B Harassment—The Navy must monitor the Level A and B harassment zones. Monitoring zones provide utility for observing by establishing monitoring protocols for areas adjacent to the shutdown zones. Monitoring zones enable observers to be aware of and communicate the presence of marine mammals in the project area outside the shutdown zone and thus prepare for a potential halt of activity should the animal enter the shutdown zone. Placement of PSOs must allow PSOs to observe marine mammals within the Level B harassment zones.

Soft Start—Soft-start procedures are believed to provide additional protection to marine mammals by providing warning and/or giving marine mammals a chance to leave the area prior to the impact hammer operating at full capacity. For impact pile driving, contractors are required to provide an initial set of three strikes from the hammer at reduced energy, followed by a 30-second waiting period. This procedure must be conducted three times before impact pile driving begins. Soft start must be implemented at the start of each day's impact pile driving and at any time following cessation of impact pile driving for a period of 30 minutes or longer.

Pre-activity Monitoring—Prior to the start of daily in-water construction activity, or whenever a break in pile driving/removal of 30 minutes or longer occurs, PSOs must observe the shutdown and monitoring zones for a period of 30 minutes. The shutdown zone is considered cleared when a marine mammal has not been observed within the zone for that 30-minute period. If a marine mammal is observed within the shutdown zone, a soft-start must not proceed until the animal has left the zone or has not been observed for 15 minutes. When a marine mammal for which Level B harassment take is authorized is present in the Level B harassment zone, activities may begin and Level B harassment take will be recorded. If the entire Level B harassment zone is not visible at the start of construction, pile driving activities can begin. If work ceases for more than 30 minutes, the pre-activity monitoring of the shutdown zones must commence.

Monitoring

Marine mammal monitoring during pile driving and removal must be conducted by NMFS-approved PSOs in a manner consistent with the following:

- Independent PSOs (*i.e.,* not construction personnel) who have no other assigned tasks during monitoring periods must be used;
- At least one PSO must have prior experience performing the duties of a PSO during construction activity pursuant to a NMFS-issued incidental take authorization;
- Other PSOs may substitute education (degree in biological science or related field) or training for experience;
- Where a team of three or more PSOs are required, a lead observer or monitoring coordinator must be designated. The lead observer must have prior experience performing the duties of a PSO during construction activity pursuant to a NMFS-issued incidental take authorization; and

• The Navy must submit PSO Curriculum Vitae for approval by NMFS prior to the onset of pile driving.

PSOs must have the following additional qualifications:

• Ability to conduct field observations and collect data according to assigned protocols;

• Experience or training in the field identification of marine mammals, including the identification of behaviors;

• Sufficient training, orientation, or experience with the construction operation to provide for personal safety during observations;

• Writing skills sufficient to prepare a report of observations including but not limited to the number and species of marine mammals observed; dates and times when in-water construction activities were conducted; dates, times, and reason for implementation of mitigation (or why mitigation was not implemented when required); and marine mammal behavior; and

• Ability to communicate orally, by radio or in person, with project personnel to provide real-time information on marine mammals observed in the area as necessary.

Up to four PSOs must be employed. PSO locations must provide an unobstructed view of all water within the shutdown zone, and as much of the Level A and Level B harassment zones as possible. PSO locations are as follows:

(1) At the pile driving/removal site or best vantage point practicable to monitor the shutdown zones;

(2) For activities with Level B harassment zones larger than 400 m (*i.e.,* water jetting), two additional PSO locations must be used. One must be across from the project location along Inchon Road at Naval Amphibious Base Coronado; and

(3) Two additional PSOs must be located in a small boat. The boat must conduct a pre-activity survey of the entire monitoring area prior to in-water construction. The boat must start from south of the project area (where potential marine mammal occurrence is lowest) and proceed to the north. When the boat arrives near the northern boundary of the Level B harassment zone (*e.g.,* just north of the western side of the Coronado Bridge as depicted in the Figures in the monitoring plan) it must set up a station so the PSOs are best situated to detect any marine mammals that may approach from the north. The two PSOs aboard must split monitoring duties in order to monitor a 360 degree sweep around the vessel with each PSO responsible for 180 degrees of observable area.

Monitoring must be conducted 30 minutes before, during, and 30 minutes after pile driving/removal activities. In addition, observers must record all incidents of marine mammal occurrence, regardless of distance from activity, and must document any behavioral reactions in concert with distance from piles being driven or removed. Pile driving activities include the time to install or remove a single pile or series of piles, as long as the time elapsed between uses of the pile driving or drilling equipment is no more than 30 minutes.

Hydroacoustic Monitoring and Reporting—The Navy has volunteered to conduct hydroacoustic monitoring of all pile driving and removal methods. Data must be collected for a representative number of piles (three to five) for each pile size and/or type. As part of the below-mentioned report, or in a separate report with the same timelines as above, the Navy must provide an acoustic monitoring report for this work. Hydroacoustic monitoring results could be used to adjust the size of the Level B harassment and monitoring zones after a request is made and approved by NMFS. The acoustic monitoring report must, at minimum, include the following:

• Hydrophone equipment and methods: recording device, sampling rate, distance (m) from the pile where recordings were made; depth of recording device(s);

• Type of pile being driven or removed, substrate type, method of driving or removal during recordings;

• For impact pile driving: Pulse duration and mean, median, and maximum sound levels (dB re: 1µPa): SELcum, peak sound pressure level (SPLpeak), and single-strike sound exposure level (SELs-s);

• For non-impulsive sources (*e.g.,* water jetting): Mean, median, and maximum sound levels (dB re: 1µPa): root mean square sound pressure level (SPLrms), SELcum; and

• Number of strikes (impact) or duration (non-impulsive sources) per pile measured, one-third octave band spectrum and power spectral density plot.

Reporting

A draft marine mammal monitoring report must be submitted to NMFS within 90 days after the completion of pile driving and removal activities, or 60 days prior to a requested date of issuance of any future IHAs for projects at the same location, whichever comes first. The report must include an overall description of work completed, a narrative regarding marine mammal sightings, and associated PSO data sheets. Specifically, the report must include:

• Dates and times (begin and end) of all marine mammal monitoring;

• Construction activities occurring during each daily observation period, including how many and what type of piles were driven or removed and by what method (*i.e.,* impact or vibratory and if other removal methods were used);

• Weather parameters and water conditions during each monitoring period (*e.g.,* wind speed, percent cover, visibility, sea state);

• The number of marine mammals observed, by species, relative to the pile location and if pile driving or removal was occurring at time of sighting;

• Age and sex class, if possible, of all marine mammals observed;

• PSO locations during marine mammal monitoring;

• Distances and bearings of each marine mammal observed to the pile being driven or removed for each sighting (if pile driving was occurring at time of sighting);

• Description of any marine mammal behavior patterns during observation, including direction of travel and estimated time spent within the Level A and Level B harassment zones while the source was active;

• Number of individuals of each species (differentiated by month as appropriate) detected within the monitoring zone;

• Detailed information about any implementation of any mitigation triggered (*e.g.,* shutdowns and delays), a description of specific actions that ensued, and resulting behavior of the animal, if any; and

• Description of attempts to distinguish between the number of individual animals taken and the number of incidences of take, such as ability to track groups or individuals.

If no comments are received from NMFS within 30 days, the draft final report will constitute the final report. If comments are received, a final report addressing NMFS comments must be submitted within 30 days after receipt of comments.

Reporting Injured or Dead Marine Mammals

In the event that personnel involved in the construction activities discover an injured or dead marine mammal, the Navy must report the incident to the Office of Protected Resources (OPR), NMFS, and to the regional stranding coordinator as soon as feasible. If the death or injury was clearly caused by the specified activity, the Navy must

immediately cease the specified activities until NMFS is able to review the circumstances of the incident and determine what, if any, additional measures are appropriate to ensure compliance with the terms of the IHA. The Navy must not resume their activities until notified by NMFS. The report must include the following information:

- Time, date, and location (latitude/longitude) of the first discovery (and updated location information if known and applicable);
- Species identification (if known) or description of the animal(s) involved;
- Condition of the animal(s) (including carcass condition if the animal is dead);
- Observed behaviors of the animal(s), if alive;
- If available, photographs or video footage of the animal(s); and
- General circumstances under which the animal was discovered.

Comments and Responses

A notice of NMFS' proposal to issue a renewal IHA to the Navy was published in the **Federal Register** on September 20, 2022 (87 FR 57480). That notice either described, or referenced descriptions of, the Navy's activity, the marine mammal species that may be affected by the activity, the anticipated effects on marine mammals and their habitat, estimated amount and manner of take, and proposed mitigation, monitoring and reporting measures. During the 15-day public comment period, NMFS received no public comments.

Determinations

The construction activities planned by the Navy are a subset of those analyzed in the initial IHA, as are the method of taking and the effects of the action. The planned number of days of activity are reduced given the completion of a portion of the originally planned work. The potential effects of the Navy's activities are limited to Level B harassment in the form of behavioral disturbance and temporary threshold shift. In analyzing the effects of the activities in the initial IHA, NMFS determined that the Navy's activities would have a negligible impact on the affected species or stocks and that the authorized take numbers of each species or stock were small relative to the relevant stocks (*e.g.,* less than one-third of the abundance of all stocks). The mitigation measures and monitoring and reporting requirements as described above are identical to the initial IHA.

NMFS has concluded that there is no new information suggesting that our analysis or findings should change from those reached for the initial IHA. Based on the information and analysis contained here and in the referenced documents, NMFS has determined the following: (1) the required mitigation measures will effect the least practicable impact on marine mammal species or stocks and their habitat; (2) the authorized takes will have a negligible impact on the affected marine mammal species or stocks; (3) the authorized takes represent small numbers of marine mammals relative to the affected stock abundances; (4) the Navy's activities will not have an unmitigable adverse impact on taking for subsistence purposes as no relevant subsistence uses of marine mammals are implicated by this action; and (5) appropriate monitoring and reporting requirements are included.

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216–6A, NMFS must review our action (*i.e.,* the issuance of an IHA renewal) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (IHAs with no anticipated serious injury or mortality) of the Companion Manual for NOAA Administrative Order 216–6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of the proposed IHA renewal qualifies to be categorically excluded from further NEPA review.

Endangered Species Act

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. No incidental take of ESA-listed marine mammal species is expected to result from this activity, and none would be authorized. Therefore, NMFS has determined that consultation under section 7 of the ESA is not required for this action.

Renewal

NMFS has issued a renewal IHA to the Navy for the take of marine mammals incidental to conducting the Naval Base San Diego Pier 6 Replacement Project in San Diego, California, effective from October 17, 2022 through September 30, 2023.

Dated: October 21, 2022.

Kimberly Damon-Randall,

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

[FR Doc. 2022–23625 Filed 10–28–22; 8:45 am]

BILLING CODE 3510–22–P

CONSUMER PRODUCT SAFETY COMMISSION

Sunshine Act Meetings

TIME AND DATE: Wednesday, November 2, 2022—10:00 a.m.; and Wednesday, November 2, 2022—2:00 p.m. (See **MATTERS TO BE CONSIDERED** for each meeting).

PLACE: These meetings will be held remotely.

STATUS: Commission Meetings—(1) Decisional Matter—Open to the Public (10:00 a.m.); (2) Briefing Matter—Closed to the Public (2:00 p.m.).

MATTERS TO BE CONSIDERED:

Decisional Matter

Final Rules to (1) Add Window Covering Cords to the Substantial Product Hazard List, and (2) Establish a Safety Standard for Operating Cords on Custom Window Coverings.

All attendees should pre-register for the Commission meeting using the following link: *https://cpsc.webex.com/cpsc/onstage/g.php?MTID=ee7337529fdff2af5d30a0d27035ead09.*

After registering you will receive a confirmation email containing information about joining the meeting.

Briefing Matter

Commission staff will brief the Commission on compliance matters.

CONTACT PERSON FOR MORE INFORMATION: Alberta E. Mills, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814, 301–504–7479 (Office) or 240–863–8938 (Cell).

Dated: October 26, 2022.

Alberta E. Mills,

Commission Secretary.

[FR Doc. 2022–23688 Filed 10–27–22; 11:15 am]

BILLING CODE 6355–01–P

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Application Package for Granteee Project Progress Report (PPR) Data Collection

AGENCY: Corporation for National and Community Service.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Corporation for National and Community Service, operating as AmeriCorps, has submitted a public information collection request (ICR) entitled Application Package for Granteee Project Progress Report (PPR) Data Collection (formerly known as the Grantee Progress Report (GPR) Data Collection) for review and approval in accordance with the Paperwork Reduction Act.

DATES: Written comments must be submitted to the individual and office listed in the **ADDRESSES** section by November 30, 2022.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent 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.

FOR FURTHER INFORMATION CONTACT: Copies of this ICR, with applicable supporting documentation, may be obtained by calling AmeriCorps, Sarah Foster, at 202–606–6755 or by email to *sfoster@cns.gov.*

SUPPLEMENTARY INFORMATION: The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of CNCS, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions;
- Propose ways to enhance the quality, utility, and clarity of the information to be collected; and
- Propose ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments

A 60-day notice requesting public comment was published in the **Federal Register** on Tuesday, July 12, 2022 at 87 FR 41297. This comment period ended September 12, 2022. Zero public comments were received from this notice.

Title of Collection: Granteee Project Progress Report (PPR) Data Collection.

OMB Control Number: 3045–0184.

Type of Review: Revision.

Respondents/Affected Public: Businesses and organizations; State, local or Tribal governments.

Total Estimated Number of Annual Responses: 350 respondents for AmeriCorps State and National. 52 respondents each for Commission Support Grants and Commission Investment Funds.

Total Estimated Number of Annual Burden Hours: 12,240.

Abstract: AmeriCorps uses information collected via the Project Progress Reports (PPRs), formerly known as Grantee Progress Reports (GPRs), to assess grantee progress toward meeting approved objectives; to identify areas of challenge and opportunity; to guide the allocation of training and technical assistance resources; and to compile portfolio-wide data to report to external stakeholders. AmeriCorps seeks to revise the current information collection. The revisions are intended to capture data related to new funding opportunities. The information collection will otherwise be used in the same manner as the existing application. AmeriCorps also seeks to continue using the current progress report instruments until the revised instrument is approved by OMB. The current information collection is due to expire on October 31, 2022.

Sonali Nijhawan,

Director, AmeriCorps State and National.

[FR Doc. 2022–23620 Filed 10–28–22; 8:45 am]

BILLING CODE 6050–28–P

ELECTION ASSISTANCE COMMISSION

Sunshine Act Meetings

AGENCY: U.S. Election Assistance Commission.

ACTION: Sunshine Act notice; notice of public meeting agenda.

SUMMARY: Public Meeting: U.S. Election Assistance Commission.

DATES: Tuesday, November 15, 2022, 10:00 a.m.–11:30 a.m. Eastern.

ADDRESSES: The Election Assistance Commission hearing room at 633 3rd St. NW, Washington, DC 20001. The meeting is open to the public and will be livestreamed on the U.S. Election Assistance Commission YouTube Channel: *https://www.youtube.com/channel/UCpN6i0g2rlF4ITWhwvBwwZw.*

FOR FURTHER INFORMATION CONTACT: Kristen Muthig, Telephone: (202) 897–9285, Email: *kmuthig@eac.gov.*

SUPPLEMENTARY INFORMATION:

Purpose: In accordance with the Government in the Sunshine Act (Sunshine Act), Public Law 94–409, as amended (5 U.S.C. 552b), the U.S. Election Assistance Commission (EAC) will hold a public meeting to conduct regular business of the agency.

Agenda: The U.S. Election Assistance Commission (EAC) will host a public meeting to discuss a range of topics related to agency regular business. The agenda will include a presentation on accreditation of Voting System Testing Lab (VSTL) SLI Compliance to test voting systems to the Voluntary Voting System Guidelines (VVSG) 2.0, an overview of agency activities from Interim Executive Director, Mark A. Robbins, a presentation from the EAC Inspector General on EAC management challenges and recent audits, and remarks from state election officials on initial lessons learned from the 2022 election.

The full agenda will be posted in advance on the EAC website: *https://www.eac.gov.*

Background

Section 231(b) of the Help America Vote Act (HAVA) of 2002 (52 U.S.C. 20971(b)) requires that the EAC provide for the accreditation and revocation of accreditation of independent, non-federal laboratories qualified to test voting systems to Federal standards.

In order to meet its statutory requirements under HAVA § 20971(b), the EAC has developed the EAC's Voting System Test Laboratory Accreditation Program. The procedural requirements of the program are established in the EAC Voting System Test Laboratory Accreditation Program Manual. Although participation in the program is voluntary, adherence to the program's procedural requirements is mandatory for participants.

Status

This meeting will be open to the public.

Amanda Joiner,

Acting General Counsel, U.S. Election Assistance Commission.

[FR Doc. 2022–23779 Filed 10–27–22; 4:15 pm]

BILLING CODE 6820–KF–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER23–175–000]

Daggett Solar Power 3 LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Daggett Solar Power 3 LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is November 14, 2022.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID–19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

Dated: October 25, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–23650 Filed 10–28–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER23–148–000]

Resurgence Solar II, LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Resurgence Solar II, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is November 14, 2022.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID–19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

Dated: October 25, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–23646 Filed 10–28–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER23–147–000]

Resurgence Solar I, LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of

Resurgence Solar I, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is November 14, 2022.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID–19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

Dated: October 25, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–23647 Filed 10–28–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER23–166–000]

Energy Storage Resources, LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Energy Storage Resources, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is November 14, 2022.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID–19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

Dated: October 25, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–23642 Filed 10–28–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER23–167–000]

Cranberry Point Energy Storage, LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Cranberry Point Energy Storage, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is November 14, 2022.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID–19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

Dated: October 25, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–23652 Filed 10–28–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP23–61–000.

Applicants: Algonquin Gas Transmission, LLC.

Description: § 4(d) Rate Filing: Negotiated Rates—Citadel 511186 eff 11–1–22 to be effective 11/1/2022.

Filed Date: 10/24/22.

Accession Number: 20221024–5139.

Comment Date: 5 p.m. ET 11/7/22.

Docket Numbers: RP23–62–000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 10.25.22 Negotiated Rates—Equinor Natural Gas LLC R–7120–15 to be effective 11/1/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5019.

Comment Date: 5 p.m. ET 11/7/22.

Docket Numbers: RP23–63–000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 10.25.22 Negotiated Rates—Equinor Natural Gas LLC R–7120–16 to be effective 11/1/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5022.

Comment Date: 5 p.m. ET 11/7/22.

Docket Numbers: RP23–64–000.

Applicants: Southern Natural Gas Company, L.L.C.

Description: § 4(d) Rate Filing: City of Douglas, SEAGD Negotiated Rate to be effective 11/1/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5023.

Comment Date: 5 p.m. ET 11/7/22.

Docket Numbers: RP23–65–000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 10.25.22 Negotiated Rates—Freepoint Commodities LLC R–7250–42 to be effective 11/1/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5024.

Comment Date: 5 p.m. ET 11/7/22.

Docket Numbers: RP23–66–000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 10.25.22 Negotiated Rates—Freepoint Commodities LLC R–7250–43 to be effective 11/1/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5026.

Comment Date: 5 p.m. ET 11/7/22.

Docket Numbers: RP23–67–000.

Applicants: Colorado Interstate Gas Company, L.L.C.

Description: § 4(d) Rate Filing: 2022 CIG Mainline Storage ATC Update to be effective 11/1/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5084.

Comment Date: 5 p.m. ET 11/7/22.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: October 25, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–23648 Filed 10–28–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER23–154–000]

Carson Hybrid Energy Center LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Carson Hybrid Energy Center LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is November 14, 2022.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the

FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID–19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

Dated: October 25, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–23643 Filed 10–28–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG23–13–000.

Applicants: West Line Solar, LLC.

Description: West Line Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 10/25/22.

Accession Number: 20221025–5065.

Comment Date: 5 p.m. ET 11/15/22.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER11–4633–006.

Applicants: Madison Gas and Electric Company.

Description: Notice of Change in Status of Madison Gas and Electric Company.

Filed Date: 10/24/22.

Accession Number: 20221024–5183.

Comment Date: 5 p.m. ET 11/14/22.

Docket Numbers: ER21–281–003.

Applicants: MidAmerican Energy Company.

Description: Tariff Amendment: Response to Deficiency Letter ER21–281 to be effective 1/1/2021.

Filed Date: 10/25/22.

Accession Number: 20221025–5092.

Comment Date: 5 p.m. ET 11/15/22.

Docket Numbers: ER22–2476–001.

Applicants: Arizona Public Service Company.

Description: Tariff Amendment: Response to Deficiency Letter—MOD–030 to be effective 1/11/2023.

Filed Date: 10/25/22.

Accession Number: 20221025–5169.

Comment Date: 5 p.m. ET 11/15/22.

Docket Numbers: ER22–2726–001.

Applicants: AEP Texas Inc.

Description: Tariff Amendment: AEPTX-Electric Transmission Texas Interconnection Agreement—Amend Pending to be effective 7/29/2022.

Filed Date: 10/24/22.

Accession Number: 20221024–5142.

Comment Date: 5 p.m. ET 11/14/22.

Docket Numbers: ER23–8–000.

Applicants: Microgrid Networks LLC.

Description: Supplement to October 4, 2022 Microgrid Networks LLC tariff filing.

Filed Date: 10/20/22.

Accession Number: 20221020–5190.

Comment Date: 5 p.m. ET 11/10/22.

Docket Numbers: ER23–68–001.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Request to Defer Action on Revised ISA, SA No. 1949; Queue No. NQ16 (Amend) to be effective 12/31/9998.

Filed Date: 10/25/22.

Accession Number: 20221025–5094.

Comment Date: 5 p.m. ET 11/15/22.

Docket Numbers: ER23–174–000.

Applicants: Puget Sound Energy, Inc.

Description: § 205(d) Rate Filing: Long-term Point-to-Point Transmission Service Agreement to be effective 11/1/2022.

Filed Date: 10/24/22.

Accession Number: 20221024–5151.

Comment Date: 5 p.m. ET 11/14/22.

Docket Numbers: ER23–175–000.

Applicants: Daggett Solar Power 3 LLC.

Description: Baseline eTariff Filing: Market-Based Rate Application to be effective 12/26/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5027.

Comment Date: 5 p.m. ET 11/15/22

Docket Numbers: ER23–176–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 1067R12 East Texas Electric Cooperative NITSA and NOA to be effective 10/1/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5049.

Comment Date: 5 p.m. ET 11/15/22.

Docket Numbers: ER23–178–000.

Applicants: Scrubgrass Generating Company, L.P.

Description: Compliance filing: Scrubgrass MBR Tariff Notice of Succession 10–25–22 to be effective 10/26/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5099.

Comment Date: 5 p.m. ET 11/15/22.

Docket Numbers: ER23–179–000.

Applicants: Citizens Sycamore-Penasquitos Transmission LLC.

Description: § 205(d) Rate Filing: Annual Operating Cost True-Up Adjustment Informational to be effective 1/1/2023.

Filed Date: 10/25/22.

Accession Number: 20221025–5100.

Comment Date: 5 p.m. ET 11/15/22.

Docket Numbers: ER23–180–000.

Applicants: Scrubgrass Generating Company, L.P.

Description: Compliance filing: Scrubgrass Reactive Tariff Notice of Succession 10–25–22 to be effective 10/26/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5102.

Comment Date: 5 p.m. ET 11/15/22.

Docket Numbers: ER23–181–000.

Applicants: Citizens Sunrise Transmission LLC.

Description: § 205(d) Rate Filing: Annual Operating Cost True-Up Adjustment Informational Filing 2021 to be effective 1/1/2023.

Filed Date: 10/25/22.

Accession Number: 20221025–5108.

Comment Date: 5 p.m. ET 11/15/22.

Docket Numbers: ER23–182–000.

Applicants: Daggett Solar Power 3 LLC.

Description: § 205(d) Rate Filing: SHARED FACILITIES COMMON OWNERSHIP AGREEMENT to be effective 12/26/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5124.

Comment Date: 5 p.m. ET 11/15/22.

Docket Numbers: ER23–183–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 4020 Black Hills Colorado Electric WEIS Market Part. Agr to be effective 11/1/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5139.

Comment Date: 5 p.m. ET 11/15/22.

Docket Numbers: ER23–184–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 4021 Black Hills Power WEIS Market Participant Agreement to be effective 11/1/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5147.

Comment Date: 5 p.m. ET 11/15/22.

Docket Numbers: ER23–185–000.

Applicants: Public Service Company of Oklahoma.

Description: § 205(d) Rate Filing: PSO–OG&E Cemetery Road Delivery Point Agreement to be effective 10/7/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5149.

Comment Date: 5 p.m. ET 11/15/22.

Docket Numbers: ER23–186–000.

Applicants: Sonoran West Solar Holdings 2, LLC.

Description: § 205(d) Rate Filing: COC filing to be effective 10/26/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5153.

Comment Date: 5 p.m. ET 11/15/22.

Docket Numbers: ER23–187–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 4022 Cheyenne Light, Fuel and Power Co WEIS Market Part. Agr to be effective 11/1/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5157.

Comment Date: 5 p.m. ET 11/15/22.

Docket Numbers: ER23–188–000.

Applicants: Southwestern Electric Power Company.

Description: § 205(d) Rate Filing: SWEPCO–GSEC–LHEC Stephen Cruz Delivery Point Agreement to be effective 10/7/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5158.

Comment Date: 5 p.m. ET 11/15/22.

Docket Numbers: ER23–189–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original NSA, SA No. 6673; Queue No. H21_W68/K11 to be effective 9/27/2022.

Filed Date: 10/25/22.

Accession Number: 20221025–5165.

Comment Date: 5 p.m. ET 11/15/22.

Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES23–3–000.

Applicants: PacifiCorp.

Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of PacifiCorp.

Filed Date: 10/24/22.

Accession Number: 20221024–5182.

Comment Date: 5 p.m. ET 11/14/22.

Take notice that the Commission received the following qualifying facility filings:

Docket Numbers: QF23–102–000.

Applicants: San Manuel Utility Authority.

Description: Form 556 of San Manuel Utility Authority.

Filed Date: 10/25/22.

Accession Number: 20221025–5127.

Comment Date: 5 p.m. ET 11/15/22.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: October 25, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–23649 Filed 10–28–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER23–168–000]

Cross Town Energy Storage, LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Cross Town Energy Storage, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is November 14, 2022.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID–19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

Dated: October 25, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–23651 Filed 10–28–22; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OGC–2022–0862; FRL–10367–01–OGC]

Proposed Consent Decree, Clean Air Act Citizen Suit

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed consent decree; request for public comment.

SUMMARY: In accordance with the Clean Air Act, as amended (CAA or the Act), notice is given of a proposed consent decree in *Our Children's Earth Foundation* v. *U.S. EPA,* No. 22–cv–276–CKK (D.D.C.). On February 2, 2022, Plaintiff Our Children's Earth Foundation filed a complaint in the United States District Court for the District of Columbia, alleging that the Environmental Protection Agency (EPA or the Agency) failed to perform certain non-discretionary duties in accordance with the Act to timely respond to numerous state implementation plan (SIP) submissions from the State of New Jersey. EPA is providing notice of this proposed consent decree, which would resolve all claims in the case by establishing deadlines for EPA to take final actions on twelve submissions from New Jersey as specified in the decree.

DATES: Written comments on the proposed consent decree must be received by November 30, 2022.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OGC–2022–0862, online at *https://www.regulations.gov* (EPA's preferred method). Follow the online instructions for submitting comments.

Instructions: All submissions received must include the Docket ID number for this action. 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 ''Additional Information about Commenting on the Proposed Consent Decree'' heading under the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Hali Kerr, Air and Radiation Law Office, Office of General Counsel, U.S. Environmental Protection Agency; telephone (202) 564–2286; email address *Kerr.Hali@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining a Copy of the Proposed Consent Decree

The official public docket for this action (identified by Docket ID No. EPA–HQ–OGC–2022–0862) contains a copy of the proposed consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OEI Docket is (202) 566–1752.

The electronic version of the public docket for this action contains a copy of the proposed consent decree and is available through *https://www.regulations.gov.* You may use *https://www.regulations.gov* to submit or view public comments, access the index listing of the contents of the official public docket, and access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select ''search.''

II. Additional Information About the Proposed Consent Decree

On February 2, 2022, Plaintiff Our Children's Earth Foundation filed a complaint in the United States District Court for the District of Columbia, alleging that the Environmental Protection Agency (EPA or the Agency) failed to perform certain non-discretionary duties in accordance with the Act to timely respond to numerous state implementation plan (SIP) submissions from the State of New Jersey. The proposed consent decree would establish deadlines for EPA to take action pursuant to CAA section 110(k) on certain SIP revisions by the State of New Jersey.

On July 20, 2009, New Jersey submitted a SIP revision on Diesel I/M, Opacity Cutpoints. The proposed consent decree would require EPA to take action to approve, disapprove, conditionally approve, or approve in part and conditionally approve or disapprove in part, the Diesel I/M, Opacity Cutpoints SIP revision by August 31, 2023.

On October 17, 2014, New Jersey submitted a SIP revision on 2010 SO_2 Transport. The proposed consent decree would require EPA to take action to approve, disapprove, conditionally approve, or approve in part and conditionally approve or disapprove in part, the 2010 SO_2 Transport SIP revision by August 30, 2024.

On December 14, 2017, New Jersey submitted a SIP revision covering $PM_{2.5}$ and Ammonia Emission Statement Reporting, $PM_{2.5}$ in Air Permitting, and Subchapter 8 permitting. The proposed consent decree would require EPA to take action to approve, disapprove, conditionally approve, or approve in part and conditionally approve or disapprove in part, the $PM_{2.5}$ and Ammonia Emission Statement Reporting and $PM_{2.5}$ in Air Permitting SIP revisions by November 30, 2023, and the Subchapter 8 permitting SIP revision by February 28, 2025.

On August 23, 2018, New Jersey submitted a SIP revision covering Resiliency, Air Toxics, and Removal of CAIR and NO_X Budget Programs. The proposed consent decree would require EPA to take action to approve, disapprove, conditionally approve, or approve in part and conditionally approve or disapprove in part, the Resiliency and Air Toxics SIP revisions by November 30, 2023, and on the Removal of CAIR and NO_X Budget Programs by August 30, 2024.

On January 2, 2018, New Jersey submitted a SIP revision on its 2008 Ozone Attainment Demonstration including RFP and its 2008 Ozone Contingency Measures. The proposed consent decree would require EPA to take action to approve, disapprove, conditionally approve, or approve in part and conditionally approve or disapprove in part, these two SIP revisions by August 30, 2024.

On May 13, 2019, New Jersey submitted a SIP revision for its 2015 Ozone Infrastructure SIP. The proposed consent decree would require EPA to take action to approve, disapprove, conditionally approve, or approve in part and conditionally approve or disapprove in part certain elements of the 2015 Ozone Infrastructure SIP revision by August 30, 2024.

And on March 26, 2020, New Jersey submitted a SIP revision on the Regional Haze Requirements for 2nd Planning Phase. The proposed consent decree would require EPA to take action to approve, disapprove, conditionally approve, or approve in part and conditionally approve or disapprove in part the Regional Haze Requirements for 2nd Planning Phase SIP revision by November 30, 2023.

In accordance with section 113(g) of the CAA, for a period of thirty (30) days following the date of publication of this document, the Agency will accept written comments relating to the proposed consent decree. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

III. Additional Information About Commenting on the Proposed Consent Decree

Submit your comments, identified by Docket ID No. EPA–HQ–OGC–2022–0862, via *https://www.regulations.gov.* Once submitted, comments cannot be edited or removed from this docket. EPA may publish any comment received to its public docket. Do not submit to EPA's docket at *https://www.regulations.gov* any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. 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. 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.* For additional information about submitting information identified as CBI, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this document. Note that written comments containing CBI and submitted by mail may be delayed and deliveries or couriers will be received by scheduled appointment only.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an email address or other contact information in the body of your comment. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the *https://www.regulations.gov* website to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an ''anonymous access'' system, which means EPA will not know your identity, email address, or other contact information unless you provide it in the body of your comment.

Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked ''late.'' EPA is not required to consider these late comments.

Gautam Srinivasan,

Associate General Counsel.

[FR Doc. 2022–23576 Filed 10–28–22; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL MARITIME COMMISSION

[DOCKET NO. 22–29]

MVM Logistics, Complainant v. MSC Mediterranean Shipping Company (USA) Inc., Respondent; Notice of Filing of Complaint and Assignment

Served: October 25, 2022.

Notice is given that a complaint has been filed with the Federal Maritime Commission (Commission) by MVM Logistics, hereinafter ''Complainant,'' against MSC Mediterranean Shipping Company (USA) Inc. as agent for Mediterranean Shipping Company, S.A., Geneva, hereinafter ''Respondent.'' Complainant states that it is a corporation organized under the laws of California. Complainant identifies the Respondent as a corporation organized under the laws of the State of New York and agent for the vessel-operating ocean common carrier that is headquartered in Geneva, Switzerland.

Complainant alleges that Respondent violated 46 U.S.C. 41102(c) in its practices regarding the return of containers and related assessment of charges. An answer to the complaint is due to be filed with the Commission within twenty-five (25) days after the date of service. The full text of the complaint can be found in the Commission's Electronic Reading Room at *https://www2.fmc.gov/readingroom/proceeding/22-29/.*

This proceeding has been assigned to Office of Administrative Law Judges. The initial decision of the presiding officer in this proceeding shall be issued by October 25, 2023, and the final decision of the Commission shall be issued by May 9, 2024.

William Cody,

Secretary.

[FR Doc. 2022–23565 Filed 10–28–22; 8:45 am]

BILLING CODE 6730–02–P

FEDERAL MARITIME COMMISSION

[Docket No. 22–30]

Samsung Electronics America, Inc., Complainant v. Zim Integrated Shipping Services Ltd., Respondent; Notice of Filing of Complaint and Assignment

Served: October 25, 2022.

Notice is given that a complaint has been filed with the Federal Maritime Commission (Commission) by Samsung Electronics America, Inc, hereinafter ''Complainant,'' against Zim Integrated Shipping Services Ltd., hereinafter ''Respondent.'' Complainant states that it is a corporation organized under the law of the State of New York with its principal place of business located in New Jersey. Complainant identifies the Respondent as a vessel-operating common carrier with a corporate office in Haifa, Israel, conducting business in the United States through ZIM American Integrated Shipping Services Company Co. LLC, with its principal corporate office located in Norfolk, VA.

Complainant alleges that Respondent violated 46 U.S.C. 41102(c), 41102(d), 41104(a)(3), 41104(a)(10), 41104(a)(14), and 41104(a)(15) and 46 CFR 545.4 and 545.5 regarding its practices and the billing and assessment of charges on the shipments of the Complainant's container cargo. An answer to the complaint is due to be filed with the Commission within twenty-five (25) days after the date of service. The full text of the complaint can be found in the Commission's Electronic Reading Room at *https://www2.fmc.gov/readingroom/proceeding/22-30/.*

This proceeding has been assigned to Office of Administrative Law Judges. The initial decision of the presiding officer in this proceeding shall be issued by October 25, 2023, and the final decision of the Commission shall be issued by May 9, 2024.

William Cody,

Secretary.

[FR Doc. 2022–23589 Filed 10–28–22; 8:45 am]

BILLING CODE 6730–02–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Advisory Board on Radiation and Worker Health (ABRWH), National Institute for Occupational Safety and Health (NIOSH)

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice of meeting and request for comment.

SUMMARY: In accordance with the Federal Advisory Committee Act, the CDC announces the following meeting of the Advisory Board on Radiation and Worker Health (ABRWH or the Advisory Board). This is a hybrid meeting, accessible both in person and virtually. It is open to the public, limited only by the space available and the number of audio conference lines and internet conference accesses. Time will be available for public comment. The public is also welcome to submit written comments in advance of the meeting, to the contact person listed in the addresses section below.

DATES: The meeting will be held on December 8, 2022, from 9:00 a.m. to 6:00 p.m., EST. A public comment session will be held on December 8, 2022, at 5:00 p.m., EST, and will conclude at 6:00 p.m., EST, or following the final call for public comment, whichever comes first.

Written comments must be received on or before December 1, 2022.

ADDRESSES: St. Petersburg Marriott Clearwater, 12600 Roosevelt Boulevard, North, St. Petersburg, Florida 33716; Telephone: (727) 572–7800. The conference room will have seating for approximately 120 people.

The USA toll-free dial-in numbers are: +1–669–254–5252 US (San Jose); and +1–646–828–7666 US (New York). The meeting ID is: 161 949 4327; the Passcode is: 46823450; and the Web conference by Zoom meeting connection is: *https://cdc.zoomgov.com/j/1619494327?pwd=MWlycXpYUzdmTElpbUpld1pRNlM4QT09.* The combined number of audio conference lines and internet conference accesses is 200.

You may submit comments by mail to: Dr. Rashaun Roberts, National Institute for Occupational Safety and Health (NIOSH), CDC, 1090 Tusculum Avenue, Mailstop C–24, Cincinnati, Ohio 45226. Written comments received in advance of the meeting will be included in the official record of the meeting.

FOR FURTHER INFORMATION CONTACT: Rashaun Roberts, Ph.D., Designated Federal Officer, NIOSH, CDC, 1090 Tusculum Avenue, Mailstop C–24, Cincinnati, Ohio 45226; Telephone: (513) 533–6800; Email: *ocas@cdc.gov.*

SUPPLEMENTARY INFORMATION:

Background: The Advisory Board was established under the Energy Employees Occupational Illness Compensation Program Act of 2000 to advise the President on a variety of policy and technical functions required to implement and effectively manage the new compensation program. Key functions of the Advisory Board include providing advice on the development of probability of causation guidelines, which have been promulgated by HHS as a final rule; advice on methods of dose reconstruction, which have also been promulgated by HHS as a final rule; advice on the scientific validity and quality of dose estimation and reconstruction efforts being performed for purposes of the compensation program; and advice on petitions to add classes of workers to the Special Exposure Cohort (SEC). In December 2000, the President delegated responsibility for funding, staffing, and operating the Advisory Board to HHS, which subsequently delegated this authority to the CDC. NIOSH implements this responsibility for CDC.

The Advisory Board's charter was issued on August 3, 2001, was renewed at appropriate intervals, was rechartered under Executive Order 13889 on March 22, 2022, and will terminate on March 22, 2024.

Purpose: This Advisory Board is charged with (a) providing advice to the Secretary, HHS, on the development of guidelines under Executive Order 13179; (b) providing advice to the Secretary, HHS, on the scientific validity and quality of dose reconstruction efforts performed for this program; and (c) upon request by the Secretary, HHS, advising the Secretary on whether there is a class of employees at any Department of Energy facility who were exposed to radiation but for whom it is not feasible to estimate their radiation dose, and on whether there is reasonable likelihood that such radiation doses may have endangered the health of members of this class.

Matters To Be Considered: The agenda will include discussions on the following: NIOSH Program Update; Department of Labor Program Update; Department of Energy Program Update; SEC Petitions Update; Procedures Review Finalization/Document Approvals; Rocky Flats Plant Work Group Update; Update on Review of SEC–00256 Pinellas Plant Evaluation Report; and a Board Work Session. Agenda items are subject to change as priorities dictate.

For additional information, please contact Toll Free 1–800–232–4636.

The Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Kalwant Smagh,

Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2022–23645 Filed 10–28–22; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Advisory Council for the Elimination of Tuberculosis (ACET)

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, the CDC announces the following meeting of the Advisory Council for the Elimination of Tuberculosis (ACET). This meeting is open to the public and limited to 1,000 audio and web conference lines. Members of the public are welcome to listen to the meeting by accessing the telephone number and web access provided in the addresses section below. Time will be available for public comment (registration required to provide oral comment).

DATES: The meeting will be held on December 13, 2022, from 10:00 a.m. to 5:00 p.m., EST, and December 14, 2022, from 10:00 a.m. to 12:00 p.m., EST. Written comments must be submitted by November 29, 2022. Registration to make oral comments must also be submitted by November 29, 2022.

ADDRESSES: The telephone access number is 1–669–254–5252, Webinar ID: 161 095 9944, and the Passcode is 42236876. The web conference access is *https://cdc.zoomgov.com/j/1610959944?pwd=eGhxZFNaeFJscGo2eTVwZ0ZOZ3d4QT09,* and the Passcode

is E=7@trcA. The number of available audio and web conference lines is 1,000.

FOR FURTHER INFORMATION CONTACT: Marah Condit, MS, Committee Management Lead, National Center for HIV, Viral Hepatitis, STD, and TB Prevention, CDC, 1600 Clifton Road NE, Mailstop US8–6, Atlanta, Georgia 30329–4027; Telephone: (404) 639–3423; Email: *nchhstppolicy@cdc.gov.*

SUPPLEMENTARY INFORMATION:

Purpose: The Council advises and makes recommendations to the Secretary of Health and Human Services, the Assistant Secretary for Health, and the Director, CDC, regarding the elimination of tuberculosis (TB). Specifically, the Council makes recommendations regarding policies, strategies, objectives, and priorities; addresses the development and application of new technologies; and reviews the extent to which progress has been made toward eliminating tuberculosis.

Matters To Be Considered: The agenda will include discussions on (1) electronic data systems for overseas medical evaluations; (2) TB commercial diagnostics; (3) TB screening in the Uniting for Ukraine response; (4) CDC electronic directly observed therapy recommendations; and (5) the TB Elimination Alliance. Agenda items are subject to change as priorities dictate.

Public Participation

Written Public Comment: Members of the public are welcome to submit written comments in advance of the meeting. Written comments must be submitted by emailing *nchhstppolicy@cdc.gov* with subject line ''December 2022 ACET Public Comment Registration'' by November 29, 2022.

Oral Public Comment: Individuals who would like to make an oral comment during the public comment period must register by emailing *nchhstppolicy@cdc.gov* with subject line ''December 2022 ACET Public Comment Registration'' by November 29, 2022. The public comment period is on December 13, 2022, at 4:45 p.m., EST.

The Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Kalwant Smagh,

Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2022–23641 Filed 10–28–22; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–1790–N]

Medicare Program; Public Meeting for New Revisions to the Healthcare Common Procedure Coding System (HCPCS) Coding—November 29–December 1, 2022

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice.

SUMMARY: This notice announces the dates and times of the virtual Healthcare Common Procedure Coding System (HCPCS) public meetings to be held November 29, 2022 through December 1, 2022 to discuss our preliminary coding, Medicare benefit category, and payment determinations for new revisions to the HCPCS Level II code set, as well as how to register for those meetings.

DATES:

Virtual Meeting Dates: Tuesday, November 29, 2022, 9 a.m. to 5 p.m., eastern standard time (e.s.t.), Wednesday, November 30, 2022, 9 a.m. to 5 p.m. e.s.t., and Thursday, December 1, 2022, 9 a.m. to 5 p.m. e.s.t.

Deadline for Primary Speaker Registrations and Presentation Materials: The deadline for primary speakers to register and submit any supporting PowerPoint presentation, as well as any relevant studies published after the date the applicant submitted its HCPCS code application, is 5 p.m., e.s.t., Tuesday, November 15, 2022.

Deadline for 5-Minute Speaker Registrations: The deadline for registering to be a 5-minute speaker is 5 p.m., e.s.t., Tuesday, November 15, 2022.

Deadline for Registration for all Other Attendees: All individuals who plan to attend the virtual public meetings to listen, but do not plan to speak, must register to attend. Attendees can attend more than one meeting. Except for individuals who require special assistance, the deadline to register for each public meeting is the date of that public meeting. Individuals who plan to attend one or more of the virtual public meetings and require special assistance must register and request special assistance services by Tuesday, November 15, 2022.

Registration Link: The registration link will be posted in the Guidelines for Participation in HCPCS Public Meetings document on the CMS website at *https://www.cms.gov/Medicare/Coding/MedHCPCSGenInfo/HCPCSPublicMeetings* and in an announcement on the HCPCS General Information page at *https://www.cms.gov/Medicare/Coding/MedHCPCSGenInfo.* The same website also contains detailed information on how attendees can join the virtual public meetings using Zoom, including dial-in information for primary speakers, 5-minute speakers, and all other attendees.

Deadline for Submission of Written Comments: In addition to the primary speaker presentation materials noted above, CMS will accept written comments from any stakeholder pertaining to a HCPCS code application or agenda item scheduled for discussion at the public meetings. The deadline for submission of written comments pertaining to a specific HCPCS code application or agenda item is 5 p.m., e.s.t., on the date of the virtual public meeting at which the applicable HCPCS code application or agenda item is scheduled for discussion. Written comments will only be accepted when emailed to: *HCPCS@cms.hhs.gov.*

ADDRESSES: *Virtual Meeting Location:* The November 29, 2022 through December 1, 2022 HCPCS public meetings will be held virtually via Zoom only.

FOR FURTHER INFORMATION CONTACT: Sundus Ashar, (410) 786 0750, *Sundus.ashar1@cms.hhs.gov*, or *HCPCS@cms.hhs.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

On December 21, 2000, Congress enacted the Medicare, Medicaid, and State Children's Health Insurance Program (SCHIP) Benefits Improvement and Protection Act of 2000 (BIPA) (Pub. L. 106–554). Section 531(b) of BIPA mandated that the Secretary establish procedures that permit public consultation for coding and payment determinations for new durable medical equipment (DME) under Medicare Part B of title XVIII of the Social Security Act (the Act). In the November 23, 2001 **Federal Register** (66 FR 58743), we published a notice providing information regarding the establishment

of the annual public meeting process for DME.

In 2020, we implemented changes to our Healthcare Common Procedure Coding System (HCPCS) coding procedures, including the establishment of quarterly coding cycles for drugs and biological products and biannual coding cycles for non-drug and non-biological items and services.

In the December 28, 2021 **Federal Register** (86 FR 73860), we published a final rule that established procedures for making Medicare benefit category and payment determinations for new items and services that are DME, prosthetic devices, orthotics and prosthetics, therapeutic shoes and inserts, surgical dressings, or splints, casts, and other devices used for reductions of fractures and dislocations under Medicare Part B.

II. Virtual Meeting Registration

The November 29, 2022 through December 1, 2022 HCPCS public meetings will be virtual and available for remote audio attendance and participation only via Zoom.

A. Required Information for Registration

The following information must be provided when registering online to attend:

- Name;
- Company name (if applicable);
- Email address;
- Any special assistance requests (which, as stated above, will be considered if the registration is submitted by 5 p.m., e.s.t., Tuesday, November 15, 2022);
- Whether the registrant is a primary speaker or a 5-minute speaker for an agenda item;
- Agenda item and Application number;
- Whether the primary speaker will use a PowerPoint presentation; and
- Whether the registrant will participate in a practice Zoom session, to be held on Monday, November 28, 2022.

B. Additional Information

1. Primary Speakers

Each applicant that submitted a HCPCS code application that will be discussed at the virtual public meetings is permitted to designate a primary speaker. As stated above, we will accept PowerPoint presentations and relevant studies published after the date the applicant submitted its HCPCS code application if those materials are emailed to: *HCPCS@cms.hhs.gov* by 5 p.m., e.s.t., Tuesday, November 15, 2022. Due to the timeframe needed for the planning and coordination of the HCPCS virtual public meetings, materials that are not submitted in accordance with these deadlines cannot be accommodated.

All PowerPoint presentation materials must not exceed 10 pages. Relevant studies that were published after the date the applicant submitted its HCPCS code application are not subject to this page limit.

Fifteen minutes is the total time interval for each presentation. In establishing the public meeting agenda, we may group multiple, related code requests under the same agenda item.

On the day of the virtual meeting that the primary speaker attends and speaks on a HCPCS code application, before 5 p.m., e.s.t., the primary speaker must email a brief written summary (one paragraph) of their comments and conclusions to: *HCPCS@cms.hhs.gov.*

Every primary speaker must also declare at the beginning of their presentation at the meeting, as well as in their written summary, whether they have any financial involvement with the manufacturer of the item that is the subject of the HCPCS code application that the primary speaker presented, or any competitors of that manufacturer with respect to the item. This includes any payment, salary, remuneration, or benefit provided to that speaker by the applicant.

2. 5-Minute Speakers

As noted above, the deadline for registering to be a 5-minute speaker is 5 p.m., e.s.t., Tuesday, November 15, 2022.

On the day of the virtual meeting that the 5-minute speaker attends and speaks on a HCPCS code application or agenda item, before 5 p.m., e.s.t., the 5-minute speaker must email a brief written summary of their comments and conclusions to: *HCPCS@cms.hhs.gov.* CMS will not accept any other written materials from a 5-minute speaker.

Every 5-minute speaker must also declare at the beginning of their presentation at the meeting, as well as in their written summary, whether they have any financial involvement with the manufacturer of the item that is the subject of the HCPCS code application or agenda item that the 5-minute speaker presented, or any competitors of that manufacturer with respect to the item. This includes any payment, salary, remuneration, or benefit provided to that speaker by the applicant.

C. Additional Virtual Meeting/ Registration Information

Prior to registering to attend a virtual public meeting, all potential participants and other stakeholders are advised to review the public meeting agendas at *https://www.cms.gov/Medicare/Coding/MedHCPCSGenInfo/HCPCSPublicMeetings* which identify our preliminary coding, Medicare benefit category, and payment determinations, and the date each item will be discussed. All potential participants and other stakeholders are also encouraged to regularly check the HCPCS section of the CMS website at *https://www.cms.gov/Medicare/Coding/MedHCPCSGenInfo/HCPCSPublicMeetings* for publication of the draft agendas, including a summary of each HCPCS code application, our preliminary coding, Medicare benefit category, and payment determinations.

The HCPCS section of the CMS website also includes details regarding the public meeting process for new revisions to the HCPCS code set, including information on how to join the meeting remotely, and guidelines for an effective presentation. The HCPCS section of the CMS website also contains a document titled ''Healthcare Common Procedure Coding System (HCPCS) Level II Coding Procedures,'' which is a description of the HCPCS coding process, including a detailed explanation of the procedures CMS uses to make HCPCS coding determinations.

When CMS refers to HCPCS code or HCPCS coding application above, CMS may also be referring to circumstances when a HCPCS code has already been issued but a Medicare benefit category and/or payment has not been determined. At this meeting, CMS may or may not be able to provide preliminary Medicare benefit category and payment determinations for HCPCS codes that were effective October 1, 2022 or earlier, or that will be considered during this public meeting for coding actions. CMS is working diligently to address Medicare benefit category and payment determinations for new items and services that may be DME, prosthetic devices, orthotics and prosthetics, therapeutic shoes and inserts, surgical dressings, or splints, casts, and other devices used for reductions of fractures and dislocations under Medicare Part B. Please check the CMS website listed above for the final agenda.

III. Written Comments From Meeting Attendees Who Are Not Speakers

Written comments from anyone who is not a primary speaker or 5-minute speaker will only be accepted when emailed to: *HCPCS@cms.hhs.gov* before 5 p.m., e.s.t., on the date of the virtual public meeting at which the HCPCS code application that is the subject of the comments is discussed.

The Administrator of CMS, Chiquita Brooks-LaSure, having reviewed and approved this document, authorizes Lynette Wilson, who is the Federal Register Liaison, to electronically sign this document for purposes of publication in the **Federal Register**.

Dated: October 26, 2022.

Lynette Wilson,

Federal Register Liaison, Centers for Medicare & Medicaid Services.

[FR Doc. 2022–23640 Filed 10–28–22; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Submission for Office of Management and Budget (OMB) Review; Building Capacity To Evaluate Child Welfare Community Collaborations To Strengthen and Preserve Families (CWCC) Cross-Site Process Evaluation (OMB #0970–0541)

AGENCY: Office of Planning, Research, and Evaluation (OPRE); Administration for Children and Families (ACF); Department of Health and Human Services (HHS).

ACTION: Request for public comments.

SUMMARY: The Administration for Children and Families at HHS is requesting an extension to continue data collection for an evaluation of the initiative, Community Collaborations to Strengthen and Preserve Families (also referred to as Child Welfare Community Collaborations [CWCC]). The cross-site process evaluation will provide insight to ACF about the various factors that promote or impede the implementation of child welfare community collaborations.

DATES: *Comments due within 30 days of publication.* OMB is required to make a decision concerning the collection of information between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent 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. You can also obtain copies of the proposed collection of information by emailing *OPREinfocollection@acf.hhs.gov.* Identify all requests by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: The evaluation involves seven data collection activities. Initial interviews with Project Directors and leaders from partner organizations and initial interviews with staff from lead and partner organizations have been completed. This request includes the remaining five activities:

- *Survey Invitee Template:* This template requests the Project Director of each CWCC grant to fill out a Survey Invitee Template to gather contact information for leaders and staff from lead and partner organizations who the evaluation team will invite to complete the Collaboration Survey (see below).
- *Collaboration Survey:* This electronic survey documents perceptions that leaders and staff from the CWCC lead and partner organizations have regarding their organizational/group processes, implementation activities, and progress towards goals. This survey is administered to staff at all grantee and partner organizations on an annual basis during each cohort's grant period.
- *Site Visit Planning Template:* Each project director (or their designee) will complete a Site Visit Planning Template to schedule site visit activities prior to each annual site visit.
- *Two Site Visit Discussion Guides:* To systematically document the approaches and strategies used by the first two cohorts of CWCC grantees (fiscal year (FY) 18 and FY 19 awardees), the evaluation team will conduct follow-up interviews with: (1) Project Directors from lead grantee organizations and leaders from partner organizations, and (2) Staff from the lead and partner organizations. These interviews will take place during site visits. Each grantee will participate in four site visits in total. As noted above, the first two have already been completed.

Respondents: Leadership and staff from CWCC lead (grantee) organizations and from partner organizations.

ANNUAL BURDEN ESTIMATES

Instrument	Total number of respondents (over request period)	Number of responses per respondent (total over request period)	Average burden hours per response (in hours)	Total burden (in hours)	Annual burden (in hours)
Cohort 1 Data Collection for FY 18 grantees					
Site Visit Discussion Guide for Project Directors and Leaders from Partner Organizations—Follow-Up Interviews	12	1	1.5	18	9
Site Visit Discussion Guide for Staff from Lead and Partner Organizations—Follow-Up Interviews	36	1	1	36	18
Survey Invitee Template	4	1	1	4	2
Annual Collaboration Survey	268	1	.5	134	67
Site Visit Planning Template	4	1	2	8	4
Cohort 2 Data Collection for FY19 grantees					
Site Visit Discussion Guide for Project Directors and Leaders from Partner Organizations—Follow-Up Interviews	27	2	1.5	81	41
Site Visit Discussion Guide for Staff from Lead and Partner Organizations—Follow-Up Interviews	81	2	1	162	81
Survey Invitee Template	9	2	1	18	9
Annual Collaboration Survey	990	2	.5	990	495
Site Visit Planning Template	9	2	2	36	18

Estimated Total Annual Burden Hours: 744.

Authority: Section 105(b)(5) of the Child Abuse Prevention and Treatment Act of 1978 (42 U.S.C 5106(b)(5)), as amended by the CAPTA Reauthorization Act of 2010 (Pub. L. 111–320).

Mary B. Jones,

ACF/OPRE Certifying Officer.

[FR Doc. 2022–23673 Filed 10–28–22; 8:45 am]

BILLING CODE 4184–29–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2022–N–2396]

Chemistry, Manufacturing, and Controls Development and Readiness Pilot Program; Program Announcement

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the opportunity for a limited number of applicants to participate in a Chemistry, Manufacturing, and Controls (CMC) Development and Readiness Pilot (CDRP) program, to facilitate the expedited CMC development of products under an investigational new drug (IND) application, where warranted, based upon the anticipated clinical benefit of earlier patient access to the products. FDA is implementing this pilot program to facilitate CMC readiness for selected Center for Biologics Evaluation and Research (CBER)- and Center for Drug Evaluation and Research (CDER)-regulated products with accelerated clinical development timelines. To accelerate CMC development and facilitate CMC readiness, the pilot features increased communication between FDA and sponsors and explores the use of science- and risk-based regulatory approaches, such as those described in FDA guidance, as applicable. This notice outlines the eligibility criteria and process for submitting a request to participate in the pilot.

DATES: Starting April 1, 2023, FDA will accept requests to participate in the CDRP program. See the ''Participation'' section of this document for eligibility criteria, instructions on how to submit a request to participate, and selection criteria and process.

FOR FURTHER INFORMATION CONTACT: Tanya Clayton, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 75, Rm. 4506, Silver Spring, MD 20903–0002, 301–796–0871; or Stephen Ripley, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911.

For general questions about the CDRP Program for CBER: industry.biologics@fda.hhs.gov.

For general questions about the CDRP Program for CDER: cder-opq-opro-crad-inquiries@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Development programs for CBER- and CDER-regulated drugs and biologics intended to diagnose, treat, or prevent a serious disease or condition where there is an unmet medical need may have accelerated clinical development timelines. Yet marketing applications for products in expedited development programs still need to meet FDA's approval standards, including manufacturing facility compliance with current good manufacturing practice (CGMP). Products with accelerated clinical development activities may face challenges in expediting CMC development activities to align with the accelerated clinical timelines. Successfully expediting CMC readiness may require additional interactions with FDA during product development and, if applicable, warrant the use of science- and risk-based regulatory approaches allowing streamlining of CMC development activities, so that clinical benefits of earlier patient access to these products can be realized.

As described in the FDA Prescription Drug User Fee Act (PDUFA) VII Commitment Letter for fiscal years (FYs) 2023 through 2027 (Ref. 1), FDA is implementing the CDRP program to facilitate CMC readiness for selected CBER- and CDER-regulated products with accelerated clinical development timelines. To accelerate CMC development and facilitate CMC readiness, the pilot features increased communication between FDA and sponsors and explores the use of science- and risk-based regulatory approaches, such as those described in the FDA guidance for industry entitled ''Expedited Programs for Serious Conditions—Drugs and Biologics'' (May 2014) (Ref. 2), as applicable.

Starting in FY 2023, FDA (CBER and CDER) will conduct a CDRP to facilitate the CMC development of selected products under INDs which have expedited clinical development timeframes, based upon the anticipated clinical benefits of earlier patient access to the products. This includes products with Breakthrough Therapy (BT), Fast Track (FT), and Regenerative Medicine Advance Therapy (RMAT) designations. For sponsors participating in the pilot, FDA will provide product-specific CMC advice during product development, to include two additional CMC-focused Type B meetings, as well as a limited number of additional CMC-focused discussions, based on readiness and defined CMC milestones. The increased communication between FDA review staff and sponsors is intended to ensure a mutual understanding of approaches to completing CMC activities, including what information should be provided at the appropriate timepoint (*i.e.,* at the time of new drug application (NDA) or biologics license application (BLA) submission, prior to the end of the review cycle, or post-approval), to ensure CMC readiness for a marketing application.

II. Participation

Starting April 1, 2023, FDA will accept requests to participate in the CDRP program and select no more than nine proposals, with approximately two thirds being CBER-regulated products and one third CDER-regulated products. Taking into consideration lessons from the prior year, FDA will publish in the **Federal Register** a notice to announce pilot programs for each of the 3 following fiscal years. Sponsors who are interested in participating in the pilot program should submit a request to participate in the pilot as an amendment to their IND. The cover letter should state ''Request to participate in the CMC Development and Readiness Pilot.''

To promote innovation and understanding in this area, lessons learned through the pilot may be presented by FDA (*e.g.,* in a public workshop) as case studies, including when the product studied in the pilot has not yet been approved by FDA. FDA intends to conduct a public workshop and issue a strategy document focused on CMC aspects of expedited development incorporating lessons from the CDRP. Participation in the pilot program is voluntary and at the discretion of the sponsor. To be eligible for the pilot, the sponsor's written request should include the following statement:

''We, <sponsor's name>, acknowledge that certain information relevant to the CDRP may be publicly disclosed.''

The general nature and extent of information that could be publicly shared will be discussed and agreed upon between the sponsor and FDA during the course of the pilot program, and, where feasible, FDA will notify a sponsor in advance when it plans to include some aspect of their program's experience in a public discussion (*e.g.,* a slide presentation, a white paper).

A. Eligibility Criteria

To be considered for the pilot program, participants must meet the following eligibility criteria:

1. Joint CBER and CDER Eligibility Criteria

- Participant must have an active commercial IND (See the definitions of commercial INDs at: *https://www.fda.gov/drugs/cder-small-business-industry-assistance-sbia/research-investigational-new-drug-applications-what-you-need-know*).
- IND has been submitted in, or converted to Electronic Common Technical Document (eCTD) format, unless the IND is of a type granted a waiver from eCTD format as per FDA's guidance for industry entitled ''Providing Regulatory Submissions in Electronic Format—Certain Human Pharmaceutical Product Applications and Related Submissions using the eCTD Specifications'' (February 2020) (Ref. 3).
- INDs for combination products (21 CFR 3.2 (e)(1)) are eligible; products that require significant cross-Center interactions (*e.g.,* complex combination products) may be less likely to be selected for the pilot.
- In general, at the time of application to the pilot, the IND clinical program has not yet reached the end of Phase 2, to allow the pilot to have sufficient time to have an impact on CMC readiness (*e.g.,* 2 years from anticipated marketing application submission). However, in extenuating circumstances, requests for exceptions may be considered, where the development programs would still benefit from the pilot—examples of what could constitute such circumstances include:
  - Cases where the clinical development is following an innovative trial design,
  - The product is intended to treat a rare disease.
- CMC-related information is provided to demonstrate a commitment to pursue a CMC development plan that aligns with the expedited clinical development program (see ''CMC Development Plan'' under *What to Submit in a Request to Participate in the Pilot* for details).

Due to the differences in product complexity between CBER- and CDER-regulated products, the following eligibility and selection criteria differ between the Centers.

2. CBER-Specific Eligibility Criteria

- IND is an existing, CBER-regulated IND intended for submission as an application for licensure of a biological product under section 351(a) of the Public Health Service Act (PHS Act) (42 U.S.C. 262(a)) for cellular therapies, gene therapies, and other products regulated by the Office of Tissues and Advanced Therapies/CBER or vaccines regulated by the Office of Vaccines Research and Review/CBER.
- IND has a BT or RMAT designation.

3. CDER-Specific Eligibility Criteria

- IND is an existing, CDER-regulated IND for a product intended for submission as an application for (1) approval of a new drug submitted under section 505(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)), or (2) licensure of a biological product under section 351(a) of the PHS Act.
- IND has an expedited clinical timeframe warranted based upon the anticipated clinical benefits of earlier patient access. This would include INDs for products with a BT or FT designation; IND sponsors of other products that meet this criterion may also apply to the pilot, with their eligibility to be determined by FDA.

B. What To Submit in a Request To Participate in the Pilot

To participate in the CDRP, sponsors should submit a written request as an amendment to the IND. In addition to providing a point of contact, and noting any expedited program designations the IND has received to date, the request should include the following information.

1. CMC Development Plan

To focus pilot resources where they should be most useful and have an impact on the timeliness with which CMC readiness is achieved, prospective applicants to the pilot program should include in their Request to Participate a description of their CMC development plan that includes a timeline for CMC development aligned with when the clinical development program is expected to be complete:

(1) The plan should describe the current state of CMC development, including any ongoing activities not already included in the IND.

(2) The plan should include a projected timeline for product development that aligns with the anticipated clinical development timeline, showing the CMC tasks and activities intended to yield complete CMC data and information to be included in the marketing application. This part of the plan should cover the following CMC-related areas:

- Available product characterization and preliminary identification of critical quality attributes.
- Description of the current drug substance and drug product manufacturing process and control strategy (including identification and development of assays), and a description of and plan for the proposed commercial scale manufacturing and control strategy, including any necessary microbial control strategy.
- Identification of manufacturing facilities, including any contract facilities, along with the facilities' recent inspection history (including foreign regulatory inspections, where applicable).
- Plans for ensuring product availability for commercial launch.
- Drug substance and drug product stability assessment plan.
- Overall plan for process validation (*e.g.,* stage 1 and stage 2 as described in FDA's guidance for industry entitled ''Process Validation: General Principles and Practices'' (Ref. 4)).

(3) Given the expedited clinical timeframe, mapping out a plan for manufacturing readiness within the same overall timespan may reveal potential challenges in accomplishing CMC activities within the allotted time that is typically needed during CMC development to prepare a marketing application that can support approval. The plan should highlight these areas (exemplified in the bulleted list above, and any additional CMC challenges that may require FDA input), to facilitate FDA engagement regarding the types of supportive data and information that might be used to address these challenges. Participants in the pilot should plan to discuss these challenges with FDA during the pilot (for CDER-regulated products, see MAPP 5015.13, *Quality Assessment for Products in Expedited Programs* (Ref. 5)).

2. Proposed Plan and Timing for Meetings With FDA

The CMC Development Plan should include proposed timing (*i.e.,* month and year), for the two additional CMC-specific Type B meetings afforded by the pilot, as well as any other meetings and discussions foreseen.

C. Selection Criteria and Process

FDA intends to select participant CBER and CDER INDs based on the criteria outlined below. Review of requests is planned to occur quarterly, or as needed, depending upon the requests to participate in the pilot that are received during the period. FDA intends to issue a letter to notify each sponsor of FDA's decision on their request to participate within 180 days of receipt.

In selecting INDs for the pilot program, FDA intends to consider factors such as (1) anticipated clinical benefits of facilitating earlier patient access to the product, (2) novelty of the product, (3) complexity of the product or its manufacturing process, including technology, (4) sponsor's overall manufacturing experience, as well as (5) sponsor's experience with the particular product type, class, or the type of manufacturing process. FDA may give additional consideration to less experienced sponsors. Overall, FDA intends to seek balance and diversity in product types, sponsors, and therapeutic indications to obtain a variety of relevant experience and learnings from the pilot.

D. FDA-Sponsor Interactions During the Pilot

During this CDRP program, sponsors will have the ability to discuss their product development strategies and goals with FDA review staff during predesignated Type B meetings and a limited number of additional CMC-focused discussions. As part of the CMC readiness pilot, two dedicated CMC meetings will be granted, and sponsors will have an opportunity for followup discussions to address questions arising from the meeting or meeting minutes, or if additional clarifications are needed.

In preparation for a meeting, sponsors should submit written questions along with a background information package clearly marked as a ''PDUFA VII CDRP meeting'' as part of the cover letter to enable FDA review staff to address the questions. The briefing package should be submitted to the corresponding IND. Meetings associated with the pilot should be requested by sponsors. For additional information on meetings and other communications between the sponsors and FDA, see the FDA guidance for industry entitled ''Formal Meetings Between the FDA and Sponsors or Applicants of PDUFA Products'' (December 2017) (Ref. 6), CDER MAPP 6025.6: *Good Review Practice: Management of Breakthrough Therapy-Designated Drugs and Biologics* (July 29, 2014) (Ref. 7), CBER SOPP 8101: *Regulatory Meetings with Sponsors and Applicants for Drugs and Biological Products* (February 27, 2022) (Ref. 8), and CBER SOPP 8212.3: *Management of Breakthrough Therapy-Designated Products: Sponsor Interactions and Status Assessment Including Rescinding* (February 3, 2022) (Ref. 9).

III. Paperwork Reduction Act of 1995

Collections of information from fewer than 10 respondents within any 12-month period are not subject to the Paperwork Reduction Act of 1995 (PRA) (5 CFR 1320.3(c)(4)). To the extent this information collection involves 10 or more respondents, this notice refers to previously approved collections of information. These collections of information are subject to review by the Office of Management and Budget (OMB) under the PRA (44 U.S.C. 3501–3521). The collections of information for NDAs, formal meetings with sponsors and applicants for PDUFA products, and PDUFA VII Commitment Letter have been approved under OMB control number 0910–0001. The collections of information for INDs have been approved under OMB control number 0910–0014. The collections of information for BLAs have been approved under OMB control number 0910–0338. The collections of information pertaining to CGMP requirements have been approved under OMB control number 0910–0139. The collections of information pertaining to expedited programs for serious conditions for drugs and biologics and breakthrough therapy-designation for drugs and biologics have been approved under OMB control number 0910–0765.

IV. References

The following references are on display at the Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500, and are available for viewing by interested persons between 9 a.m. and 4 p.m., Monday through Friday; they are also available electronically at *https://www.regulations.gov.* FDA has verified the website addresses, as of the date this document publishes in the **Federal Register**, but websites are subject to change over time.

1. PDUFA Reauthorization Performance Goals and Procedures—Fiscal Years 2023 through 2027 at *https://www.fda.gov/media/151712/download.*
2. FDA guidance for industry ''Expedited Programs for Serious Conditions—Drugs and Biologics'' (May 2014): *https://www.fda.gov/media/86377/download.*
3. FDA guidance for industry ''Providing Regulatory Submissions in Electronic Format—Certain Human Pharmaceutical Product Applications and Related Submissions using the eCTD Specifications'' (February 2020): *https://www.fda.gov/media/135373/download.*
4. FDA guidance for industry ''Process Validation: General Principles and Practices'' (January 2011): *https://www.fda.gov/files/drugs/published/Process-Validation—General-Principles-and-Practices.pdf.*
5. CDER MAPP 5015.13: *Quality Assessment for Products in Expedited Programs* (in clearance).
6. FDA guidance for industry ''Formal Meetings Between the FDA and Sponsors or Applicants of PDUFA Products'' (December 2017): *https://www.fda.gov/media/109951/download.*
7. CDER MAPP 6025.6: *Good Review Practice: Management of Breakthrough Therapy-Designated Drugs and Biologics* (July 2014).
8. CBER SOPP 8101: *Regulatory Meetings with Sponsors and Applicants for Drugs and Biological Products* (February 2022).
9. CBER SOPP 8212.3: *Management of Breakthrough Therapy-Designated Products: Sponsor Interactions and Status Assessment Including Rescinding* (February 2022).

Dated: October 25, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2022–23575 Filed 10–28–22; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission to OMB for Review and Approval; Public Comment Request; The National Health Service Corps Loan Repayment Programs

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the requirement for opportunity for public comment on proposed data collection projects of the Paperwork Reduction Act of 1995, HRSA announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

DATES: Comments on this Information Collection Request must be received no later than December 30, 2022.

ADDRESSES: Submit your comments to *paperwork@hrsa.gov* or mail them to HRSA Information Collection Clearance Officer, Room 14N136B, 5600 Fishers Lane, Rockville, Maryland 20857.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and draft instruments, email *paperwork@hrsa.gov* or call Samantha Miller, the acting HRSA Information Collection Clearance Officer, at (301) 443–9094.

SUPPLEMENTARY INFORMATION:

Information Collection Request Title: The National Health Service Corps (NHSC) Loan Repayment Programs (LRP) OMB No. 0915–0127—Revision.

Abstract: The NHSC LRP was established to assure an adequate supply of trained primary care health professionals to provide services in the neediest Health Professional Shortage Areas (HPSAs) of the United States. The NHSC Substance Use Disorder Workforce LRP and the NHSC Rural Community LRP were established to recruit and retain a health professional workforce with specific training and credentials to provide evidence-based substance use disorder treatment in HPSAs. Under these programs, the Department of Health and Human Services agrees to repay the qualifying educational loans of selected primary care health professionals. In return, the health professionals agree to serve for a specified period of time in an NHSC-approved site located in a federally-designated HPSA approved by the Secretary for LRP participants.

The forms utilized by each LRP include the following: (1) the NHSC LRP Application, (2) the Authorization for Disclosure of Loan Information form, (3) the Privacy Act Release Authorization form, and if applicable, (4) the Verification of Disadvantaged Background form, and (5) the Private Practice Option form. The first four of the NHSC LRP forms collect information that is needed for selecting participants and repaying qualifying educational loans. The last referenced form, the Private Practice Option Form, is needed to collect information for all participants who have applied for that service option.

NHSC-approved sites are health care facilities that provide comprehensive outpatient, ambulatory, primary health care services to populations residing in HPSAs. Related in-patient services may be provided by NHSC-approved Critical Access Hospitals and Indian Health Service hospitals. In order to become an NHSC-approved site, new sites must submit a Site Application for review and approval. Existing NHSC-approved sites are required to complete a Site Recertification Application every 3 years in order to maintain their NHSC-approved status. Both the NHSC Site Application and Site Recertification Application request information on the clinical service site, sponsoring agency, recruitment contact, staffing levels, service users, charges for services, employment policies, and fiscal management capabilities. Assistance in completing these applications may be obtained through the appropriate State Primary Care Offices and the NHSC. The information collected on the applications is used for determining the eligibility of sites for the assignment of NHSC health professionals and to verify the need for NHSC clinicians. NHSC service site approval is valid for 3 years.

Need and Proposed Use of the Information: The need and purpose of this information collection is to assess an LRP applicant's eligibility and qualifications for the LRP, and to obtain information for NHSC site applicants. The NHSC LRP application asks for personal, professional, and financial/loan information.

The proposed revisions in this ICR include asking applicants to provide their educational information on the completion of post graduate training. The NHSC will use this information to identify graduates or completers of the following HRSA-funded programs: the Primary Care Training and Enhancement: Training Primary Care Champions Program, the Addiction Medicine Fellowship, the Teaching Health Center Graduate Medical Education Program, the Advanced Nursing Education Nurse Practitioner Residency Program, or the Advanced Nursing Education Nurse Practitioner Residency Integration Program. To identify the graduates or completers of these HRSA-funded programs, the NHSC will require applicants to respond to the following additional questions:

(1) Have you completed a post graduate training?

(2) Applicants who selected ''yes'' to the question above are required to submit the National Practitioner Identifier number.

(3) Further, if applicable, applicants are asked to enter the residency identification number and their residency completion certificate, if available.

NHSC policy requires behavioral health providers to practice in a community-based setting that provides access to comprehensive behavioral health services. Accordingly, for those sites seeking to be assigned behavioral health NHSC participants, additional site information will be collected from an NHSC Comprehensive Behavioral Health Services Checklist. NHSC sites that do not directly offer all required behavioral health services must demonstrate a formal affiliation with a comprehensive, community-based primary behavioral health setting or facility to provide these services.

Likely Respondents: Likely respondents include: (1) Licensed primary care medical, dental, and mental and behavioral health providers who are employed or seeking employment, and are interested in serving underserved populations; (2) health care facilities interested in participating in the NHSC and becoming an NHSC-approved service site; and (3) NHSC sites providing behavioral health care services directly, or through a formal affiliation with a comprehensive community-based primary behavioral health setting or facility providing comprehensive behavioral health services.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this Information Collection Request are summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
NHSC LRP Application	9,020	1	9,020	1.00	9,020
Authorization for Disclosure of Loan Information Form	7,150	1	7,150	.10	715
Privacy Act Release Authorization Form	303	1	303	.10	30.0
Verification of Disadvantaged Background Form	660	1	660	.50	330
Private Practice Option Form	330	1	330	.10	33
NHSC Comprehensive Behavioral Health Services Checklist	4,400	1	4,400	.13	572
NHSC Site Application (including recertification)	4,070	1	4,070	.50	2,035
Total	25,933		25,933		12,735

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2022–23574 Filed 10–28–22; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Center for Scientific Review Special Emphasis Panel Member Conflict: Cell Biology, Biochemistry, and Aging, November 21, 2022, 12:00 p.m. to November 21, 2022, 6:00 p.m., National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, which was published in the **Federal Register** on October 24, 2022, 87 FR 64241 Doc 2022–23066.

This meeting is being amended to change the meeting start date from November 21, 2022, to November 22, 2022. The meeting is closed to the public.

Dated: October 26, 2022.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–23638 Filed 10–28–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Respiratory Sciences.

Date: November 29–30, 2022.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Imoh S Okon, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20817, 301–347–8881, *imoh.okon@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Conflicts in hepatology, pharmacology and toxicology.

Date: November 29, 2022.

Time: 9:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Frederique Yiannikouris, Ph.D., Scientific Review Officer, The Center for Scientific Review, The National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–594–3313, *frederique.yiannikouris@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–21–120: Global Infectious Disease Research Training Program [D43 Clinical Trial Optional].

Date: November 29, 2022.

Time: 11:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Dayadevi Jirage, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4422, Bethesda, MD 20892, (301) 867–5309, *jiragedb@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Cancer Prevention and Immunotherapy.

Date: November 30, 2022.

Time: 9:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Laurie Ann Shuman Moss, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 867–5309, *laurie.shumanmoss@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Computational, Modeling, and Biodata Management.

Date: November 30, 2022.

Time: 10:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Marie-Jose Belanger, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Rm 6188 MSC 7804, Bethesda, MD 20892, 301–435–1267, *belangerm@csr.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: October 25, 2022.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–23608 Filed 10–28–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; Limited Interaction Targeted Epidemiology: Viral Suppression (LITE–VS) (UG3/UH3 Clinical Trial Optional).

Date: November 22, 2022.

Time: 11:00 a.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G33, Rockville, MD 20892 (Virtual Meeting).

Contact Person: Poonam Pegu, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G33, Rockville, MD 20852, 240–292–0719, *poonam.pegu@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: October 25, 2022.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–23610 Filed 10–28–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

[Docket Number DHS–2022–0019]

Minimum Standards for Driver's Licenses and Identification Cards Acceptable by Federal Agencies for Official Purposes, 1601–0005

AGENCY: Department of Homeland Security (DHS).

ACTION: 30-Day notice and request for comments.

SUMMARY: The Department of Homeland Security, will submit the following information collection request (ICR) to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. DHS previously published this information collection request (ICR) in the **Federal Register** on Monday, April 25, 2022, for a 60-day public comment period and there was one comment received by DHS. The purpose of this notice is to allow additional 30-days for public comments.

DATES: Comments are encouraged and will be accepted until November 30, 2022. This process is conducted in accordance with 5 CFR 1320.10.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent 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.

SUPPLEMENTARY INFORMATION: The REAL ID Act of 2005 (the Act) prohibits Federal agencies from accepting State-issued drivers' licenses or identification cards for any official purpose—defined by the Act and regulations as boarding commercial aircraft, accessing federal facilities, or entering nuclear power plants—unless the license or card is issued by a State that meets the requirements set forth in the Act. Title II of Division B of Public Law 109–13, codified at 49 U.S.C. 30301 note. The REAL ID regulations, which DHS issued in January 2008, establish the minimum standards that States must meet to comply with the Act. See 73 FR 5272, also 6 CFR part 37 (Jan. 29, 2008). These include requirements for presentation and verification of documents to establish identity and lawful status, standards for document issuance and security, and physical security requirements for driver's license production facilities. For a State to achieve full compliance, the Department of Homeland Security (DHS) must make a final determination that the State has met the requirements contained in the regulations and is compliant with the Act. The regulations include new information reporting and record keeping requirements for States seeking a full compliance determination by DHS. As discussed in more detail below, States seeking DHS's full compliance determination must certify that they are meeting certain standards in the issuance of driver's licenses and identification cards and submit security plans covering physical security of document production and storage facilities as well as security of personally identifiable information. 6 CFR 37.55(a). States also must conduct background checks and training for employees involved in the document production and issuance processes and retain and store applicant photographs and other source documents. 6 CFR 37.31 and 37.45. States must recertify compliance with REAL ID every three years on a rolling basis as determined by the Secretary of Homeland Security. 6 CFR 37.55.

Certification Process Generally

Section 202(a)(2) of the REAL ID Act requires the Secretary to determine whether a State is meeting its requirements, ''based on certifications made by the State to the Secretary.'' To assist DHS in making a final compliance determination, 37.55 of the rule requires the submission of the following materials:

(1) A certification by the highest level Executive official in the state overseeing the DMV that the state has implemented a program for issuing driver's licenses and identification cards in compliance with the REAL ID Act.

(2) A letter from the Attorney General of the State confirming the State has the legal authority to impose requirements necessary to meet the standards.

(3) A description of a State's exceptions process to accept alternate documents to establish identity and lawful status and wavier process used when conducting background checks for individuals involved in the document production process.

(4) The State's security plan.

Additionally, after a final compliance determination by DHS, states must recertify compliance every three years on a rolling basis as determined by DHS. 6 CFR 37.55(b).

State REAL ID programs will be subject to DHS review to determine whether the state meets the requirements for compliance. States must cooperate with DHS's compliance review and provide any reasonable information requested by DHS relevant to determining compliance. Under the rule, DHS may inspect sites associated with the enrollment of applicants and the production, manufacture, personalization, and issuance of driver's licenses or identification cards. DHS also may conduct interviews of employees and contractors involved in the document issuance, verification, and production processes. 6 CFR 37.59(a).

Following a review of a State's certification package, DHS may make a preliminary determination that the State needs to take corrective actions to achieve full compliance. In such cases, a State may have to respond to DHS and explain the actions it took or plans to take to correct any deficiencies cited in the preliminary determination or alternatively, detail why the DHS preliminary determination is incorrect. 6 CFR 37.59(b).

Security Plans

In order for States to be in compliance with the Act, they must ensure the security of production facilities and materials and conduct background checks and fraudulent document training for employees involved in document issuance and production. REAL ID Act sec. 202(d)(7)–(9). The Act also requires compliant licenses and identification cards to include features to prevent tampering, counterfeiting, or duplication. REAL ID Act sec. 202(b). To document compliance with these requirements the regulations require States to prepare a security plan and submit it as part of their certification package. 6 CFR 37.41. At a minimum, the security plan must address steps the State is taking to ensure:

- the physical security of production materials and storage and production facilities;
- security of personally identifiable information maintained at DMVs including a privacy policy and standards and procedures for document retention and destruction;
- document security features including a description of the use of biometrics and the technical standards used;
- facility access control including credentialing and background checks;
- fraudulent document and security awareness training;
- emergency response;
- internal audit controls; and
- an affirmation that the State possesses the authority and means to protect the confidentiality of REAL ID documents issued in support of criminal justice agencies or similar programs.

The security plan also must include a report on card security and integrity.

Background Checks and Waiver Process

Within its security plans, the rule requires States to outline their approach to conducting background checks of certain DMV employees involved in the card production process. 6 CFR 37.45. Specifically, States are required to perform background checks on persons who are involved in the manufacture or production of REAL ID driver's licenses and identification cards, as well as on individuals who have the ability to affect the identity information that appears on the driver's license or identification card and on current employees who will be assigned to such positions. The background check must include a name-based and fingerprint-based criminal history records check, an employment eligibility check, and for newer employees a prior employment reference check. The regulation permits a State to establish procedures to allow for a waiver for certain background check requirements in cases, for example, where the employee has been arrested, but no final disposition of the matter has been reached.

Exceptions Process

Under the rule, a State DMV may choose to establish written, defined exceptions process for persons who, for reasons beyond their control, are unable to present all necessary documents and must rely on alternate documents to establish identity, and date of birth. 6 CFR 37.11(h). Alternative documents to demonstrate lawful status will only be allowed to demonstrate U.S. citizenship. The State must retain copies or images of the alternate documents accepted under the exceptions process and submit a report with a copy of the exceptions process as part of its certification package.

Recordkeeping

The rule requires States to maintain photographs of applicants and records of certain source documents. Paper or microfiche copies of these documents must be retained for a minimum of seven years. Digital images of these documents must be retained for a minimum of ten years. 6 CFR 37.31.

Extension Requests

Pursuant to 37.63 of the Final Rule, States granted an initial extension may file a request for an additional extension. Subsequent extensions will be granted at the discretion of the Secretary.

Issuance Data

To assist in program administration and enforcement planning efforts, DHS is requesting data from the states describing (1) the total number of driver's license/identification card holders in the state, (2) the total number of REAL ID compliant licenses and identification cards issued by the state, and (3) the total number of noncompliant licenses and identification cards issued by the state.

The collection of the information will support the information needs of DHS in its efforts to determine state compliance with requirements for issuing REAL ID driver's licenses and identification cards. States may submit the required documents in any format that they choose. DHS has not defined specific format submission requirements for states. DHS will use all of the submitted documentation to evaluate State progress in implementing the requirements of the REAL ID Final Rule. DHS has used information provided under the current collection to grant extensions and track state progress. Collection of the issuance data will help DHS and other federal agencies in planning for full enforcement.

Submission of the security plan helps to ensure the integrity of the license and identification card issuance and production process and outlines the measures taken to protect personal information collected, maintained, and used by state DMVs. Additionally, the collection will assist other Federal and State agencies conducting or assisting with necessary background and immigration checks for certain employees. The purpose of the name-based and fingerprint based CHRC requirement is to ensure the suitability and trustworthiness of individuals who have the ability to affect the identity information that appears on the license; have access to the production process; or who are involved in the manufacture or issuance of the licenses and identification cards.

In compliance with GPEA, States will be permitted to electronically submit the information for their security plans, certification packages, recertifications, extensions, written exceptions processes, and issuance data. States will be permitted to submit electronic signatures but must keep the original signature on file. Additionally, because they contain sensitive security information (SSI), the security plans must be handled and protected in accordance with 49 CFR part 1520. 6 CFR 37.41(c). The final rule does not dictate how States must submit their employees' fingerprints to the FBI for background checks; however it is assumed States will do so via electronic means or another means determined by the FBI.

The information collection discussed in this analysis applies to states, state agencies, and certain employees involved in the card production process. Therefore, it is DHS's belief that the information collection does not have a significant impact on a substantial number of small businesses.

In accordance with the regulations, submission of certification materials and security plans will assist DHS in determining full compliance. DHS may also review documents, audit processes, and conduct inspections. Failure to make a compliance determination would prevent state-issued licenses and identification cards from being used for official purposes, which includes boarding commercial aircraft and accessing federal facilities. Additional requirements for recordkeeping, document retention and storage, as well as background checks for certain employees help to ensure the integrity of the card production and issuance process and will assist DHS during audits or inspections of a state's processes. Submission of issuance data will assist DHS in evaluating individual state and the overall issuance rate of REAL IDs, which will help in enforcement planning efforts.

Information provided will be protected from disclosure to the extent appropriate under applicable provisions of the Freedom of Information Act, the Privacy Act of 1974, the Driver's Privacy Protection Act, as well as DHS's Privacy Impact Assessment for the REAL ID Act.

There has been no program changes or new requirements established as a result of this collection request.

Extensions were covered in the initial request however it was incorrectly removed from the subsequent request.

The submission of issuance data by the states was not included in the original ICR or its subsequent renewals or updates.

The Office of Management and Budget is particularly interested in comments which:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency'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 through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses.

Analysis

Agency: Department of Homeland Security (DHS).

Title: Minimum Standards for Driver's licenses and Identification Cards Acceptable by Federal Agencies for Official Purposes.

OMB Number: 1601–0005.

Frequency: Annually.

Affected Public: State, Local, Tribal Government.

Number of Respondents: 56.

Estimated Time per Respondent: 1.

Total Burden Hours: 444,134.

Kalinka Cihlar,

Deputy Executive Director, Business Management Directorate.

[FR Doc. 2022–23630 Filed 10–28–22; 8:45 am]

BILLING CODE 9112–FL–P

DEPARTMENT OF HOMELAND SECURITY

[Docket Number—DHS–2022–0018]

Real ID Applicant Information and Documentation

AGENCY: Department of Homeland Security (DHS).

ACTION: 30-Day notice and request for comments; Real ID Applicant Information and Document, OMB 1601–NEW.

SUMMARY: The Department of Homeland Security will submit the following information collection request (ICR) to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. DHS previously published this information collection request (ICR) in the **Federal Register** on Thursday, April 21, 2022, for a 60-day public comment period and there was one comment received by DHS. The purpose of this notice is to allow additional 30-days for public comments.

DATES: Comments are encouraged and will be accepted until November 30, 2022. This process is conducted in accordance with 5 CFR 1320.10.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent 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.

SUPPLEMENTARY INFORMATION: The REAL ID Act of 2005 (the Act) prohibits Federal agencies from accepting State-issued drivers' licenses or identification cards for any official purpose—defined in the Act and regulations to include accessing federal facilities, boarding federally regulated commercial aircraft, and entering nuclear power plants—unless the license or card is issued by a State that meets the requirements set forth in the Act. The REAL ID regulations, which DHS issued in January 2008, establish the minimum standards that States must meet to comply with the Act. DHS has a separate collection of information related to DHS interaction with States, *e.g.,* State certification (see OMB Control No. 1601–0005). By contrast to that collection of information, this collection of information relates to the States' collection of information from driver's license applicants.

Initial information and Documentation

The Act and regulations also prescribe the documents and information an individual must present as proof of identity and lawful status when applying for a REAL ID compliant license or identification card. This includes information and documentation establishing a person's identity, date of birth, social security number, residence address, and evidence of U.S. citizenship or lawful status in the United States. Additionally, states may permit an applicant to establish a name other than the name that appears on a source document but must require evidence of the name change through presentation of documents issued by a court, governmental body or other entity as determined by the state. The costs of these activities are one-time costs because they accrue as part of the initial issuance process only.

Reissuance and Renewal

With certain exceptions, the REAL ID regulations generally permit an applicant to renew or obtain a reissued replacement REAL ID license or identification card remotely and without presenting additional documentation or information. States may not, however, remotely renew or reissue a replacement license or identification card where there has been a material change in any personally identifiable information since the prior issuance. In such cases, an applicant must present documentation establishing the material change. The regulations also require applicants to renew their REAL ID licenses and identification cards in-person at least once every sixteen years. Additionally, holders of temporary or limited-term REAL ID driver's licenses and identification cards must present

evidence of continued lawful status when renewing their license or identification card.

In addition to requiring applicants to present certain identity and lawful status documentation and information as described in paragraph 1 above, the REAL ID Act and regulations require states to verify and retain copies of that information. These requirements help states to ensure the authenticity of an applicant's information and reduce opportunities for fraud in the application and document issuance process. The regulations specifically require states to verify identity and lawful status information and documentation presented by an applicant to ensure (1) the source document provided is genuine and has not been altered (''document authentication''), and (2) the identity data contained on the document is valid (''data verification''). States must verify documents and information provided by an applicant with the issuer of the document and use electronic validation systems as they become available for use. For example, to verify an applicant's lawful status in the United States, the regulations require states to verify a document issued by the Department of Homeland Security through the use of the Systematic Alien Verification for Entitlements (SAVE) system or alternate method approved by DHS. Similarly, states must verify documents issued by the U.S. Department of State, including U.S. passports, with the Department of State, social security information with the Social Security Administration, and birth certificates using the Electronic Verification of Vital Events (EVVE) system or other electronic system when the records are available. The regulations also require state department of motor vehicle employees who are involved in the handling of an applicant's source documents or who are engaged in the issuance of driver's licenses and identification cards to undergo periodic fraudulent document recognition training and security awareness training. The Act and regulations also require states to retain copies of the application, declaration, and source documents, including documents establishing name changes for either seven years or ten years depending on whether the documents are retained electronically or in paper format.

Applicants for REAL ID licenses and identification cards generally submit their documentation and information in-person at a state DMV office. During the application process the state will review and make copies of an applicant's information, collect the completed application, take the applicant's photograph, and obtain a declaration that the information presented is true and correct. Although this transaction generally occurs in-person, DHS has provided guidance authorizing states to allow applicants to pre-submit identity and lawful status source documents through a secure electronic process in advance of an in-person DMV visit at which time the applicant would physically present those same documents for authentication and verification by DMV personnel. States that utilize this process have indicated that it helps to ensure an applicant has the correct information and reduces customer wait times by allowing the state to electronically copy the information in advance of the visit.

In December 2020, Congress enacted the REAL ID Modernization Act, which includes provisions that would allow states to accept applicant information through electronic transmission methods following the DHS issuance of regulations and state certification that they comply with those regulations. DHS is in the process of developing regulations to implement this provision, which when implemented by the state could help to reduce the burden's associated with an in-person DMV visit to obtain a REAL ID compliant license or identification card.

The information collection discussed in this analysis applies to applicant's for REAL ID licenses and identification cards. Therefore, it is DHS's belief that the information collection does not have a significant impact on a substantial number of small businesses.

Without the presentation, verification, and retention of applicant identity and lawful status documentation and information, states would be unable to comply with REAL ID requirements. As a consequence, individuals would be unable to use their state-issued driver's license or identification card for REAL ID official purposes. This is a new collection.

The Office of Management and Budget is particularly interested in comments which:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency'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 through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses.

Analysis

Agency: Department of Homeland Security (DHS).

Title: REAL ID Applicant Information and Documentation.

OMB Number: 1601–NEW.

Frequency: Annually.

Affected Public: Public.

Number of Respondents: 89,958,000.

Estimated Time per Respondent: 2.42.

Total Burden Hours: 34,887,000.

Kalinka Cihlar,

Deputy Executive Director, Business Management Directorate.

[FR Doc. 2022–23656 Filed 10–28–22; 8:45 am]

BILLING CODE 9112–FL–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AA–11264, AA–11321, AA–11463, AA–11571, AA–11573, AA–11576, AA–11581, AA–11582; 234.LLAK944000.L14100000.HY0000.P]

Alaska Native Claims Selection

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Decision Approving Lands for Conveyance.

SUMMARY: The Bureau of Land Management (BLM) hereby provides constructive notice that it will issue an appealable decision approving conveyance of the surface and subsurface estates in certain lands to Calista Corporation, an Alaska Native regional corporation, pursuant to the Alaska Native Claims Settlement Act of 1971 (ANCSA).

DATES: Any party claiming a property interest in the lands affected by the decision may appeal the decision in accordance with the requirements of 43 CFR part 4 within the time limits set out in the **SUPPLEMENTARY INFORMATION** section.

ADDRESSES: You may obtain a copy of the decision from the Bureau of Land Management, Alaska State Office, 222 West Seventh Avenue, #13, Anchorage, AK 99513–7504.

FOR FURTHER INFORMATION CONTACT: Abby Muth, Land Law Examiner, BLM Alaska State Office, 907–271–3345 or *amuth@blm.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. The relay service is available 24 hours a day, 7 days a week, to leave a message or question with the BLM. The BLM will reply during normal business hours.

SUPPLEMENTARY INFORMATION: As required by 43 CFR 2650.7(d), notice is hereby given that the BLM will issue an appealable decision to Calista Corporation. The decision approves conveyance of surface and subsurface estates in certain lands pursuant to ANCSA (43 U.S.C. 1601, *et seq.*), as amended.

The lands are located within the Yukon Delta National Wildlife Refuge, in the following townships, and aggregate 34.29 acres: T. 19 N., R. 64 W., Seward Meridian (SM); T. 19 N., R. 65 W., SM; T. 28 N., R. 67 W., SM; T. 13 N., R. 79 W., SM; T. 19 N., R. 85 W., SM; T. 19 N., R. 92 W., SM. The decision addresses public access easements, if any, to be reserved to the United States pursuant to Sec. 17(b) of ANCSA (43 U.S.C. 1616(b)), in the lands approved for conveyance.

The BLM will also publish notice of the decision once a week for four consecutive weeks in ''The Delta Discovery'' newspaper.

Any party claiming a property interest in the lands affected by the decision may appeal the decision in accordance with the requirements of 43 CFR part 4 within the following time limits:

1. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who fail or refuse to sign their return receipt, and parties who receive a copy of the decision by regular mail which is not certified, return receipt requested, shall have until November 30, 2022 to file an appeal.

2. Parties receiving service of the decision by certified mail shall have 30 days from the date of receipt to file an appeal.

Parties who do not file an appeal in accordance with the requirements of 43 CFR part 4 shall be deemed to have waived their rights. Notices of appeal transmitted by facsimile will not be accepted as timely filed.

Abby Muth,

Land Law Examiner, Adjudication Section.

[FR Doc. 2022–23560 Filed 10–28–22; 8:45 am]

BILLING CODE 4331–10–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AA–9438, AA–9440, AA–9456, AA–9498, AA–9518, AA–9520, AA–9521, AA–9622, AA–9793, AA–9895, AA–10348, AA–11272; 234.LLAK944000. L14100000.HY0000.P]

Alaska Native Claims Selection

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Decision Approving Lands for Conveyance.

SUMMARY: The Bureau of Land Management (BLM) hereby provides constructive notice that it will issue an appealable decision approving conveyance of the surface and subsurface estates in certain lands to Calista Corporation, an Alaska Native regional corporation, pursuant to the Alaska Native Claims Settlement Act of 1971 (ANCSA). The lands approved for conveyance lie entirely within the Yukon Delta National Wildlife Refuge.

DATES: Any party claiming a property interest in the lands affected by the decision may appeal the decision in accordance with the requirements of 43 CFR part 4 within the time limits set out in the **SUPPLEMENTARY INFORMATION** section.

ADDRESSES: You may obtain a copy of the decision from the Bureau of Land Management, Alaska State Office, 222 West Seventh Avenue, #13, Anchorage, AK 99513–7504.

FOR FURTHER INFORMATION CONTACT: Rebecca Curtiss, Land Law Examiner, BLM Alaska State Office, 907–271–5066 or *rcurtiss@blm.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: As required by 43 CFR 2650.7(d), notice is hereby given that the BLM will issue an appealable decision to Calista Corporation. The decision approves conveyance of surface and subsurface estates in certain lands pursuant to ANCSA (43 U.S.C. 1601, *et seq.*), as amended.

The lands aggregate 137.39 acres and are located within the Yukon Delta National Wildlife Refuge in the following townships: T. 9 N., R. 79 W., Seward Meridian (SM); T. 11 N., R. 79 W., SM; T. 8 N., R. 80 W., SM; T. 9 N., R. 80 W., SM; T. 16 N., R. 88 W., SM; T. 23 N., R. 89 W., SM; T 20 N., R. 93 W., SM.

The decision addresses public access easements, if any, to be reserved to the United States pursuant to Sec. 17(b) of ANCSA (43 U.S.C. 1616(b)), in the lands approved for conveyance.

The BLM will also publish notice of the decision once a week for four consecutive weeks in ''The Delta Discovery'' newspaper.

Any party claiming a property interest in the lands affected by the decision may appeal the decision in accordance with the requirements of 43 CFR part 4 within the following time limits:

1. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who fail or refuse to sign their return receipt, and parties who receive a copy of the decision by regular mail, which is not certified, return receipt requested, shall have until November 30, 2022 to file an appeal.

2. Parties receiving service of the decision by certified mail shall have 30 days from the date of receipt to file an appeal.

Parties who do not file an appeal in accordance with the requirements of 43 CFR part 4 shall be deemed to have waived their rights. Notices of appeal transmitted by facsimile will not be accepted as timely filed.

Rebecca Curtiss,

Land Law Examiner, Adjudication Section.

[FR Doc. 2022–23562 Filed 10–28–22; 8:45 am]

BILLING CODE 4331–10–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AA–9279, AA–9280, AA–10239, AA–10318, AA–11257, AA–11430; 234.LLAK944000.L14100000.HY0000.P]

Alaska Native Claims Selection

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Decision Approving Lands for Conveyance.

SUMMARY: The Bureau of Land Management (BLM) hereby provides constructive notice that it will issue an appealable decision approving conveyance of the surface estate in

certain lands to Calista Corporation, an Alaska Native regional corporation, pursuant to the Alaska Native Claims Settlement Act of 1971 (ANCSA), as amended. The lands approved for conveyance lie entirely within Clarence Rhode National Wildlife Range, now known as the Yukon Delta National Wildlife Refuge. As provided by ANCSA, ownership of the subsurface estate in the same lands will be retained by the United States.

DATES: Any party claiming a property interest in the lands affected by the decision may appeal the decision in accordance with the requirements of 43 CFR part 4 within the time limits set out in the **SUPPLEMENTARY INFORMATION** section.

ADDRESSES: You may obtain a copy of the decision from the Bureau of Land Management, Alaska State Office, 222 West Seventh Avenue, #13, Anchorage, AK 99513–7504.

FOR FURTHER INFORMATION CONTACT: Rolando R. Masvidal, Land Law Examiner at BLM Alaska State Office, 907–271–4687, or *rmasvidal@blm.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: As required by 43 CFR 2650.7(d), notice is hereby given that the BLM will issue an appealable decision to Calista Corporation. The decision approves conveyance of the surface estate in certain lands pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601, *et seq.*), as amended. Ownership of the subsurface estate will be retained by the United States. The lands are located within the Yukon Delta National Wildlife Refuge, in the following townships, and aggregate 35.06 acres: T. 11 N., R. 89 W., Seward Meridian (SM); T. 16 N., R. 89 W., SM; T. 16 N., R. 90 W., SM; T. 1 S, R. 85 W., SM; T. 3 S, R. 100 W., SM; T. 4 S, R. 100 W., SM.

The decision addresses public access easements, if any, to be reserved to the United States pursuant to Sec. 17(b) of ANCSA (43 U.S.C. 1616(b)), in the lands described above. The BLM will also publish notice of the decision once a week for four consecutive weeks in ''The Delta Discovery'' newspaper. Any party claiming a property interest in the lands affected by the decision may appeal the decision in accordance with the requirements of 43 CFR part 4 within the following time limits:

1. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who fail or refuse to sign their return receipt, and parties who receive a copy of the decision by regular mail, which is not certified, return receipt requested, shall have until November 30, 2022 to file an appeal.

2. Parties receiving service of the decision by certified mail shall have 30 days from the date of receipt to file an appeal.

Parties who do not file an appeal in accordance with the requirements of 43 CFR part 4 shall be deemed to have waived their rights. Notices of appeal transmitted by facsimile will not be accepted as timely filed.

Rolando R. Masvidal,

Land Law Examiner, Adjudication Section.

[FR Doc. 2022–23588 Filed 10–28–22; 8:45 am]

BILLING CODE 4331–10–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AA–9395, AA–9396, AA–9397, AA–9400, AA–9401, AA–9402, AA–9404, AA–9408, AA–9696, AA–11327, AA–11328; 234.LLAK944000.L14100000. HY0000.P]

Alaska Native Claims Selection

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of decision approving lands for conveyance.

SUMMARY: The Bureau of Land Management (BLM) hereby provides constructive notice that it will issue an appealable decision approving conveyance of the surface estate in certain lands to Calista Corporation, an Alaska Native regional corporation, pursuant to the Alaska Native Claims Settlement Act of 1971 (ANCSA). The lands approved for conveyance lie entirely within Clarence Rhode National Wildlife Range, now known as the Yukon Delta National Wildlife Refuge. As provided by ANCSA, ownership of the subsurface estate in the same lands will be retained by the United States.

DATES: Any party claiming a property interest in the lands affected by the decision may appeal the decision in accordance with the requirements of 43 CFR part 4 within the time limits set out in the **SUPPLEMENTARY INFORMATION** section.

ADDRESSES: You may obtain a copy of the decision from the Bureau of Land Management, Alaska State Office, 222 West Seventh Avenue, #13, Anchorage, AK 99513–7504.

FOR FURTHER INFORMATION CONTACT: Rebecca Curtiss, Land Law Examiner, BLM Alaska State Office, 907–271–5066 or *rcurtiss@blm.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: As required by 43 CFR 2650.7(d), notice is hereby given that the BLM will issue an appealable decision to Calista Corporation. The decision approves conveyance of surface estate in certain lands pursuant to ANCSA (43 U.S.C. 1601, *et seq.*), as amended. Ownership of the subsurface estate will be retained by the United States.

The lands aggregate 148.33 acres and are located within the Yukon Delta National Wildlife Refuge in the following townships: T. 13 N., R. 89 W., Seward Meridian (SM); T. 13 N., R. 90 W., SM; T. 12 N., R. 91 W., SM; T. 13 N., R. 91 W., SM; T. 14 N., R. 91 W., SM.

The decision addresses public access easements, if any, to be reserved to the United States pursuant to Sec. 17(b) of ANCSA (43 U.S.C. 1616(b)), in the lands approved for conveyance.

The BLM will also publish notice of the decision once a week for four consecutive weeks in ''The Delta Discovery'' newspaper.

Any party claiming a property interest in the lands affected by the decision may appeal the decision in accordance with the requirements of 43 CFR part 4 within the following time limits:

1. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who fail or refuse to sign their return receipt, and parties who receive a copy of the decision by regular mail, which is not certified, return receipt requested, shall have until November 30, 2022 to file an appeal.

2. Parties receiving service of the decision by certified mail shall have 30 days from the date of receipt to file an appeal.

Parties who do not file an appeal in accordance with the requirements of 43 CFR part 4 shall be deemed to have waived their rights. Notices of appeal

transmitted by facsimile will not be accepted as timely filed.

Rebecca Curtiss,

Land Law Examiner, Adjudication Section.

[FR Doc. 2022–23561 Filed 10–28–22; 8:45 am]

BILLING CODE 4331–10–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–FOVA–NPS33107; PPPWFOVAA0 PPMPSAS1Z.Y00000]

Fort Vancouver National Historic Site; Relinquishment of Exclusive Jurisdiction

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: On behalf of the United States, the National Park Service has relinquished jurisdiction to the State of Washington in order to establish concurrent legislative jurisdiction over certain lands owned and administered by the National Park Service, known as the East and South Barracks, at Fort Vancouver National Historic Site.

DATES: Concurrent legislative jurisdiction within the East and South Barracks at Fort Vancouver National Historic Site became effective on October 5, 2022.

FOR FURTHER INFORMATION CONTACT: Tracy Fortmann, Superintendent, Fort Vancouver National Historic Site, 612 E Reserve Street, Vancouver, WA 98661–3811; *telephone:* 360–816–6205; *email: Tracy_Fortmann@nps.gov.*

SUPPLEMENTARY INFORMATION: On June 8, 1981, the Director of the National Park Service (NPS) relinquished jurisdiction and the Governor of the State of Washington accepted concurrent jurisdiction at Fort Vancouver National Historic Site. On May 22, 2012, the Department of Army transferred the East and South Barracks (''Barracks'') to the NPS for inclusion in the Fort Vancouver National Historic Site. On October 5, 2022, acting in accordance with the provisions of 54 U.S.C. 100754 and Revised Code of Washington section 37.04.050, the Director of the NPS relinquished jurisdiction and the Governor of the State of Washington accepted concurrent jurisdiction over the Barracks, in order to enable the United States and State of Washington to exercise concurrent jurisdiction over the Barracks consistent with the remainder of the Fort Vancouver National Historical Site.

Jennifer Flynn,

Associate Director, Visitor and Resource Protection, National Park Service.

[FR Doc. 2022–23659 Filed 10–28–22; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140–0107]

Agency Information Collection Activities; Proposed eCollection of eComments Requested; Extension of a Currently Approved Collection; National Firearms Act (NFA) Responsible Person Questionnaire—ATF Form 5320.23

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Department of Justice (DOJ) will submit the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for an additional 30 days until November 30, 2022.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent 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.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and, if so, how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through 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.

Overview of This Information Collection

1. *Type of Information Collection:* Extension with Revision of a Currently Approved Collection.

2. *The Title of the Form/Collection:* National Firearms Act (NFA) Responsible Person Questionnaire.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:*

Form number: ATF Form 5320.23.

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Business or other for-profit, Federal Government, State Local or Tribal Government.

Other: Not-for-profit institutions and Farms.

Abstract: The National Firearms Act (NFA) Responsible Person Questionnaire—ATF Form 5320.23 (ATF Form 5320.23) must be completed by a responsible person (RP), identified as part of a trust or legal entity on the Application to Make and Register a Firearm—ATF Form 1 (5320.1) (ATF Form 1). This form must also be completed by a RP who is the identified as the firearm maker or the transferee on the Application for Tax Paid Transfer and Registration of Firearm—ATF Form 4 (5320.4) (ATF Form 4), or the Application for Tax Exempt Transfer of Firearm—ATF Form 5 (5320.5) ATF Form 5.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 115,829 respondents will respond to this collection once annually, and it will take each respondent approximately 30 minutes to complete their responses.

6. *An estimate of the total public burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 57,914.5 or 57,915 hours, which is equal to 115,829 (total respondents) * 1 (# of response per respondent) * .5 (30

minutes or the time taken to prepare each response).

If additional information is required contact: Robert Houser, Department Clearance Officer, Policy and Planning Staff, Office of the Chief Information Officer, Justice Management Division, United States Department of Justice, Two Constitution Square, 145 N Street NE, 3.E–206, Washington, DC 20530.

Dated: October 25, 2022.

Robert Houser,

Department Clearance Officer, Policy and Planning Staff, Office of the Chief Information Officer, U.S. Department of Justice.

[FR Doc. 2022–23591 Filed 10–28–22; 8:45 am]

BILLING CODE 4410–FY–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1107]

Bulk Manufacturer of Controlled Substances Application: Nanosyn Inc.

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Nanoysn Inc. has applied to be registered as a bulk manufacturer of basic class(es) of controlled substance(s). Refer to **SUPPLEMENTARY INFORMATION** listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before December 30, 2022. Such persons may also file a written request for a hearing on the application on or before December 30, 2022.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on September 2, 2022, Nanosyn Inc., 3331 Industrial Drive, Suite B, Santa Rosa, California 95403–2062, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Oxymorphone	9652	II
Fentanyl	9801	II

The company is a contract manufacturer. At the request of the company's customers, it manufactures derivatives of the above controlled substances in bulk form. No other activities for these drug codes are authorized for this registration.

Kristi O'Malley,

Assistant Administrator.

[FR Doc. 2022–23609 Filed 10–28–22; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1109]

Bulk Manufacturer of Controlled Substances Application: Noramco

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Noramco has applied to be registered as a bulk manufacturer of basic class(es) of controlled substance(s). Refer to **SUPPLEMENTARY INFORMATION** listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before December 30, 2022. Such persons may also file a written request for a hearing on the application on or before December 30, 2022.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on September 29, 2022, Noramco, 500 Swedes Landing Road, Wilmington, Delaware 19801–4417, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Gamma Hydroxybutyric Acid.	2010	I
Marihuana	7360	I
Tetrahydrocannabinols	7370	I
Codeine-N-oxide	9053	I
Dihydromorphine	9145	I
Hydromorphinol	9301	I
Morphine-N-oxide	9307	I
Amphetamine	1100	II
Lisdexamfetamine	1205	II
Methylphenidate	1724	II
Nabilone	7379	II
Phenylacetone	8501	II
Codeine	9050	II
Dihydrocodeine	9120	II
Oxycodone	9143	II
Hydromorphone	9150	II
Hydrocodone	9193	II
Morphine	9300	II
Oripavine	9330	II
Thebaine	9333	II
Opium extracts	9610	II
Opium fluid extract	9620	II
Opium, tincture	9630	II
Opium, powdered	9639	II
Opium, granulated	9640	II
Oxymorphone	9652	II
Noroxymorphone	9668	II
Tapentadol	9780	II

The company plans to bulk manufacture the listed controlled substances as an Active Pharmaceutical Ingredient (API) for supply to its customers. In reference to drug codes 7360 (Marihuana), and 7370 (Tetrahydrocannabinols), the company plans to bulk manufacture these drugs as synthetic. No other activities for these drug codes are authorized for this registration.

Kristi O'Malley,

Assistant Administrator.

[FR Doc. 2022–23614 Filed 10–28–22; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1068]

Importer of Controlled Substances Application: Curia New York, Inc.

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Curia New York, Inc. has applied to be registered as an importer of basic class(es) of controlled substance(s). Refer to **SUPPLEMENTARY INFORMATION** listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before November 30, 2022. Such persons may also file a written request for a hearing on the application on or before November 30, 2022.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment. All requests for a hearing must be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrissette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on July 18, 2022, Curia New York, Inc., 33 Riverside Avenue, Rensselaer, New York 12144–2951, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
ANPP (4-Anilino-N-phenethyl-4-piperidine)	8333	II
Poppy Straw Concentrate	9670	II

The company plans to import the listed controlled substances to manufacture bulk controlled substances for distribution to its customers. No other activity for this drug code is authorized for this registration.

Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2). Authorization will not extend to the import of Food and Drug Administration-approved or non-approved finished dosage forms for commercial sale.

Kristi O'Malley,

Assistant Administrator.

[FR Doc. 2022–23612 Filed 10–28–22; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1108]

Importer of Controlled Substances Application: Mylan Technologies, Inc.

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Mylan Technologies, Inc. has applied to be registered as an importer of basic class(es) of controlled substance(s). Refer to **SUPPLEMENTARY INFORMATION** listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before November 30, 2022. Such persons may also file a written request for a hearing on the application on or before November 30, 2022.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment. All requests for a hearing must be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrissette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on October 4, 2022, Mylan Technologies, Inc., 110 Lake Street, Saint Albans, Vermont 05478–2266, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Methylphenidate	1724	II
Fentanyl	9801	II

The company plans to import the listed controlled substances in finished dosage form (FDF) from foreign sources for analytical testing and clinical trials in which the foreign FDF will be compared to the company's own domestically manufactured FDF. This analysis is required to allow the company to export domestically manufactured FDF to foreign markets. No other activity for this drug code is authorized for this registration.

Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2).

Authorization will not extend to the import of Food and Drug Administration-approved or non-approved finished dosage forms for commercial sale.

Kristi O'Malley,

Assistant Administrator.

[FR Doc. 2022–23613 Filed 10–28–22; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

[OMB Number 1121–XXXX]

Agency Information Collection Activities; Proposed eCollection; eComments Requested; Existing Collection in Use Without an OMB Control Number: AVUE Digital Services—Electronic Applications

AGENCY: Office of Justice Programs, Department of Justice.

ACTION: 30 Day notice.

SUMMARY: The Office of Justice Programs, Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: The Department of Justice encourages public comment and will accept input until November 30, 2022.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent 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.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Office of Justice Progrms, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through 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.

Overview of This Information Collection

1. *Type of Information Collection:* Existing collection in use without an OMB Control Number.

2. *The Title of the Form/Collection:* The Avue Digital Services application for federal employment.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* NA.

Sponsor: The Office of Justice Programs, Department of Justice.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* The primary respondents are public citizens who are applying for OJP federal positions. Avue is a web-based application system that provides automated support for posting federal vacancies. The applicants use the system to submit electronic applications for job vacancies. Candidates enter pertinent information and responds to a series of electronic screens and experience statements. The data is then certified and submitted for OJP HR Specialists to review and certify the applications. The candidate is automatically notified by email that his/her application has been received when he/she certifies and submits his/her electronic application and provided other status updates throughout the hiring cycle.

5. *An Estimate of the Total Number of Respondents and the Amount of Time Estimated for an Average Respondent to Respond:* In calendar year 2021, there were 1,707 applications submitted for jobs at OJP. A sampling of applicants who started and completed their OJP applications on the same day in 2021 was 740 applicants and using this sample, the system reported a total of 56,832 minutes for those 740 applications, or an average of 76.8 minutes (76 minutes, 48 seconds) spent on each application.

6. *An Estimate of the Total Public Burden (in hours) Associated with the collection:* The estimated public burden associated with this application is 949 hours in calendar year 2021. This is based on 740 applicants spending 77 (rounded up) minutes on each application for a total of 56,980 minutes.

If additional information is required contact: Robert Houser, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, United States Department of Justice, Two Constitution Square, 145 N Street NE, Suite 3E.206, Washington, DC 20530.

Dated: October 25, 2022

Robert Houser,

Department Clearance Officer, Policy and Planning Staff, Office of the Chief Information Officer, U.S. Department of Justice.

[FR Doc. 2022–23592 Filed 10–28–22; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

On October 24, 2022, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Northern District of Indiana in the lawsuit entitled *United States and State of Indiana* v. *Flexsteel Industries, Inc.,* Civil Action No. 3:22–cv–00893 [Docket No. 2].

The proposed Consent Decree resolves the alleged liability of Flexsteel Industries, Inc. (''Flexsteel'') at the Lane Street Ground Water Contamination Superfund Site in Elkhart, Indiana (the ''Site'') under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9606, 9607, and 9613, and Ind. Code §§ 13–25–4–9, 13–25–4–10, and 13–25–4–8, asserted in the Complaint, for payment by Flexsteel of $9.8 million. In return, the United States and State of Indiana agree not to sue Flexsteel under sections 106 and 107 of CERCLA or Ind. Code §§ 13–25–4–8 through IC 13–25–4–10 with respect to the Site.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and State of Indiana* v. *Flexsteel Industries, Inc,* D.J. Ref. No. 90–11–3–11767. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email	*pubcomment-ees.enrd@usdoj.gov.*

To submit comments:	Send them to:
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department website: *https://www.justice.gov/enrd/consent-decrees.* We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $4.75 (25 cents per page reproduction cost) payable to the United States Treasury.

Susan M. Akers,

Deputy Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2022–23568 Filed 10–28–22; 8:45 am]

BILLING CODE P

NATIONAL SCIENCE FOUNDATION

Agency Information Collection Activities: Comment Request

AGENCY: National Center for Science and Engineering Statistics, National Science Foundation.

ACTION: Notice.

SUMMARY: The National Center for Science and Engineering Statistics (NCSES) within the National Science Foundation invites the general public and other federal agencies to comment on a proposed information collection. NCSES plans to collect information from individuals to fulfill its data security requirements when providing the individual with access to restricted use microdata for the purpose of evidence building. NCSES's data security agreements and other paperwork along with the corresponding security protocols allow the agency to maintain careful controls on confidentiality and privacy, as required by law. The purpose of this notice is to allow for 60 days of public comment on the proposed data security information collection, prior to submission of the information collection request (ICR) to the Office of Management and Budget (OMB).

DATES: Written comments on this notice must be received by December 30, 2022 to be assured of consideration. Comments received after that date will be considered to the extent practicable. Send comments to the address below.

Comments: Comments are invited on (a) whether the proposed collection of information is necessary for the proper performance of the functions of NCSES, including whether the information will have practical utility; (b) the accuracy of NCSES estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, use, and clarity of the information on respondents, including through the use of automated collection techniques or other forms of information technology; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Suzanne H. Plimpton, Reports Clearance Officer, National Science Foundation, 2415 Eisenhower Avenue, Suite W18253, Alexandria, Virginia 22314; telephone (703) 292–7556; or send email to *splimpto@nsf.gov.* Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339, which is accessible 24 hours a day, 7 days a week, 365 days a year (including Federal holidays).

SUPPLEMENTARY INFORMATION: The Foundations for Evidence-Based Policymaking Act of 2018 mandates that the Office of Management and Budget (OMB) establish a Standard Application Process (SAP) for requesting access to certain confidential data assets. While the adoption of the SAP is required for statistical agencies and units designated under the Confidential Information Protection and Statistical Efficiency Act of 2018, it is recognized that other agencies and organizational units within the Executive branch may benefit from the adoption of the SAP to accept applications for access to confidential data assets. The SAP is to be a process through which agencies, the Congressional Budget Office, State, local, and Tribal governments, researchers, and other individuals, as appropriate, may apply to access confidential data assets held by a federal statistical agency or unit for the purposes of developing evidence. With the Interagency Council on Statistical Policy (ICSP) as advisors, the entities upon whom this requirement is levied are working with the SAP Project Management Office (PMO) and with OMB to implement the SAP. The SAP Portal is to be a single web-based common application for requesting access to confidential data assets from federal statistical agencies and units. NCSES submitted a **Federal Register** Notice in September 2022 announcing plans to collect information through the SAP Portal (87 FR 53793).

Once an application for confidential data is approved through the SAP Portal, NCSES will collect information to meet its data security requirements. This collection will occur outside of the SAP Portal.

Title of collection: Data Security Requirements for Accessing Confidential Data.

OMB Control Number: 3145–NEW.

Expiration Date of Current Approval: Not Applicable.

Type of Request: Intent to seek approval to collect information to fulfill NCSES's security requirements allowing individuals to access confidential data assets for the purposes of building evidence.

Abstract: Title III of the Foundations for Evidence-Based Policymaking Act of 2018 (hereafter referred to as the Evidence Act) mandates that OMB establish a Standard Application Process (SAP) for requesting access to certain confidential data assets. Specifically, the Evidence Act requires OMB to establish a common application process through which agencies, the Congressional Budget Office, State, local, and Tribal governments, researchers, and other individuals, as appropriate, may apply for access to confidential data assets collected, accessed, or acquired by a statistical agency or unit. This new process will be implemented while maintaining stringent controls to protect confidentiality and privacy, as required by law.

Data collected, accessed, or acquired by statistical agencies and units is vital for developing evidence on the characteristics and behaviors of the public and on the operations and outcomes of public programs and policies. This evidence can benefit the stakeholders in the programs, the broader public, as well as policymakers and program managers at the local, State, Tribal, and National levels. The many benefits of access to data for evidence building notwithstanding, NCSES is required by law to maintain careful controls that allow it to minimize disclosure risk while protecting confidentiality and privacy. The fulfillment of NCSES's data security requirements places a degree of burden on individuals, which is outlined below.

The SAP Portal is a web-based application to allow individuals to

request access to confidential data assets from federal statistical agencies and units. The objective of the SAP Portal is to broaden access to confidential data for the purposes of evidence building and reduce the burden of applying for confidential data. Once an individual's application in the SAP Portal has received a positive determination, the data-owning agency(ies) or unit(s) will begin the process of collecting information to fulfill their data security requirements.

The paragraphs below outline the SAP Policy, the steps to complete an application through the SAP Portal, and the process NCSES uses to collect information fulfilling its data security requirements.

The SAP Policy: At the recommendation of the ICSP, the SAP Policy establishes the SAP to be implemented by statistical agencies and units and incorporates directives from the Evidence Act. The policy is intended to provide guidance as to the application and review processes using the SAP Portal, setting forth clear standards that enable statistical agencies and units to implement a common application form and a uniform review process. The SAP Policy was submitted to the public for comment in January 2022 (87 FR 2459). The policy is currently under review and has not yet been finalized.

The SAP Portal: The SAP Portal is an application interface connecting applicants seeking data with a catalog of metadata for data assets owned by the federal statistical agencies and units. The SAP Portal is not a new data repository or warehouse; confidential data assets will continue to be stored in secure data access facilities owned and hosted by the federal statistical agencies and units. The Portal will provide a streamlined application process across agencies, reducing redundancies in the application process. This single SAP Portal will improve the process for applicants, tracking and communicating the application process throughout its lifecycle. This reduces redundancies and burden on applicants who request access to data from multiple agencies. The SAP Portal will automate key tasks to save resources and time and will bring agencies into compliance with the Evidence Act statutory requirements.

Data Discovery: Individuals begin the process of accessing restricted use data by discovering confidential data assets through the SAP metadata catalog maintained by federal statistical agencies at *www.researchdatagov.org.* Potential applicants can search by agency, topic, or keyword to identify data of interest or relevance. Once they have identified data of interest, applicants can view metadata outlining the title, description or abstract, scope and coverage, and detailed methodology related to a specific data asset to determine its relevance to their research.

While statistical agencies and units shall endeavor to include information in the SAP metadata catalog on all confidential data assets for which they accept applications, it may not be feasible to include metadata for some data assets (*e.g.,* potential special tabulations of administrative data). A statistical agency or unit may still accept an application through the SAP Portal even if the requested data asset or special tabulation is not listed in the SAP metadata catalog.

SAP Application Process: Individuals who have identified and wish to access confidential data assets will be able to apply for access through the SAP Portal when it is released to the public in late 2022. Applicants must create an account and follow all steps to complete the application. Applicants begin by entering their personal, contact, and institutional information, as well as the personal, contact, and institutional information of all individuals on their research team. Applicants provide summary information about their proposed project to include project title, duration, funding, and timeline. Other details provided by applicants include the data asset(s) they are requesting and any proposed linkages to data not listed in the SAP metadata catalog, including non-federal data sources. Applicants then enter detailed information regarding their proposed project, including a project abstract, research question(s), literature review, project scope, research methodology, project products, and anticipated output. Within the application, applicants must demonstrate a need for confidential data, outlining why their research question cannot be answered using publicly available information.

Submission for Review: Upon submission of their application, applicants will receive a notification that their application has been received and is under review by the data-owning agency or agencies (in the event where data assets are requested from multiple agencies). At this point, applicants will also be notified that application approval does not alone grant access to confidential data, and that, if approved, applicants must comply with the data-owning agency's security requirements outside of the SAP Portal, which may include a background check.

In accordance with the Evidence Act and the direction of the ICSP, agencies will approve or reject an application within a prompt timeframe. In some cases, agencies may determine that additional clarity, information, or modification is needed and request the applicant to ''revise and resubmit'' their application.

Data discovery, the SAP application process, and the submission for review are planned to take place within the web-based SAP Portal. As noted above, the notice announcing plans to collect information through the SAP Portal has been published separately (87 FR 53793).

Access to Restricted Use Data: In the event of a positive determination, the applicant will be notified that their proposal has been accepted. The positive or final adverse determination concludes the SAP Portal process. In the instance of a positive determination, the data-owning agency (or agencies) will contact the applicant to provide instructions on the agency's security requirements that must be completed by the applicant to gain access to the confidential data. The completion and submission of the agency's security requirements will take place outside of the SAP Portal.

Collection of Information for Data Security Requirements: In the instance of a positive determination for an application requesting access to an NCSES-owned confidential data asset, NCSES will contact the applicant(s) to initiate the process of collecting information to fulfill its data security requirements. This process allows NCSES to place the applicant(s) in a trusted access category and includes the collection of the following information from applicant(s):

- Restricted-use licensing agreement—This document is an agreement between NCSES and the applicant's organization provisioning NCSES's confidential data assets exclusively for statistical purposes in accordance with the terms and conditions stated in the agreement and all prevailing laws and regulations. The agreement requires signatures from the applicant(s) and a senior official at the applicant's organization who has the authority to enter the organization into a legal agreement with NCSES.
- Security plan form—This document requests information from the applicant(s) to ensure the confidential data assets are protected from unauthorized access, disclosure, or modification. The information collected in the security plan form includes the following:
  - planned work location address(es),

○ workstation specifications (make, model, serial number, type, and operating system),

○ workstation authorized users,

○ workstation monitor position (to prevent unauthorized viewing), and

○ workstation antivirus brand and version.

In addition, the applicant(s) must initial a series of security measures to indicate compliance. Finally, the form requires signatures from the applicant(s), a senior official at the applicant's organization, and a System Security Officer (SSO) at the applicant's organization. The SSO, in signing the Security plan form, assures the inspection and integrity of the applicant's security plan.

• Affidavit of nondisclosure form—This document describes the confidentiality protections the applicant(s) must uphold and the penalties for unauthorized access or disclosure. The form requires signatures from the applicant(s) and the principal researcher for the project as well as the imprint of a notary public.

Estimate of Burden: The amount of time to complete the agreements and other paperwork that comprise NCSES's security requirements will vary based on the confidential data assets requested. To obtain access to NCSES confidential data assets, it is estimated that the average time to complete and submit NCSES's data security agreements and other paperwork is 30 minutes. This estimate does not include the time needed to complete and submit an application within the SAP Portal. All efforts related to SAP Portal applications occur prior to and separate from NCSES's effort to collect information related to data security requirements.

The expected number of applications in the SAP Portal that receive a positive determination from NCSES in a given year may vary. Overall, per year, NCSES estimates it will collect data security information for 20 application submissions that received a positive determination within the SAP Portal. NCSES estimates that the total burden for the collection of information for data security requirements over the course of the three-year OMB clearance will be about 30 hours and, as a result, an average annual burden of 10 hours.

Dated: October 26, 2022.

Suzanne H. Plimpton,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 2022–23629 Filed 10–28–22; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 72–51, 72–1014, 50–247, and 50–286; NRC–2022–0152]

Holtec Decommissioning International, LLC; Indian Point Energy Center; Independent Spent Fuel Storage Installation

AGENCY: Nuclear Regulatory Commission.

ACTION: Environmental assessment and finding of no significant impact; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is considering an exemption request from Holtec Decommissioning International, LLC (HDI) for the Indian Point Energy Center Independent Spent Fuel Storage Installation. This exemption would, if granted, allow HDI to load up to three MPC–32Ms, using Amendment No. 15 for Certificate of Compliance (CoC) No. 1014 for the HI–STORM 100 storage system, with either up to thirty-two fuel assemblies having either Californium (Cf-252) or Antimony-Beryllium (Sb-Be) neutron source assemblies (NSAs) with sufficient cooling time, or a combination of up to five fuel assemblies having primary Plutonium Beryllium (Pu-Be) NSAs and the remaining basket locations with fuel assemblies having either Cf-252 or Sb-Be NSAs with sufficient cooling time. As discussed further, the proposed exemption would permit HDI to load the fuel assemblies having either Cf-252 or Sb-Be NSAs in any location in the basket and the fuel assemblies having Pu-Be NSAs such that one is located in the center of the basket and one is located in each of the four basket quadrants. The NRC prepared an environmental assessment (EA) and concluded that the proposed action would have no significant environmental impact. Accordingly, the NRC staff is issuing a finding of no significant impact (FONSI) associated with the proposed exemption.

DATES: The EA and FONSI referenced in this document are available October 31, 2022.

ADDRESSES: Please refer to Docket ID NRC–2022–0152 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

• *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2022–0152. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: *Stacy.Schumann@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

• *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *PDR.Resource@nrc.gov.* For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the ''Availability of Documents'' section.

• *NRC's PDR:* You may examine and purchase copies of public documents, by appointment, at the NRC's PDR, Room P1 B35, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Chris Allen, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555; telephone: 301–415–6877; email: *William.Allen@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC is reviewing an exemption request from Holtec Decommissioning International, LLC (HDI) dated March 24, 2022, as supplemented via a June 16, 2022, Microsoft Teams conversation and a September 20, 2022, Microsoft Teams call. Therefore, as required by sections 51.21 and 51.30(a) of title 10 of the *Code of Federal Regulations* (10 CFR), the NRC performed an environmental assessment (EA). Based on the results of the EA, discussed further, the NRC has determined not to prepare an environmental impact statement for the exemption request and is issuing a finding of no significant impact (FONSI).

In its exemption request, HDI stated that it intends to store Pressurized Water Reactor spent fuel at the Indian Point Energy Center Independent Spent Fuel Storage Installation (ISFSI) using the HI–STORM 100 storage system, Certificate of Compliance (CoC) No. 1014, Amendment No. 15 under the

general license provisions in 10 CFR part 72, ''Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater Than Class C Waste.'' HDI requested an exemption from the requirements of 10 CFR 72.212(b)(3), and the portion of 10 CFR 72.212(b)(11) that states ''[t]he licensee shall comply with the terms, conditions, and specifications of the certificate of compliance (CoC).''

Specifically, HDI requested an exemption that, if granted, would allow it to load up to three MPC–32Ms, using Amendment No. 15 for CoC No. 1014, with either up to thirty-two fuel assemblies having either Californium-252 (Cf-252) or Antimony-Beryllium (Sb-Be) NSAs with sufficient cooling time, or a combination of up to five fuel assemblies having primary Plutonium Beryllium (Pu-Be) NSAs and the remaining basket locations with fuel assemblies having either Cf-252 or Sb-Be NSAs with sufficient cooling time. Further, as discussed in this notice, the exemption would permit HDI to load the fuel assemblies having either Cf-252 or Sb-Be NSAs in any location in the basket and the fuel assemblies having Pu-Be NSAs such that one is located in the center of the basket and one is located in each of the four basket quadrants. Additionally, although HDI's analysis included information about fuel assemblies having Polonium-Beryllium (Po-Be) NSAs, based on the September 20, 2022 Microsoft Teams call, the NRC staff understands that HDI does not have fuel assemblies with Po-Be NSAs.

Although HDI only requested exemptions from 10 CFR 72.12(b)(3) and (b)(11), to carry out this action, the NRC would also need to grant exemptions from 72.212(a)(2), (b)(5)(i), and 72.214. Consequently, in evaluating the request, the NRC also considered, pursuant to its authority in 10 CFR 72.7, exempting HDI from the requirements in 10 CFR 72.212(a)(2), 10 CFR 72.212(b)(5)(i); and 10 CFR 72.214. For clarity, when this **Federal Register** notice refers to HDI's requested exemption, it means both the two provisions from which HDI requested exemption and the additional provisions from which the NRC staff is considering exempting HDI on its own initiative.

II. Environmental Assessment

Description of the Proposed Action

The proposed action, if granted, would permit HDI to load up to three MPC–32Ms with multiple fuel assemblies that have NSAs, that cannot be removed from the fuel assembly, under Amendment No. 15 of CoC No. 1014. More specifically, the exemption would, if granted, allow HDI to load up to three MPC–32Ms, using Amendment No. 15 for CoC No. 1014, with either up to thirty-two fuel assemblies having either Cf-252 or Sb-Be NSAs with sufficient cooling time, or a combination of up to five fuel assemblies having primary Pu-Be NSAs and the remaining basket locations with fuel assemblies having either Cf-252 or Sb-Be NSAs with sufficient cooling time. Appendix D, table 2.1–1, section V, ''MPC MODEL: MPC–32M,'' Item C of Amendment No. 15 for CoC No. 1014 only permits general licensees to load a single NSA per cask. Further, per FSAR table 2.II.1.1, Rev. 22, the single NSA must be located in a cell in the inner part of the basket (*i.e.,* fuel storage location 13, 14, 19, or 20). Accordingly, the exemption, if granted, would also permit HDI to load the fuel assemblies having either Cf-252 or Sb-Be NSAs in any location in the basket and the fuel assemblies having Pu-Be NSAs such that one is located in the center of the basket and one is located in each of the four basket quadrants.

Under the requirements of 10 CFR 51.21 and 10 CFR 51.30(a), the NRC staff developed an EA to evaluate the proposed action. The EA defines the NRC's proposed action (*i.e.,* to grant, if appropriate, an exemption from the requirements of 10 CFR 72.212(a)(2), (b)(3), (b)(5)(i) and 10 CFR 72.214 per 10 CFR 72.7) and the purpose of and need for the proposed action. Evaluations of the potential environmental impacts of the proposed action and alternatives to the proposed action are presented further, followed by the NRC's conclusion.

Need for the Proposed Action

HDI is currently decommissioning Indian Point Unit 2 and Indian Point Unit 3 and, as part of that decommissioning, is transferring all spent fuel assemblies from the Indian Point Energy Center (Indian Point) Units 2 and 3 spent fuel pools to the ISFSI. HDI currently plans to load Indian Point Unit 2 spent fuel assemblies and the NSAs during the fall of 2022. HDI also plans to commence loading Indian Point Unit 3 spent fuel assemblies and the NSAs in February 2023. Without this exemption, the licensee would have to pause loading until the NRC staff could process a CoC amendment. This would require the licensee to prolong the use of the spent fuel pools and their cleaning system. Longer use of the spent fuel pool cleaning system would generate additional low-level waste in the form of ion exchange resins. Granting an exemption now, if appropriate, would avoid the additional production of waste.

Environmental Impacts of the Proposed Action

This EA evaluates the potential environmental impacts of granting the exemption to allow HDI to load up to three MPC–32Ms, using Amendment No. 15 for CoC No. 1014, with either up to thirty-two fuel assemblies having either Cf-252 or Sb-Be NSAs with sufficient cooling time, or a combination of up to five fuel assemblies having primary Pu-Be NSAs and the remaining basket locations with fuel assemblies having either Cf-252 or Sb-Be NSAs with sufficient cooling time. It also evaluates the potential environmental impacts of granting the exemption permitting HDI to load the fuel assemblies having either Cf-252 or Sb-Be NSAs in any location in the basket and the fuel assemblies having Pu-Be NSAs such that one is located in the center of the basket and one is located in each of the four basket quadrants.

On July 18, 1990 (55 FR 29181), the NRC amended 10 CFR part 72 to provide for the storage of spent fuel under a general license in cask designs approved by the NRC. The EA for the 1990 final rule analyzed the potential environmental impact of using NRC-approved storage casks. The NRC has also considered the potential environmental impacts of storing spent fuel in accordance with Amendment No. 15 to the CoC for the HI–STORM 100 storage cask when it issued the direct final rule adding Amendment No. 15 to the list of acceptable casks in 10 CFR 72.214 (86 FR 16291). The EA accompanying the direct final rule determined the environmental impacts resulting from the implementation of Amendment No. 15 would not significantly differ from the environmental impacts evaluated in the EA supporting the July 18, 1990, final rule. The EA for HI–STORM 100, Amendment No. 15 (86 FR 16291), tiered off the EA issued for the July 18, 1990, final rule. The EA for this exemption tiers off the EA for HI–STORM 100, Amendment No. 15 direct final rule. Tiering off earlier EAs is a standard process under the National Environmental Policy Act by which the impact analyses of previous EAs can be cited by a subsequent EA, such as this one, to include the impacts of the proposed action within the scope of the previous EA. Thus, for the proposed action, this EA will only consider the potential impacts from granting the exemption.

This exemption request involves neither the disturbance of land, the construction of new facilities, nor modifications to current operating practices. The EA for Holtec's HI–STORM 100, Amendment No. 15 analyzed the effects of design-basis accidents that could occur during storage operations. Design-basis accidents account for human-induced events and the most severe natural phenomena reported for the site and surrounding area as well as the resultant effects on the storage cask. The NRC staff evaluated the exemption request and concluded that HDI's proposed exemption did not reflect any structural design changes or fabrication requirement changes; therefore, there is no additional risk of loss of structure or confinement in the event a design-basis accident occurs. Further, because there is no increased risk in the loss of structure or confinement, there is no significant increase in the consequences of design-basis accidents. As a result, the proposed action will result in no change in the types or amounts of any effluent released.

Additionally, this exemption, if granted, would neither introduce shielding design changes nor operational changes. Although the requested exemption would change the source term, HDI submitted dose rate calculations as part of its exemption request, which the NRC staff reviewed and will discuss in its safety evaluation. As will be discussed further in the staff's safety evaluation, HDI submitted dose rate calculations for the same locations for which it calculated dose for Amendment No. 15 to CoC 1014. These calculations demonstrate that, in most instances, the source term change would only increase the dose rate by small amounts (*e.g.,* a few millirem/hour at the cask surface and less than a millirem/hour at a distance of 1 meter). The greatest dose rate increase at one of these locations occurred when the canister is in the transfer cask at the axial midplane of the transfer cask radial surface. The dose rate would increase by approximately 28 percent, which works out to an increase of 1099.92 millirem/hour and a total dose of 5033.67 millirem/hour. However, most cask operations are not performed at this location. Cask operations that are performed at this location are typically not performed at the surface, but rather approximately 1 meter from the surface. At that distance, the increase in dose rate would fall to approximately 122.69 millirem/hour and the total dose rate, including the increase, would fall to 1445.59 millirem/hour. Given that the workers would only be exposed to this increased dose rate for relatively short periods of time, the NRC staff does not consider this increase significant. Importantly, dose will remain within the applicable limits of 10 CFR part 20. Consequently, the exemption, if granted, will not cause a significant increase in either individual or cumulative radiation exposure to workers.

With regard to public dose rate increases, as previously noted, most of the dose rate increases are only a few millirem/hour at the cask surface and are less than a millirem/hour at a distance of 1 meter. HDI's dose calculations demonstrate that even the highest dose rate increase (at the surface of the transfer cask) would be significantly less at a distance of 1 meter. The dose rates will continue to fall off at even greater distances. Thus, the dose increase at the site boundary—which, under 10 CFR 72.106, must be at least 100 meters from the spent fuel, will be even smaller and, therefore, not significant. Importantly, dose will remain within applicable 10 CFR part 20 limits as well as the 72.104 and 72.106 limits. Consequently, the proposed exemption would not significantly affect the exposure to the public.

Therefore, the proposed exemption request, if granted, will not result in radiological or non-radiological environmental impacts that significantly differ from impacts evaluated in the EA supporting the HI–STORM 100, Amendment No. 15 direct final rule. Accordingly, the NRC finds that granting the exemption will not significantly impact the quality of the human environment. Based on the foregoing discussion, the NRC staff finds that HDI's requested action, if approved is bounded by the EA for CoC No. 1014, Amendment No. 15.

Environmental Impacts of the Proposed Alternatives to the Proposed Action

In addition to the proposed action, the staff also considered the no-action alternative—the denial of the proposed exemption request. Denial of the exemption would preserve the status quo, *i.e.,* the licensee could continue loading one fuel assembly having an NSA in baskets but could not load multiple fuel assemblies having NSAs in the same basket and could only load that one fuel assembly having an NSA in the inner part of the basket. The NRC staff has previously found that the Indian Point Post-Shutdown Decommissioning Activities Report (PSDAR) contained a discussion providing the reasons for concluding that the environmental impacts associated with site-specific decommissioning activities will be bounded by appropriate previously issued environmental impact statements. Further, the NRC staff has previously found that the licensee provided adequate reasons in its PSDAR and associated request for additional information responses to conclude that, for generic issues, the environmental impacts of decommissioning Indian Point Units 2 and 3 are bounded by the previous environmental reviews. The effects of preserving the status quo would be bounded by these previous reviews. This is because preserving the status quo, in this regard, would preserve the status considered when the NRC staff reviewed the PSDAR. Under this alternative, the licensee would need to maintain the spent fuel pools for longer periods of time. This would lead to the generation of additional low-level waste from fuel pool cleaning activities. The licensee would need to dispose of this low-level waste, which would itself have environmental impacts. Based on that additional waste, the NRC staff has determined that the environmental impact of the no-action alternative would either be the same or may be greater than the proposed action.

The NRC staff also considered a different alternative to granting the exemption. The licensee could request that the certificate holder, in this case Holtec International, request an amendment to CoC No. 1014. Under this alternative, the licensee could either continue loading canisters with only one fuel assembly having an NSA in the inner part of the basket or postpone loading of multiple spent fuel assemblies that contain NSAs and not load spent fuel assemblies that contain NSAs in basket cells not located in the inner part of the baskets while the CoC holder prepared the request and the NRC staff reviewed it. In either scenario, HDI would extend the timeframe for which it maintained the Indian Point Units 2 and 3 spent fuel pools. Thus, the environmental impacts of the licensee requesting the certificate holder request an amendment, would be the generation of additional low-level waste from fuel pool cleaning activities. The licensee would need to dispose of this low-level waste, which would itself have environmental impacts. Further, if the CoC holder did seek an amendment and the NRC staff granted that requested amendment, the licensee would then load multiple fuel assemblies having NSAs in a single canister, in basket cells not located in the inner part of the baskets, thus ultimately leading to the environmental impacts caused by

granting this exemption. Therefore, the NRC staff has determined that the environmental impact of this alternative would either be the same or may be greater than the proposed action.

Alternative Use of Resources

Issuance of this exemption does not impact the resource implications discussed in previous environmental reviews.

Agencies and Persons Consulted

The NRC provided the New York State Energy Research and Development Authority (NYSERDA) a draft copy of this EA for review in an email dated July 19, 2022. In an email dated August 1, 2022, NYSERDA stated that it had completed its review. NYSERDA provided no comments explicitly addressing the NRC's assessment that granting the HDI exemption request has no significant impacts on the environment. However, NYSERDA noted that increasing the surface dose rate to approximately 3,934 millirem/hour, ''appears to be a very large increase.'' [1] For the reasons previously stated, however, the NRC staff does not consider this increase significant from the perspective of this EA and FONSI.

NYSERDA also provided three comments on the exemptions. The first two comments raised safety concerns with the exemption. The NRC staff will address these concerns, as appropriate, in the safety evaluation report it prepares as part of its review of the requested exemption. NYSERDA also raised a third comment related to transportability/retrievability. The NRC staff responded to this comment in a letter to NYSERDA dated October 14, 2022.

While preparing the safety evaluation, staff identified typographical errors in the draft EA provided to NYSERDA on July 19, 2022, and as noted earlier, participated in a clarification call with HDI about the scope of the exemption. After correcting the typographical errors, as well as incorporating the clarification call information related to Cf-252 and Sb-Be NSAs, the NRC resubmitted the draft EA to NYSERDA for review on September 28, 2022. In an email dated September 29, 2022, NYSERDA reaffirmed their prior comments on the proposed exemption request, as submitted by letter on August 1, 2022, but did not provide additional comments.

Endangered Species Act Section 7 Consultation

Section 7 of the Endangered Species Act (ESA) requires Federal agencies to consult with the U.S. Fish and Wildlife Service or National Marine Fisheries Service regarding actions that may affect listed species or designated critical habitats. The ESA is intended to prevent further decline of endangered and threatened species and restore those species and their critical habitat.

The NRC staff determined that a consultation under section 7 of the ESA is not required because the proposed action will not affect listed species or critical habitat.

National Historic Preservation Act Section 106 Consultation

Section 106 of the National Historic Preservation Act (NHPA) requires Federal agencies to consider the effects of their undertakings on historic properties. As stated in the NHPA, historic properties are any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in the National Register of Historic Places.

The NRC determined that the scope of activities described in this exemption request do not have the potential to cause effects on historic properties because the NRC's approval of this exemption request will not authorize new construction or land-disturbing activities. The NRC staff also determined that the proposed action is not a type of activity that has the potential to impact historic properties because the proposed action would occur within the established Indian Point site boundary. Therefore, in accordance with 36 CFR 800.3(a)(1), no consultation is required under section 106 of NHPA.

III. Finding of No Significant Impact

The NRC staff has prepared an EA and associated FONSI in support of the proposed action. As discussed in this notice the proposed action is for the NRC to grant the exemption requested by Indian Point Energy Center that would allow HDI to load up to three MPC–32Ms, using Amendment No. 15 for CoC No. 1014, with either up to thirty-two fuel assemblies having either Cf-252 or Sb-Be NSAs with sufficient cooling time, or a combination of up to five fuel assemblies having primary Pu-Be NSAs and the remaining basket locations with fuel assemblies having either Cf-252 or Sb-Be NSAs with sufficient cooling time. It would also permit HDI to load the fuel assemblies having either Cf-252 or Sb-Be NSAs in any location in the basket and the fuel assemblies having Pu-Be NSAs such that one is located in the center of the basket and one is located in each of the four basket quadrants. The NRC staff has concluded that the proposed action will not result in radiological or non-radiological environmental impacts that significantly differ from impacts evaluated in the EA supporting the HI–STORM 100, Amendment No. 15 direct final rule. In this EA, the NRC staff considered two alternatives and determined that the environmental impacts of granting this exemption will be less than or the same as both alternatives. No changes are being made in the types or quantities of effluents that may be released offsite, and there is no significant increase in occupational or public radiation exposures in granting this exemption request for HDI. Accordingly, the NRC finds that granting the exemption will not significantly impact the quality of the human environment.

The NRC staff has determined that this exemption would have no impact on historic and cultural resources or ecological resources and therefore no consultations are necessary under section 7 of the ESA or section 106 of the NHPA.

Therefore, based on the previously noted discussions, the NRC finds that there are no significant environmental impacts from the proposed action, and that preparation of an environmental impact statement is not warranted. Accordingly, the NRC has determined that a FONSI is appropriate.

IV. Availability of Documents

The documents identified in the following table are available to interested persons through one or more of the following methods, as indicated.

Document description	ADAMS accession No.
Indian Point Energy Center—Request for Exemption from an Allowable Contents Requirement Contained in the Certificate of Compliance No. 1014 for the HI–STORM 100S Version E Cask, dated March 24, 2022.	ML22083A191.

[1] The copy of this EA the NRC staff originally provided to NYSERDA, mistakenly listed the maximum total dose at the radial surface of the transfer cask at the axial midplane as approximately 3,934 millirem/hour, rather than 5033.67 millirem/hour. The NRC staff is interpreting the comment to be referring to the maximum dose generally and responding as if the comment had said 5,034 millirem/hour.

Document description	ADAMS accession No.
Indian Point Exemption Environmental Assessment Conversation Record (6–16–22), date of contact June 16, 2022.	ML22172A174.
Neutron Source Assembly Loading Clarification Call, date of contact September 20, 2022	ML22264A045.
Issuance of Certificate of Compliance No. 1014, Amendment No. 15 for the HI–STORM 100 Multipurpose Canister Storage System, dated May 13, 2021.	ML21118A862 (Package).
HI–2002444, Revision 22, Holtec International Final Safety Analysis Report for the HI–STORM 100 Cask System, dated August 9, 2021.	ML21221A329.
Environmental Assessment and Finding of No Significant Impact, dated October 25, 2022	ML22215A098.
Indian Point Energy Center—Review of Post-Shutdown Decommissioning Activities Report, dated May 2, 2022	ML22082A220.
Email Transmitting Indian Point Exemption Draft EA, dated July 19, 2022	ML22208A029.
New York State Neutron Source Assembly Exemption Comments & Draft Environmental Assessment Review, dated August 1, 2022.	ML22215A042 (Package).
Response to Comments on Exemption Related to Allowable Contents for the Certificate of Compliance No. 1014, HI–STORM 100S Version E Cask, dated October 14, 2022.	ML22234A063.
Email Transmitting Revised Indian Point Exemption Draft EA, dated September 28, 2022	ML22271A849.
New York State Revised Draft EA Response Email, dated September 29, 2022	ML22276A164.

Dated: October 26, 2022.

For the Nuclear Regulatory Commission.

Yoira K. Diaz-Sanabria,

Chief, Storage and Transportation Licensing Branch, Division of Fuel Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2022–23657 Filed 10–28–22; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–445 and 50–446; NRC–2022–0183]

Vistra Operations Company LLC; Comanche Peak Nuclear Power Plant, Units 1 and 2

AGENCY: Nuclear Regulatory Commission.

ACTION: License renewal application; receipt.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has received an application for the renewal of Facility Operating License Nos. NPF–87 and NPF–89, which authorize Vistra Operations Company LLC (VOC or the applicant) to operate Comanche Peak Nuclear Power Plant (CPNPP), Units 1 and 2. The renewed licenses would authorize the applicant to operate CPNPP for an additional 20 years beyond the period specified in each of the current licenses. The current operating licenses for CPNPP expire as follows: Unit 1 on February 8, 2030, and Unit 2 on February 2, 2033.

DATES: The license renewal application referenced in this document was available on October 3, 2022.

ADDRESSES: Please refer to Docket ID NRC–2022–0183 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2022–0183. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: *Stacy.Schumann@nrc.gov*. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *PDR.Resource@nrc.gov*. The ''Comanche Peak Nuclear Power Plant, Units 1 and 2—Facility Operating License Numbers NPF–87 and NPF–89—License Renewal Application,'' is available in ADAMS under Accession No. ML22276A082.
- *Public Library:* A copy of the license renewal application for CPNPP can be accessed at the following public libraries: Somervell County Library, 108 Allen Dr, Glen Rose, TX 76043, and Hood County Library, 222 N Travis St., Granbury, TX 76048.
- *NRC's PDR:* You may examine and purchase copies of public documents, by appointment, at the NRC's PDR, Room P1 B35, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Emmanuel Sayoc, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–4084; email: *Emmanuel.Sayoc@nrc.gov*.

SUPPLEMENTARY INFORMATION: The NRC has received an application from VOC, dated October 3, 2022, filed pursuant to section 103 of the Atomic Energy Act of 1954, as amended, and part 54 of title 10 of the *Code of Federal Regulations,* ''Requirements for Renewal of Operating Licenses for Nuclear Power Plants,'' to renew the operating licenses for CPNPP. Renewal of the licenses would authorize the applicant to operate the facility for an additional 20-year period beyond the period specified in the respective current operating licenses. The current operating licenses for CPNPP expire as follows: Unit 1 on February 8, 2030, and Unit 2 on February 2, 2033. The CPNPP units are Pressurized Water Reactors located in Somervell County, Texas. The acceptability of the tendered application for docketing, and other matters, including an opportunity to request a hearing, will be the subject of subsequent **Federal Register** notices.

Dated: October 26, 2022.

For the Nuclear Regulatory Commission.

Lauren K. Gibson,

Chief, License Renewal Project Branch, Division of New and Renewed Licenses, Office of Nuclear Reactor Regulation.

[FR Doc. 2022–23633 Filed 10–28–22; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2022–0001]

Sunshine Act Meetings

TIME AND DATE: Weeks of October 31, November 7, 14, 21, 28, December 5, 2022. The schedule for Commission meetings is subject to change on short notice. The NRC Commission Meeting Schedule can be found on the internet

at: *https://www.nrc.gov/public-involve/public-meetings/schedule.html.*

PLACE: The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings or need this meeting notice or the transcript or other information from the public meetings in another format (*e.g.,* braille, large print), please notify Anne Silk, NRC Disability Program Specialist, at 301–287–0745, by videophone at 240–428–3217, or by email at *Anne.Silk@nrc.gov.* Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

STATUS: Public.

Members of the public may request to receive the information in these notices electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555, at 301–415–1969, or by email at *Wendy.Moore@nrc.gov* or *Tyesha.Bush@nrc.gov.*

MATTERS TO BE CONSIDERED:

Week of October 31, 2022

There are no meetings scheduled for the week of October 31, 2022.

Week of November 7, 2022—Tentative

Tuesday, November 8, 2022

9:00 a.m. Briefing on Regulatory Approaches for Fusion Energy Devices (Public Meeting) (Contact: Samantha Lav: 301–415–3487)

Additional Information: The meeting will be held in the Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland. The public is invited to attend the Commission's meeting in person or watch live via webcast at the web address—*https://video.nrc.gov/.*

Thursday, November 10, 2022

10:00 a.m. Briefing on NRC International Activities (Public Meeting) (Contact: Jen Holzman, 301–287–9090)

Additional Information: The meeting will be held in the Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland. The public is invited to attend the Commission's meeting in person or watch live via webcast at the web address—*https://video.nrc.gov/.*

Week of November 14, 2022—Tentative

There are no meetings scheduled for the week of November 14, 2022.

Week of November 21, 2022—Tentative

There are no meetings scheduled for the week of November 21, 2022.

Week of November 28, 2022—Tentative

There are no meetings scheduled for the week of November 28, 2022.

Week of December 5, 2022—Tentative

Tuesday, December 6, 2022

10:00 a.m. Meeting with the Advisory Committee on the Medical Uses of Isotopes (Public Meeting) (Contact: Celimar Valentin-Rodriguez: 301–415–7124)

Additional Information: The meeting will be held in the Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland. The public is invited to attend the Commission's meeting in person or watch live via webcast at the web address—*https://video.nrc.gov/.*

Thursday, December 8, 2022

9:00 a.m. Overview of Advanced Reactor Fuel Activities (Public Meeting) (Contact: Stephanie Devlin-Gill, 301–415–5301)

Additional Information: The meeting will be held in the Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland. The public is invited to attend the Commission's meeting in person or watch live via webcast at the web address—*https://video.nrc.gov/.*

CONTACT PERSON FOR MORE INFORMATION: For more information or to verify the status of meetings, contact Wesley Held at 301–287–3591 or via email at *Wesley.Held@nrc.gov.*

The NRC is holding the meetings under the authority of the Government in the Sunshine Act, 5 U.S.C. 552b.

Dated: October 27, 2022.

For the Nuclear Regulatory Commission.

Wesley W. Held,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2022–23758 Filed 10–27–22; 4:15 pm]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–483; NRC–2022–0139]

Union Electric Company, dba Ameren Missouri, Callaway Plant; Unit No. 1

AGENCY: Nuclear Regulatory Commission.

ACTION: Exemption; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is granting exemptions from certain portions of the acceptance criteria for emergency core cooling, and the general design criteria for emergency core cooling, containment heat removal, and atmosphere cleanup to allow the use of a risk-informed analysis to evaluate the effects of debris in containment following a loss-of-coolant accident for the Callaway Plant, Unit No. 1 (Callaway) located in Callaway County, Missouri. The exemptions are in response to a request dated March 31, 2021, from Union Electric Company, doing business as Ameren Missouri (the licensee) related to the licensee's proposed approach to resolve a generic safety concern for pressurized water reactors associated with potential clogging of emergency core cooling and containment spray system strainers during certain design basis events.

DATES: The exemptions were issued on October 21, 2022.

ADDRESSES: Please refer to Docket ID NRC–2022–0139 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2022–0139. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: *Stacy.Schumann@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *PDR.Resource@nrc.gov.* The request for the exemptions was submitted by letter dated March 31, 2021, as supplemented by letters dated May 27, 2021, July 22, 2021, August 23, 2021, October 7, 2021, January 27, 2022, March 8, 2022, May 26, 2022, and September 8, 2022. For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the ''Availability of Documents'' section.
- *NRC's PDR:* You may examine and purchase copies of public documents, by appointment, at the NRC's PDR, Room P1 B35, One White Flint North,

11555 Rockville Pike, Rockville, Maryland 20852. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8:00 a.m. and 4:00 p.m. Eastern Time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mahesh Chawla, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone: 301–415–8371, email: *Mahesh.Chawla@nrc.gov.*

I. Availability of Documents

The documents identified in the following table are available to interested persons through one or more of the following methods, as indicated.

Document	ADAMS accession No.
Ameren Missouri, letter to U.S. Nuclear Regulatory Commission, ''Callaway Plant, Unit 1, Request for License Amendment and Regulatory Exemptions for a Risk-Informed Approach to Address GSI–191 and Respond to GL 2004–02 (LDCN 19–0014),'' dated March 31, 2021.	ML21090A184 (Package).
Ameren Missouri, letter to U.S. Nuclear Regulatory Commission, ''Callaway Plant, Unit 1, Supplement to Request for Licence Amendment and Regulatory Exemptions for a Risk-Informed Approach to Address GSI–191 and Respond to GL 2004–02 (LDCN 19–0014),'' dated May 27, 2021.	ML21147A222.
Ameren Missouri, letter to U.S. Nuclear Regulatory Commission, ''Callaway Plant, Unit 1, Supplement to Request for License Amendment and Regulatory Exemptions for a Risk-Informed Approach to Address GSI–191 and Respond to GL–2004–02 (LDCN 19–0014),'' dated July 22, 2021.	ML21203A192 (Package).
Ameren Missouri, letter to U.S. Nuclear Regulatory Commission, ''Callaway Plant, Unit 1, Transmittal of Documents Identified from NRC Audit of License Amendment Request Regarding Risk-Informed approach to Closure of Generic Safety Issue 191 (EPID L–2021–LLA–0059),'' dated August 23, 2021.	ML21237A135 (Package).
Ameren Missouri, letter to U.S. Nuclear Regulatory Commission, ''Callaway Plant, Unit 1, Third Supplement to Request for License Amendment and Regulatory Exemptions for a Risk-Informed Approach to Address GSI–191 and Respond to GL–2004–02 (LDCN 19–0014) (EPID L–2021–LLA–0059 and EPID L–2021–LLE–0021),'' dated October 7, 2021.	ML21280A378 (Package).
Ameren Missouri, letter to U.S. Nuclear Regulatory Commission, ''Callaway Plant, Unit 1, Fourth Supplement to Request for License Amendment and Regulatory Exemptions for a Risk-Informed Approach to Address GSI–191 and Respond to GL–2004–02 (LDCN 19–0014) (EPID L–2021–LLA–0059 and EPID L–2021–LLE–0021),'' dated January 27, 2022.	ML22027A804 (Package).
Ameren Missouri, letter to U.S. Nuclear Regulatory Commission, ''Callaway Plant, Unit 1, Fifth (Post-Audit) Supplement to Request for License Amendment and Regulatory Exemptions for a Risk-Informed Approach to Address GSI–191 and Respond to GL 2004–02 (LDCN 19–0014) (EPID L–2021–LLA–0059 and EPID L–2021–LLE–0021),'' dated March 8, 2022.	ML22068A027 (Package).
Ameren Missouri, letter to U.S. Nuclear Regulatory Commission, ''Callaway Plant, Unit 1, Response to Request for Additional Information Regarding Request for License Amendment and Regulatory Exemptions for Risk-Informed Approach to Address GSI–191 and Respond to Generic Letter 2004–02 (LDCN 19–0014) (EPID L–2021–LLA–0059 and EPID L–2021–LLE–0021),'' dated May 26, 2022.	ML22146A337 (Package).
Ameren Missouri, letter to U.S. Nuclear Regulatory Commission, ''Callaway Plant, Unit 1, Correction of Text Contained in Enclosures Provided with Supplements to Request for License Amendment and Regulatory Exemptions for a Risk-Informed Approach to Address GSI–191 and Respond to Generic Letter 2004–02 (LDCN 19–0014) (EPID L–2021–LLA–0059 and EPID L–2021–LLE–0021),'' dated September 8, 2022.	ML22251A343.

SUPPLEMENTARY INFORMATION: The text of the exemption is attached.

Dated: October 25, 2022.

For the Nuclear Regulatory Commission.

Mahesh L. Chawla,

Project Manager, Plant Licensing Branch IV, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

Attachment—Exemption

Nuclear Regulatory Commission

Docket No. 50–483

Union Electric Company, Callaway Plant, Unit No. 1, Exemptions

I. Background

Union Electric Company, doing business as (dba) as Ameren Missouri (the licensee), is the holder of Renewed Facility Operating License No. NPF–30, which authorizes operation of the Callaway Plant, Unit No. 1 (Callaway). The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC) now or hereafter in effect. The facility consists of a pressurized-water reactor (PWR) located in Callaway County, Missouri.

In 1996, the NRC identified Generic Safety Issue (GSI)–191, ''Assessment of Debris Accumulation on PWR Sump Performance,'' associated with the effects of debris accumulation on PWR sump performance during design-basis accidents. As part of the actions to resolve GSI–191, the NRC issued Generic Letter (GL) 2004–02, ''Potential Impact of Debris Blockage on Emergency Recirculation during Design Basis Accidents at Pressurized-Water Reactors,'' dated September 13, 2004 (ML042360586), to holders of operating licenses for PWRs. In GL 2004–02, the NRC staff requested that licensees perform an evaluation of their emergency core cooling systems (ECCS) and containment spray system (CSS) recirculation functions considering the potential for debris-laden coolant to be circulated by the ECCS and the CSS after a loss-of-coolant accident (LOCA) or high energy line break inside containment and, if appropriate, take additional actions to ensure system function. GL 2004–02 required that licensees provide a written response to the NRC, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.54(f), describing the results of their evaluation and any modifications made, or planned, to ensure the ECCS and CSS remain functional.

II. Request/Action

By application dated March 31, 2021, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21090A184), as supplemented by letters dated May 27, 2021, July 22, 2021, August 23, 2021, October 7, 2021, January 27, 2022, March 8, 2022, May 26, 2022, and September 8, 2022 (ML21147A222, ML21203A192, ML21237A135, ML21280A378, ML22027A804, ML22068A027, ML22146A337, and ML22251A343, respectively), the licensee, pursuant to 10 CFR 50.12, ''Specific exemptions,'' requested exemptions from certain requirements of 10 CFR 50.46, ''Acceptance criteria for emergency core cooling systems for light-water nuclear power reactors,'' and 10 CFR part 50, Appendix A, General Design Criterion (GDC) 35, ''Emergency core cooling''; GDC 38, ''Containment heat removal''; and GDC 41, ''Containment atmosphere cleanup,'' to allow use of a risk-informed methodology instead of the traditional deterministic methodology,

to resolve the concerns associated with GSI–191, and respond to GL 2004–02 for Callaway.

Specifically, the licensee requested exemptions from 10 CFR 50.46(a)(1)(i), which, in part, requires the ECCS cooling performance to be calculated in accordance with an acceptable evaluation model as described in 10 CFR 50.46(a)(1), and for postulated LOCAs of different sizes, locations and other properties sufficient to provide assurance that the most severe LOCAs are evaluated. The NRC staff interprets the Section 50.46(a)(1) requirement to calculate ECCS performance for ''other properties'' as requiring licensees to consider the impacts of debris generation and transport in containment. The most significant form of debris in nuclear power reactor containments is piping and component insulation that can become debris during LOCAs, transport and accumulate in the sumps, and clog the sumps strainers, thus creating resistance to coolant flow. Fibrous debris from this insulation can also enter the reactor core and directly impede heat transfer from the fuel to the coolant.

The approval of a risk-informed methodology would require exemptions from 10 CFR 50.46(a)(1)(i) and GDCs 35, 38, and 41 because the NRC has interpreted these regulations as requiring a deterministic approach and bounding calculation to show compliance with ECCS and CSS performance criteria in 10 CFR 50.46(b) and GDCs 35, 38, and 41. Issuance of exemptions is an appropriate means to grant relief from the use of a deterministic approach to show compliance with these requirements.

The licensee's 10 CFR 50.46 deterministic analysis considered the debris in containment and demonstrated that the debris loading could prevent acceptable ECCS and CSS operation and core cooling for certain pipe ruptures. Based on its analysis, the licensee concluded that the amount of debris in the Callaway containment would need to be reduced to demonstrate compliance with 10 CFR 50.46 criteria using a deterministic analysis for certain large-break LOCA sizes because, for those breaks, the plant-specific testing threshold for generation and transport of debris was exceeded.

Additionally, the licensee's deterministic in-vessel analysis was limited to breaks that could generate and transport to the strainers fibrous debris amounts in excess of the plant-specific tested debris limit for the strainers. This value was chosen because it also represents the deterministic limit for strainer failure for pipe breaks. Therefore, any break that generates and transports more than the amount of fibrous debris bounded by plant testing is already assumed to cause strainer failure and increase core damage frequency. Because these large breaks are already assumed to contribute to plant risk because of strainer failure, there is no need to evaluate them for risk contribution due to in-vessel failure. Other debris types were bounded by the strainer evaluation and are not critical to the in-vessel analysis. Therefore, all cases where core damage might occur due to debris arriving at the core are already covered by scenarios that cause strainer failure and do not need to be counted as additional increases in risk.

The licensee requested exemptions from the requirement to use a deterministic analysis for specific scenarios of LOCA breaks producing and transporting debris in excess of the plant-specific tested debris limits. Since it determined that the probability of consequences from debris effects is very low, the licensee requested exemptions to allow the use of a risk-informed analysis to show adequate assurance of ECCS and CSS functionality, in accordance with the criteria in Regulatory Guide (RG) 1.174, Revision 3, ''An Approach for Using Probabilistic Risk Assessment in Risk-Informed Decisions on Plant-Specific Changes to the Licensing Basis,'' dated January 2018 (ML17317A256). RG 1.174 was developed in consideration of the Commission's Policy Statements on safety goals [1] and the use of probabilistic risk assessment methods in nuclear regulatory activities.[2] Therefore, RG 1.174 provides an acceptable method for licensees and NRC staff to use in assessing the impact of licensing basis changes when the licensee chooses to use risk information.

The requirements in GDC 35 require, in part, that the ECCS safety system functions adequately to transfer heat from the reactor core following a LOCA and in the presence of a worst single failure, at a rate such that (a) fuel and clad damage that could interfere with continued effective core cooling is prevented and (b) clad metal-water reactor is limited to negligible amounts. The licensee stated in its application dated March 31, 2021, that the function of the ECCS emergency sump is assumed to fail for scenarios where debris exceeds the amount determined in acceptable plant-specific testing. Failure of the sump and strainers results in loss of cooling to the core. The licensee requested exemptions from the requirements of GDC 35, which requires the use of a deterministic approach, for those LOCA breaks that exceed the plant-specific testing debris threshold. The licensee requested exemptions from the deterministic requirements of GDC 35, to allow the use of a risk-informed analysis, in accordance with the criteria in RG 1.174, to show that the risk from debris effects is very low.

The requirements in GDC 38 require containment heat removal, rapid reduction of containment pressure and temperature, and maintenance of pressure and temperature at an acceptably low level following a LOCA, and in the presence of a single failure, to preserve containment function. The licensee proposed that exemptions be granted from the requirements in GDC 38 that specify the use of a deterministic approach. The request applies only to those LOCA breaks that exceed the plant-specific testing debris threshold. Current Callaway design basis calculations are based on the containment cooling system (containment fan coolers) functioning in conjunction with the CSS and ECCS, both of which can be affected by debris. Using deterministic assumptions, the licensee's analysis and testing does not assure that the emergency sump strainers will be available to support the CSS and ECCS function considering the effects of debris produced by those breaks that can generate and transport debris amounts greater than the plant-specific testing threshold. The licensee requested exemptions from the deterministic requirements of GDC 38 to allow the use of a risk-informed analysis, in accordance with the criteria in RG 1.174, to show that the risk from debris effects is very low.

The requirements in GDC 41, require, in part, containment atmosphere cleanup to control substances that may be released into the reactor containment, to reduce the concentration and quality of fission products released to the environment following postulated accidents, and to control the concentration of hydrogen or oxygen and other substances in the containment atmosphere following postulated accidents, assuming a single failure. The licensee stated that using deterministic assumptions, its analysis and testing cannot demonstrate that the emergency sump strainers will be available to support the CSS function considering the effects of debris produced and transported by breaks not bounded by acceptable plant-specific testing. The licensee requested exemptions from the deterministic requirements of GDC 41 to allow the use of a risk-informed analysis, in accordance with the criteria in RG 1.174, to show that the risk from debris effects is very low.

III. Discussion

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 50, when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present. Under 10 CFR 50.12(a)(2)(ii), special circumstances are present when ''[a]pplication of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule.''

The licensee proposed to use a risk-informed methodology instead of a deterministic approach to account for the effects of debris in containment for portions of the LOCA analysis applicable to breaks that exceed the Callaway plant-specific debris testing threshold. The licensee's methodology, termed Risk over Deterministic, or RoverD, divides the loss of core cooling design-basis analysis into two portions: the ''deterministic analysis'' and the ''risk-informed analysis.'' The risk-informed analysis is used by the licensee for breaks that generate and transport debris exceeding the plant-specific testing threshold. These breaks result in fibrous

[1] Commission's Safety Goal Policy Statement, ''Safety Goals for the Operations of Nuclear Power Plants; Policy Statement,'' published in the **Federal Register** on August 4, 1986 (51 FR 28044), as corrected, and republished, on August 21, 1986 (51 FR 30028).

[2] Use of Probabilistic Risk Assessment Methods in Nuclear Activities; Final Policy Statement,'' August 16, 1995 (60 FR 42622).

debris estimated to arrive in the ECCS sump post-LOCA in amounts that are equal to or greater than the amount of fiber used in acceptable strainer testing. The acceptable limit was determined using testing methods intended to determine the maximum ECCS strainer head loss for the tested condition.

Also, the licensee evaluated the in-core aspects of fibrous debris to prevent adequate fuel cooling. The licensee found that for in-vessel effects, all breaks that generate and transport fibrous debris amounts less than the strainer acceptance criterion can be evaluated deterministically and shown to have acceptable outcomes. Therefore, the in-vessel effects do not contribute to changes in core damage frequency. For ECCS and CSS analyses other than the postulated large-break LOCAs that generate less than the strainer acceptance limit, the licensee applied a deterministic methodology. If the exemptions were granted for these postulated breaks, the requirement to use a deterministic methodology for all other postulated LOCA breaks would continue to apply.

A. The Exemptions Are Authorized by Law

The exemptions would allow the use of a risk-informed methodology to show compliance with 10 CFR 50.46(a)(1)(i), and GDCs 35, 38, and 41 of Appendix A to 10 CFR part 50, when considering debris in containment generated and transported by those breaks that exceed the plant-specific testing threshold. These regulations were promulgated under and are consistent with the Commission's authority under Section 161 of the Atomic Energy Act of 1954, as amended. Because the application of a risk-informed methodology to show compliance with 10 CFR 50.46, and GDC 35, 38, and 41 of Appendix A to 10 CFR part 50, would not violate the Atomic Energy Act of 1954, as amended, or the Commission's regulations, the exemptions are authorized by law provided all requisite findings are made.

B. The Exemptions Present No Undue Risk to Public Health and Safety

The provisions of 10 CFR 50.46 and GDCs 35, 38, and 41 of Appendix A to 10 CFR part 50 establish criteria for the emergency core cooling, containment cooling, and containment atmosphere cleanup system performance. As part of the amendment request, the licensee submitted exemption requests to change its design-basis analysis specified in the Updated Final Safety Analysis Report (UFSAR) to allow use of risk-informed and deterministic methodologies to specifically account for the impacts of debris in containment. The licensee justified its use of the risk-informed approach by stating that the proposed risk-informed approach meets the key principles in RG 1.174, Revision 3, in that it is consistent with defense-in-depth philosophy, maintains sufficient safety margins, results in a small increase in risk, and is monitored by the licensee using performance measurement strategies.

Additionally, the licensee stated that the proposed exemptions, to allow use of the risk-informed method, are consistent with Key Principle 1 in RG 1.174 that requires a proposed change to the licensing basis (or amendment) to meet current regulations unless the change is explicitly related to requested exemptions. The probabilistic risk analysis results provided by the licensee and evaluated by the NRC staff in its safety evaluation, showed that the increase in risk associated with debris generation and transport on ECCS and CSS function following postulated LOCAs is very small, in accordance with the criteria in RG 1.174.

The NRC staff concluded that the risk is consistent with the guidance in RG 1.174 and with the Commission policy statements on safety goals and the use of probabilistic risk assessment methods in nuclear regulatory activities; therefore, the requested exemptions present no undue risk to public health and safety.

C. The Exemptions Are Consistent With the Common Defense and Security

The requested exemptions would allow the licensee to use a risk-informed methodology to resolve a generic safety concern for PWRs associated with potential clogging of the ECCS and CSS strainers during certain design-basis events. The change is adequately controlled by safety acceptance criteria and technical specification requirements and is not related to security issues. Because the common defense and security is not impacted by the exemptions, the exemptions are consistent with the common defense and security.

D. Special Circumstances

Under the regulations in 10 CFR 50.12, the Commission may grant exemptions from the requirements of 10 CFR part 50 provided certain findings are made; namely, that special circumstances are present, the exemptions present no undue risk to public health and safety, the exemptions are consistent with the common defense and security, and the exemptions are authorized by law. The exemptions would allow the use of a risk-informed methodology to show compliance with 10 CFR 50.46(a)(1)(i), and GDCs 35, 38, and 41 of Appendix A to 10 CFR part 50, specifically for the analyses of debris in containment impacting emergency cooling function during postulated large-break LOCAs that exceed the plant-specific testing threshold.

The licensee requested exemptions citing the special circumstances criteria of 10 CFR 50.12(a)(2)(ii), because compliance in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule. The licensee cited these special circumstances for all of the requested exemptions.

The licensee stated that an objective of each of the regulations for which exemptions are proposed is to maintain low risk to the public health and safety through the adequate functioning of the ECCS and CSS safety systems. These systems must be supported by adequate functioning of the containment sumps. The regulations in 10 CFR 50.46(a)(1)(i) and GDCs 35, 38, and 41 of Appendix A to 10 CFR part 50 are met when the licensee can demonstrate, using a bounding calculation or other deterministic method that the ECCS and CSS are capable of functioning during design basis events. The licensee stated that its risk-informed analysis to show adequate functioning of ECCS and CSS, considering the impacts of debris during certain LOCA events, demonstrates that the ECCS and CSS systems will operate with a high degree of reliability. The licensee stated that special circumstances exist because the underlying intent of the regulations, to ensure adequate protection of public health and safety is met when applying a risk-informed approach to address GSI–191 and responding to GL 2004–02. Further, it states that the risk-informed approach is consistent with RG 1.174 and supports operation of those functions with a high degree of reliability. Thus, the licensee concludes that the underlying intent of each regulation is met, and the special circumstances described in 10 CFR 50.12(a)(2)(ii) apply to each of the exemptions proposed by the licensee.

The NRC staff evaluated the licensee's application, as supplemented and discussed the details of its evaluation of the risk-informed approach in an NRC safety evaluation available under ADAMS Accession No. ML22220A132. Although 10 CFR 50.46(a)(1) requires a deterministic approach, the GDCs do not specify that a risk-informed methodology may not be used to show compliance; however, because the NRC has interpreted each of these regulations as requiring a deterministic approach, exemptions are an appropriate means to grant the licensee relief to use an alternative approach. The underlying purpose of each regulation is to protect public health and safety in the event of a LOCA by establishing criteria for emergency core cooling, containment cooling and containment atmosphere cleanup system performance. In its safety evaluation, the NRC staff concluded, in part, that the licensee adequately demonstrated that the change in risk attributable to debris that exceed the plant specific threshold is very small and meets the risk acceptance guidelines in RG 1.174. The NRC staff also concluded that the analysis is consistent with defense-in-depth philosophy, maintains sufficient safety margins, results in a small increase in risk, and is monitored by the licensee using performance measurement strategies. Therefore, the licensee's use of the risk-informed analysis meets the underlying requirements of 10 CFR 50.46 and GDCs 35, 38, and 41 of Appendix A to 10 CFR part 50, to ensure that a licensee demonstrates that the ECCS and CSS will provide adequate cooling for the reactor core and containment and provide containment atmosphere cleanup during design-basis accidents considering the impacts of debris, since it meets the guidelines in RG 1.174.

Based on the above, the NRC staff concludes that special circumstances under 10 CFR 50.12(a)(2)(ii) exist because compliance with the deterministic requirements of 10 CFR 50.46(a)(1)(i), and GDCs 35, 38, and 41 of Appendix A to 10 CFR part 50 is not necessary to achieve the underlying purpose of each rule.

E. Supplemental Information

For more technical details, refer to the SE associated with these exemptions under

ADAMS Accession No. ML22220A130 (enclosure 2).

F. Environmental Considerations

Pursuant to 10 CFR 51.21, ''Criteria for and identification of licensing and regulatory actions requiring environmental assessments,'' the NRC has prepared an environmental assessment (EA) and finding of no significant impact (FONSI) summarizing the findings of its review of the environmental impacts of the proposed action under the National Environmental Policy Act (NEPA). The NRC staff determined that special circumstances under 10 CFR 51.21 exist to warrant preparation of an EA and FONSI because Callaway is proposing a risk-informed approach to resolve GSI–191 as recognized in Staff Requirement Memorandum SECY–12–0093, ''Closure Options for Generic Safety Issue—191, Assessment of Debris Accumulation on Pressurized-Water Reactor Sump Performance,'' dated December 14, 2012 (ML12349A378). Because this action uses risk information to justify exemptions from deterministic regulations, the NRC staff considered preparations of an EA and FONSI to be a prudent course of action that would further the purposes of NEPA. Based on its review, the NRC concluded that an environmental impact statement is not required and that the proposed action will have no significant impact on the environment.

The NRC published a final EA and FONSI on the proposed action in the **Federal Register** on August 29, 2022 (87 FR 52816).

IV. Conclusions

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, exemptions are authorized by law, will not present an undue risk to the public health and safety, are consistent with the common defense and security, and special circumstances are present pursuant to 10 CFR 50.12(a)(2)(ii). Therefore, the NRC hereby grants Union Electric Company, dba Ameren Missouri, one-time exemptions from 10 CFR 50.46(a)(1), and 10 CFR part 50, Appendix A, GDCs 35, 38, and 41 to allow the use of a risk-informed methodology in lieu of a deterministic methodology to show conformance with the ECCS and CSS performance criteria accounting for debris in containment for those breaks that exceed the plant-specific Callaway testing threshold.

Dated at Rockville, Maryland, this 21st day of October 2022.

For the Nuclear Regulatory Commission.

Gregory F. Suber,

Deputy Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2022–23569 Filed 10–28–22; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2023–26 and CP2023–25]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* November 2, 2022.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. Docketed Proceeding(s)

I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern market dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3030, and 39 CFR part 3040, subpart B. For request(s) that the Postal Service states concern competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3040, subpart B. Comment deadline(s) for each request appear in section II.

II. Docketed Proceeding(s)

1. *Docket No(s).:* MC2023–26 and CP2023–25; *Filing Title:* USPS Request to Add Priority Mail & First-Class Package Service Contract 223 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 25, 2022; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3040.130 through 3040.135, and 39 CFR 3035.105; *Public Representative:* Arif Hafiz; *Comments Due:* November 2, 2022.

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

[FR Doc. 2022–23672 Filed 10–28–22; 8:45 am]

BILLING CODE 7710–FW–P

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

Framing the National Nature Assessment

AGENCY: Office of Science and Technology Policy (OSTP).

ACTION: Notice of request for information.

SUMMARY: Nature is important in its own right, and provides value to the lives of all Americans. To increase our knowledge of nature in the United States and its links to global change, the Office of Science and Technology Policy (OSTP), on behalf of the United States Global Change Research Program (USGCRP), requests input from the public to help inform the framing, development, and eventual use of the first National Nature Assessment (NNA). USGCRP committed to conducting a National Nature Assessment on April 8, 2022, under the authority of the Global Change Research Act of 1990. President Biden reinforced and elevated the

importance of this assessment to a matter of national policy by calling for it in Executive Order 14072 (*https://www.federalregister.gov/documents/2022/04/27/2022-09138/strengthening-the-nations-forests-communities-and-local-economies*) on Strengthening the Nation's Forests, Communities and Local Economies (April 22, 2022). This request for information (RFI) will inform USGCRP as it develops this first-of-its-kind assessment.

DATES: Responses are due by March 31, 2023. Responses will be considered throughout the comment period, as they are received.

ADDRESSES: Comments should be submitted electronically via: *https://contribute.globalchange.gov/.*

Instructions: Response to this RFI is voluntary. Respondents need not reply to all questions listed. Each individual or institution is requested to submit only one response. Please identify your answers by responding to a specific question or topic. Respondents may answer as many or as few questions as they wish. Comments of seven pages or fewer (3,500 words or equivalent) are strongly recommended. Links to comparable-scale multi-media input maybe submitted for consideration.

USGCRP seeks to create a National Nature Assessment that is broadly relevant and provides useful information on nature to all people living or residing in the United States. In that spirit, we encourage all members of the public who are interested in this initiative to submit their comments. Those interested may include any member of the public of any age, culture, background, level of education or career stage. There may also be interested organizations, such as Tribal Nations or Indigenous Peoples, scientific research or practitioner organizations, any state, local or territorial governments, any non-profit organizations, any private companies, any philanthropic organizations, and any others. USGCRP is interested in personal narrative and experience; Indigenous Knowledge; local knowledge and lived experience; and technical, legal, and scientific content or research from any discipline.

USGCRP will not provide direct responses to comments. This RFI is not accepting applications for financial assistance or financial incentives. Comments submitted in response to this notice may be subject to public release under the Freedom of Information Act (FOIA). Responses to this RFI may be posted without change online. USGCRP therefore requests that no proprietary information, copyrighted information, or personally identifiable information be submitted in response to this RFI. Please note that the United States Government will not pay for response preparation, or for the use of any information contained in a response. In accordance with FAR 15–202(3), responses to this notice are not offers and cannot be accepted by the U.S. Government to form a binding contract.

FOR FURTHER INFORMATION CONTACT: Chris Avery, (202) 419–3474, *cavery@usgcrp.gov,* U.S. Global Change Research Program. Individuals who use telecommunication devices for the deaf and hard of hearing (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339, 24 hours a day, every day of the year, including holidays.

SUPPLEMENTARY INFORMATION: USGCRP coordinates research across 13 Federal agencies to understand the human-induced and natural processes that influence the total Earth system—the atmosphere, land, water, ecosystems, and people. USGCRP was established by Presidential Initiative in 1989 and mandated by Congress in the Global Change Research Act (GCRA) of 1990 (Sec 104, Pub. L. 101–606; *https://www.globalchange.gov/about/legal-mandate*).

USGCRP has stated that the National Nature Assessment (NNA) is an assessment of nature in the United States. Existing reports and assessments provide partial views of changes in nature and how they affect the nation, but the United States lacks comprehensive knowledge on these major aspects of global change. The NNA will assess the status, observed trends, and future projections of America's lands, waters, wildlife, biodiversity and ecosystems and the benefits they provide, including connections to the economy, public health, equity, climate mitigation and adaptation, and national security. The NNA considers nature in US states, marine areas (exclusive economic zone), territories, Native or Indigenous lands and waters, and other affiliated areas (as appropriate), as well as its significant interactions with global changes. In the creation of the NNA, USGCRP is also abiding by the following principles, to create an assessment that is:

- Authoritative, credible, timely, and concise
- Fully compliant with relevant laws and policies
- Policy relevant but not policy prescriptive
- Transparent, accurate and reproducible with well-documented methods
- Inclusive
- Use-inspired
- Accessible to the widest possible audience

We invite members of the public to share perspectives on how the scope and principles set forth should be addressed in the NNA. USGCRP seeks responses to any or all of the questions that follow.

Questions To Inform Development of a Use-Inspired Assessment

USGCRP will follow the principles of creating a use-inspired NNA, where the design is driven by the potential uses of the final products. In order to create such an assessment, USGCRP needs to understand the potential users of the NNA, what uses they could have for the NNA, and how they can most easily and effectively engage with the knowledge developed, synthesized, and communicated by the NNA. USGCRP seeks responses to any or all of the following questions to gain better understanding of how to create a use-inspired NNA:

1. Assessments can be tailored to inform a wide range of audiences. For example, assessments can be created for use by the general public, government decision makers (at any scale from Federal to state to local, territorial or Tribal), researchers and practitioners, non-profit organizations, private sector companies, individuals, different generational groups, or other audiences. Who are the key audiences for, or users of, the NNA? Who should find the information that the NNA provides useful?

2. USGCRP understands that creation of a use-inspired assessment will require ongoing engagement with the potential users of the NNA. This RFI is one of the first ways USGCRP is reaching out to potential users.

a. What engagement processes should be used so that the audiences identified above are best able to participate in the development process?

b. What forms or formats of engagement (*e.g.,* in-person town hall meetings, virtual conversations, community workshops, social media events, calls for stories or art) are likely to help USGCRP meet its principle of inclusivity and best inform the assessment?

3. Use-inspired assessments are tailored to their intended use.

a. What decisions should the NNA help inform, and what information is needed for those decisions?

b. What needs can the assessment fill, and how should information be provided to fill them?

c. What questions should the NNA answer? What do you wish you knew about nature in the United States?

4. The scope of the NNA includes assessment of the observed trends and future projections of nature and the benefits it provides to people. Given this:

a. How far back in time should the NNA explore observed trends, and why?

b. What kinds of questions about the future should the NNA aim to answer? How far into the future should projections extend, and why?

c. What types of future scenarios would best support the recommended uses (*e.g.* quantitative time series, directional changes, stories)?

5. Assessments can create a wide variety of products that help users access, understand and use the information that is provided. These can include large written reports, a series of shorter reports, online interactive settings, artistic expressions (paintings, poems, etc.), infographics, virtual or augmented reality tools, phone or tablet apps, presentations, data resources, films, podcasts, social media, events, entertainment products, and many others.

a. What kinds of products can best communicate the findings of the NNA?

b. How would you like to use the findings of the NNA?

6. Past assessments have used various approaches to organizing findings. Some give information for each region of the country (*e.g.,* findings for the southeast, northwest, southwest, the Arctic). Others give information for different types of ecosystems (*e.g.,* kelp forest, desert, temperate forest) or levels of ecological organization (*e.g.,* species, communities, ecosystems). Still others organize findings for specific audiences (*e.g.,* government, businesses, land owners, resource users like fishers, hunters, hikers), or specific decision-making contexts (*e.g.,* NEPA requirements, corporate ESG reporting, financial risk disclosure, research prioritization). The NNA is tasked to assess the connections between nature and the benefits it provides, and so findings could also be organized by benefit (*e.g.,* public health, equity, economy) or by sector (*e.g.,* agriculture, transportation, health, housing, energy).

a. Given that the scope of the NNA is quite broad, how should information in the assessment be organized?

b. What format would best match the ways you think the NNA should be used?

Questions To Inform a Definition of Nature

The guidance provided by USGCRP asks the NNA to assess lands, waters, wildlife, biodiversity, and ecosystems and the benefits they provide, including connections to the economy, public health, equity, climate mitigation and adaptation, and national security. USGCRP is aware that there are many different definitions of nature and many ways of coming to know and understand nature. With this in mind, USGCRP seeks responses to the following questions:

7. What does nature mean to you?

8. What should the definition of nature used in the NNA be sure to address or include, and why?

9. What should the definition of nature used in the NNA be sure to leave out or exclude, and why?

Questions To Inform Identification of Relevant Knowledge Sources

10. Indigenous Knowledge (IK) is an important body of knowledge that contributes to the scientific, technical, social, and economic advancements of the United States and to our collective understanding of the natural world. Responsive to this recognition:

a. How can USGCRP best engage with Tribes and Indigenous Peoples in the development of the NNA?

b. How should IK be woven together with other forms of knowing in the NNA?

11. There are many ongoing assessments, and existing quantitative and qualitative data and knowledge that relate to the many aspects of nature and the wide range of benefits the NNA is charged to assess. These sources may be generated by government agencies, Tribes and Indigenous Peoples, colleges and universities, local communities, non-profit organizations, the international community, the private sector, and others.

a. What existing assessments and knowledge efforts should the NNA draw from to provide a comprehensive view of the status, observed trends and future projections of nature and its benefits in the United States, and why?

b. How can USGCRP best engage with local communities to incorporate their lived experiences into the NNA?

c. What existing datasets, knowledge sources, information or stories should USGCRP draw from in creating the NNA, and why?

d. How should the NNA be designed to add value beyond what these existing efforts and sources already provide?

Public Engagement Plans

Opportunities for public engagement to inform NNA will be presented throughout its development. The following planned public engagement schedule is presented to notify the public of these coming opportunities. The specific timing of these engagement efforts will depend upon feedback from this RFI and how the NNA is developed based on that information. However, the NNA currently plans the following public engagement plans at a minimum, regardless of what other engagement opportunities may become available in the future.

- Public comment on NNA draft prospectus
- Public engagement workshops and webinars
- Public calls for authors
- Public comment on drafts of assessment products, as appropriate
- Peer review of assessment products, as appropriate

All are invited to participate in these public engagement opportunities to ensure robust public input to NNA. Specific dates and locations for all engagements will be provided on *www.globalchange.gov/notices* as they are determined. Members of the public may also sign up to receive updates through USGCRP's bimonthly newsletter at *www.globalchange.gov/newsletter-signup.*

Dated: October 26, 2022.

Stacy Murphy,

Operations Manager.

[FR Doc. 2022–23593 Filed 10–28–22; 8:45 am]

BILLING CODE 3270–F1–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–96149; File No. SR–NYSENAT–2022–23]

Self-Regulatory Organizations; NYSE National, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule To Amend Commentary .01 of NYSE National Rule 2.1210

October 25, 2022.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that on October 11, 2022, NYSE National, Inc. (''NYSE National'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Commentary .01 of NYSE National Rule 2.1210 to add text inadvertently omitted when the rule was adopted. The proposed rule change is available on the Exchange's website at *www.nyse.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Commentary .01 of NYSE National Rule 2.1210 (Registration Requirements) to add text inadvertently omitted when the rule was adopted.

Proposed Rule Change

In 2018, the Exchange adopted Rule 2.1210 regarding registration requirements and related Commentary.[4] Rule 2.1210 provides that each person engaged in the investment banking or securities business of an ETP Holder must register with the Exchange as a representative or principal in each category of registration appropriate to his or her functions and responsibilities as specified in Rule 2.1220 (Registration Categories), unless exempt from registration pursuant to Rule 2.1230 (Associated Persons Exempt from Registration). Rule 2.1210 also provides that such person is not qualified to function in any registered capacity other than that for which the person is registered, unless otherwise stated in the rules.

Rule 2.1210, Commentary .01, provides for permissive registrations, and was adopted in order for the Exchange to harmonize its rules with the rules of the Financial Regulatory Authority, Inc. (''FINRA'').[5] The rule permits any associated person to obtain and maintain any registration permitted by an ETP Holder. As adopted, the first sentence of Commentary .01 provides as follows:

> An ETP Holder may make application for or maintain the registration as a representative or principal of any associated person of an ETP Holder and any individual engaged in the securities business of a foreign securities affiliate or subsidiary of the ETP Holder.

The Exchange inadvertently omitted the words ''investment banking or'' immediately before ''securities business''. The omitted text mirrors the language of FINRA Rule 1210.02 and Commentary .01 of the version of Rule 2.1210 adopted by the Exchange's affiliates New York Stock Exchange, Inc., and NYSE American LLC.[6] As proposed, the first sentence of Commentary .01 of Rule 2.1210 would read as follows (new text *italicized*:

> An ETP Holder may make application for or maintain the registration as a representative or principal of any associated person of an ETP Holder and any individual engaged in the *investment banking or* securities business of a foreign securities affiliate or subsidiary of the ETP Holder.

The Exchange does not propose any additional changes to the text of Rule 2.1210.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Securities Exchange Act of 1934 (the ''Act''),[7] in general, and furthers the objectives of Section 6(b)(5),[8] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to, and perfect the mechanism of, a free and open market and a national market system and, in general, to protect investors and the public interest.

The Exchange believes that the proposed rule change would remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, protect investors and the public interest because the proposed conforming change would add clarity, transparency and consistency to the Exchange's registration rules. The Exchange believes that market participants would benefit from the increased clarity, thereby reducing potential confusion. Similarly, the Exchange believes that the proposed changes would also make the Exchange's registration rules more consistent with the rules of its affiliates, thereby ensuring that persons subject to the Exchange's jurisdiction, regulators, and the investing public can more easily navigate and understand the Exchange's rules.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is not intended to address competitive issues but rather is concerned solely with amending the registration rules to make a conforming change to add text inadvertently omitted when the rules were adopted.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[9] and Rule 19b–4(f)(6) thereunder.[10] Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if

[4] *See* Securities Exchange Act Release No. 84350 (October 3, 2018), 83 FR 51030 (October 10, 2018) (SR–NYSENat–2018–21) (Notice of Filing and Immediate Effectiveness of Amendments to Rules Regarding Qualification, Registration and Continuing Education Applicable to Equity Trading Permit Holders).

[5] *See id.,* 83 FR at 51033.

[6] *See* FINRA Rule 1210.02; NYSE Rule 1210, Commentary .01; NYSE American Rule 1210, Commentary .01.

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

[9] 15 U.S.C. 78s(b)(3)(A)(iii).

[10] 17 CFR 240.19b–4(f)(6).

consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6)(iii) thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[11] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[12] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Commission believes that because this rule change better harmonizes the exchange's rules with those of FINRA, waiver of the 30-day operative delay for this proposed rule change is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposed rule change operative upon filing.[13]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)[14] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NYSENAT–2022–23 on the subject line.

Paper Comments

- Send paper comments in triplicate to: Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSENAT–2022–23. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSENAT–2022–23 and should be submitted on or before November 21, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

J. Matthew DeLesDernier,

Deputy Secretary.

[FR Doc. 2022–23578 Filed 10–28–22; 8:45 am]

BILLING CODE 8011–01–P

[11] 17 CFR 240.19b–4(f)(6).

[12] 17 CFR 240.19b–4(f)(6)(iii).

[13] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[14] 15 U.S.C. 78s(b)(2)(B).

[15] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–96150; File No. SR–NYSECHX–2022–23]

Self-Regulatory Organizations; NYSE Chicago, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Commentary .01 of Article 6, Rule 13

October 25, 2022.

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (''Act'')[2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on October 11, 2022, the NYSE Chicago, Inc. (''NYSE Chicago'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Commentary .01 of Article 6, Rule 13 to add text inadvertently omitted when the rule was adopted. The proposed rule change is available on the Exchange's website at *www.nyse.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Commentary .01 of Article 6, Rule 13

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

(Registration Requirements) to add text inadvertently omitted when the rule was adopted.

Proposed Rule Change

In 2018, the Exchange adopted Article 6, Rule 13 regarding registration requirements and related Commentary.[4] Article 6, Rule 13 provides that each person engaged in the investment banking or securities business of a Participant must register with the Exchange as a representative or principal in each category of registration appropriate to his or her functions and responsibilities as specified in Article 6, Rule 14 (Registration Categories), unless exempt from registration pursuant to Article 6, Rule 15 (Associated Persons Exempt from Registration). Article 6, Rule 13 also provides that such person is not qualified to function in any registered capacity other than that for which the person is registered, unless otherwise stated in the rules.

Commentary .01 to Article 6, Rule 13 provides for permissive registrations, and was adopted in order for the Exchange to harmonize its rules with the rules of the Financial Regulatory Authority, Inc. (''FINRA'').[5] The rule permits any associated person to obtain and maintain any registration permitted by a Participant. As adopted, the first sentence of Commentary .01 provides as follows:

A Participant may make application for or maintain the registration as a representative or principal of any associated person of a Participant and any individual engaged in the securities business of a foreign securities affiliate or subsidiary of the Participant.

The Exchange inadvertently omitted the words ''investment banking or'' immediately before ''securities business''. The omitted text mirrors the language of FINRA Rule 1210.02 and Commentary .01 of Rule 2.1210 adopted by the Exchange's affiliates New York Stock Exchange, Inc., and NYSE American LLC.[6] As proposed, the first sentence of Commentary .01 of Article 6, Rule 13 would read as follows (new text *italicized*):

A Participant may make application for or maintain the registration as a representative or principal of any associated person of a Participant and any individual engaged in the *investment banking or* securities business of a foreign securities affiliate or subsidiary of the Participant.

The Exchange does not propose any additional changes to the text of Article 6, Rule 13.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Securities Exchange Act of 1934 (the ''Act''),[7] in general, and furthers the objectives of Section 6(b)(5),[8] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to, and perfect the mechanism of, a free and open market and a national market system and, in general, to protect investors and the public interest.

The Exchange believes that the proposed rule change would remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, protect investors and the public interest because the proposed conforming change would add clarity, transparency and consistency to the Exchange's registration rules. The Exchange believes that market participants would benefit from the increased clarity, thereby reducing potential confusion. Similarly, the Exchange believes that the proposed changes would also make the Exchange's registration rules more consistent with the rules of its affiliates, thereby ensuring that persons subject to the Exchange's jurisdiction, regulators, and the investing public can more easily navigate and understand the Exchange's rules.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is not intended to address competitive issues but rather is concerned solely with amending the registration rules to make a conforming change to add text inadvertently omitted when the rules were adopted.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[9] and Rule 19b–4(f)(6) thereunder.[10] Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6)(iii) thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[11] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b4(f)(6)(iii),[12] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Commission believes that because this rule change better harmonizes the exchange's rules with those of FINRA, waiver of the 30-day operative delay for this proposed rule change is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposed rule change operative upon filing.[13]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of

[4] *See* Securities Exchange Act Release No. 84896 (December 20, 2018), 83 FR 67376 (December 28, 2018) (SR–CHX–2018–07) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change Regarding Qualification, Registration and Continuing Education Requirements Applicable to Participants).

[5] *See id.,* 83 FR at 67377.

[6] *See* FINRA Rule 1210.02; NYSE Rule 1210, Commentary .01; NYSE American Rule 1210, Commentary .01.

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

[9] 15 U.S.C. 78s(b)(3)(A)(iii).

[10] 17 CFR 240.19b–4(f)(6).

[11] 17 CFR 240.19b–4(f)(6).

[12] 17 CFR 240.19b–4(f)(6)(iii).

[13] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [14] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NYSECHX–2022–23 on the subject line.

Paper Comments

- Send paper comments in triplicate to: Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSECHX–2022–23. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSECHX–2022–23 and should be submitted on or before November 21, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

J. Matthew DeLesDernier,

Deputy Secretary.

[FR Doc. 2022–23580 Filed 10–28–22; 8:45 am]

BILLING CODE 8011–01–P

[14] 15 U.S.C. 78s(b)(2)(B).

[15] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–548, OMB Control No. 3235–0609]

Submission for OMB Review; Comment Request; Extension: Regulation S–AM

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (''PRA'') (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for approval of extension of the previously approved collection of information provided for in Regulation S–AM (17 CFR part 248, subpart B), under the Fair Credit Reporting Act (15 U.S.C. 1681 *et seq.*) (''FCRA''), the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*), the Investment Company Act of 1940 (15 U.S.C. 80a–1 *et seq.*), and the Investment Advisers Act of 1940 (15 U.S.C. 80b–1 *et seq.*).

Regulation S–AM implements the requirements of Section 624 of the FCRA (15 U.S.C. 1681s–3) with respect to investment advisers and transfer agents registered with the Commission, as well as brokers, dealers and investment companies (collectively, ''Covered Persons''). Section 624 and Regulation S–AM limit a Covered Person's use of certain consumer financial information received from an affiliate to solicit a consumer for marketing purposes, unless the consumer was given notice and a reasonable opportunity and a reasonable and simple method to opt out of such solicitations. Regulation S–AM potentially applies to all of the approximately 21,896 Covered Persons registered with the Commission, although only approximately 12,262 of them have one or more corporate affiliates, and the regulation requires only approximately 2,190 to provide consumers with an affiliate marketing notice and an opt-out opportunity.

The Commission staff estimates that there are approximately 12,262 Covered Persons having one or more affiliates, and that they each spend an average of 0.20 hours per year to review affiliate marketing practices, for, collectively, an estimated annual time burden of approximately 2,452 hours at an annual internal compliance cost of approximately $1,444,228. The staff also estimates that approximately 2,190 Covered Persons provide notice and opt-out opportunities to consumers, and that they each spend an average of 7.6 hours per year creating notices, providing notices and opt-out opportunities, monitoring the opt-out notice process, making and updating records of opt-out elections, and addressing consumer questions and concerns about opt-out notices, for, collectively, an estimated annual time burden of approximately 16,644 hours at an annual internal compliance cost of approximately $3,599,484. Thus, the staff estimates that the collection of information requires a total of approximately 12,262 respondents to incur an estimated total annual time burden of approximately 19,096 hours at a total annual internal cost of compliance of approximately $5,043,712.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

The public may view background documentation for this information collection at the following website: *www.reginfo.gov.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Written comments and recommendations for the proposed information collection should be sent by November 30, 2022 to (i) *www.reginfo.gov/public/do/PRAMain* and (ii) David Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o John Pezzullo, 100 F Street NE, Washington, DC 20549, or by sending an email to: *PRA_Mailbox@sec.gov.*

Dated: October 25, 2022.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2022–23570 Filed 10–28–22; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–96148; File No. SR–LCH SA–2022–007]

Self-Regulatory Organizations; LCH SA; Notice of Designation of Longer Period for Commission Action on Proposed Rule Relating To Providing Clearing Services for Additional Index and Single Name CDS

October 25, 2022.

On August 29, 2022, Banque Centrale de Compensation, which conducts business under the name LCH SA (''LCH SA''), filed with the Securities and Exchange Commission (''Commission'') the proposed rule change SR–LCH SA–2022–007 (''Proposed Rule Change'') pursuant to Section 19(b) of the Securities Exchange Act of 1934 (''Exchange Act'') [1] and Rule 19b–4 [2] thereunder to provide clearing services for additional index and single name credit default swaps.[3] The Proposed Rule Change was published for public comment in the **Federal Register** on September 12, 2022.[4] The Commission has not received comments regarding the proposal described in the Proposed Rule Change.

Section 19(b)(2) of the Exchange Act [5] provides that, within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the Notice of Filing is October 27, 2022. The Commission is extending this 45-day time period.

In order to provide the Commission with sufficient time to consider the Proposed Rule Change, the Commission finds that it is appropriate to designate a longer period within which to take action on the Proposed Rule Change.

Accordingly, the Commission, pursuant to Section 19(b)(2) of the Exchange Act,[6] designates December 11, 2022 as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove proposed rule change SR–LCH SA–2022–007.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

J. Matthew DeLesDernier,

Deputy Secretary.

[FR Doc. 2022–23582 Filed 10–28–22; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Notice of Filing *infra* note 4, 87 FR at 55872.

[4] Securities Exchange Act Release No. 95674 (Sep. 6, 2022), 87 FR 55872 (Sep. 12, 2022) (File No. SR–LCH SA–2022–007) (''Notice of Filing'').

[5] 15 U.S.C. 78s(b)(2).

[6] *Id.*

[7] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–96151; File No. SR–NYSEARCA–2022–69]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Commentary .01 of NYSE Arca Rule 2.1210

October 25, 2022.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on October 11, 2022, NYSE Arca, Inc. (''NYSE Arca'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Commentary .01 of NYSE Arca Rule 2.1210 to add text inadvertently omitted when the rule was adopted. The proposed rule change is available on the Exchange's website at *www.nyse.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Commentary .01 of NYSE Arca Rule 2.1210 (Registration Requirements) to add text inadvertently omitted when the rule was adopted.

Proposed Rule Change

In 2018, the Exchange adopted Rule 2.1210 regarding registration requirements and related Commentary.[4] Rule 2.1210 provides that each person engaged in the investment banking or securities business of an ETP Holder, OTP Holder or OTP Firm must register with the Exchange as a representative or principal in each category of registration appropriate to his or her functions and responsibilities as specified in Rule 2.1220 (Registration Categories), unless exempt from registration pursuant to Rule 2.1230 (Associated Persons Exempt from Registration). Rule 2.1210 also provides that such person is not qualified to function in any registered capacity other than that for which the person is registered, unless otherwise stated in the rules.

Rule 2.1210, Commentary .01, provides for permissive registrations, and was adopted in order for the Exchange to harmonize its rules with the rules of the Financial Regulatory Authority, Inc. (''FINRA'').[5] The rule permits any associated person to obtain and maintain any registration permitted by an ETP Holder, OTP Holder or OTP Firm. As adopted, the first sentence of Commentary .01 provides as follows:

An ETP Holder, OTP Holder or OTP Firm may make application for or maintain the registration as a representative or principal of any associated person of an ETP Holder, OTP Holder or OTP Firm and any individual engaged in the securities business of a foreign securities affiliate or subsidiary of the ETP Holder, OTP Holder or OTP Firm.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] *See* Securities Exchange Act Release No. 84389 (October 10, 2018), 83 FR 52272 (October 16, 2018) (SR–NYSEArca–2018–71) (Notice of Filing and Immediate Effectiveness of Amendments to Rules Regarding Qualification, Registration and Continuing Education Applicable to Equity Trading Permit Holders, Options Trading Permit Holders or OTP Firms).

[5] *See id.,* 83 FR at 52275.

The Exchange inadvertently omitted the words ''investment banking or'' immediately before ''securities business''. The omitted text mirrors the language of FINRA Rule 1210.02 and Commentary .01 of the version of Rule 2.1210 adopted by the Exchange's affiliates New York Stock Exchange, Inc., and NYSE American LLC.[6] As proposed, the first sentence of Commentary .01 of Rule 2.1210 would read as follows (new text *italicized*):

An ETP Holder, OTP Holder or OTP Firm may make application for or maintain the registration as a representative or principal of any associated person of an ETP Holder, OTP Holder or OTP Firm and any individual engaged in the *investment banking or* securities business of a foreign securities affiliate or subsidiary of the ETP Holder, OTP Holder or OTP Firm.

The Exchange does not propose any additional changes to the text of Rule 2.1210.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Securities Exchange Act of 1934 (the ''Act''),[7] in general, and furthers the objectives of Section 6(b)(5),[8] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to, and perfect the mechanism of, a free and open market and a national market system and, in general, to protect investors and the public interest.

The Exchange believes that the proposed rule change would remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, protect investors and the public interest because the proposed conforming change would add clarity, transparency and consistency to the Exchange's registration rules. The Exchange believes that market participants would benefit from the increased clarity, thereby reducing potential confusion. Similarly, the Exchange believes that the proposed changes would also make the Exchange's registration rules more consistent with the rules of its affiliates, thereby ensuring that persons subject to the Exchange's jurisdiction, regulators, and the investing public can more easily navigate and understand the Exchange's rules.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is not intended to address competitive issues but rather is concerned solely with amending the registration rules to make a conforming change to add text inadvertently omitted when the rules were adopted.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[9] and Rule 19b–4(f)(6) thereunder.[10] Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6)(iii) thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[11] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b4(f)(6)(iii),[12] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Commission believes that because this rule change better harmonizes the exchange's rules with those of FINRA, waiver of the 30-day operative delay for this proposed rule change is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposed rule change operative upon filing.[13]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)[14] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–NYSEARCA–2022–69 on the subject line.

Paper Comments

- Send paper comments in triplicate to: Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSEARCA–2022–69. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the

[6] *See* FINRA Rule 1210.02; NYSE Rule 1210, Commentary .01; NYSE American Rule 1210, Commentary .01.

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

[9] 15 U.S.C. 78s(b)(3)(A)(iii).

[10] 17 CFR 240.19b–4(f)(6).

[11] 17 CFR 240.19b–4(f)(6).

[12] 17 CFR 240.19b–4(f)(6)(iii).

[13] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[14] 15 U.S.C. 78s(b)(2)(B).

public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSEARCA–2022–69 and should be submitted on or before November 21, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

J. Matthew DeLesDernier,

Deputy Secretary.

[FR Doc. 2022–23581 Filed 10–28–22; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: 2:00 p.m. on Thursday, November 3, 2022.

PLACE: The meeting will be held via remote means and/or at the Commission's headquarters, 100 F Street NE, Washington, DC 20549.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

In the event that the time, date, or location of this meeting changes, an announcement of the change, along with the new time, date, and/or place of the meeting will be posted on the Commission's website at *https://www.sec.gov.*

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (6), (7), (8), 9(B) and (10) and 17 CFR 200.402(a)(3), (a)(5), (a)(6), (a)(7), (a)(8), (a)(9)(ii) and (a)(10), permit consideration of the scheduled matters at the closed meeting.

The subject matter of the closed meeting will consist of the following topics:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings;

Resolution of litigation claims; and

Other matters relating to examinations and enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting agenda items that may consist of adjudicatory, examination, litigation, or regulatory matters.

CONTACT PERSON FOR MORE INFORMATION: For further information; please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551–5400.

Authority: 5 U.S.C. 552b.

Dated: October 27, 2022.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2022–23771 Filed 10–27–22; 4:15 pm]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–96154; File No. SR–Phlx–2022–43]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Equity 4, Rule 3307 To Enhance the Anti-Internalization Functionality Available on the Exchange

October 25, 2022.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on October 21, 2022, Nasdaq PHLX LLC (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Equity 4, Rule 3307, as described further below. The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/phlx/rules,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to enhance the anti-internalization functionality available on the Exchange by giving market participants the flexibility to choose to have this protection apply to market participants under Common Ownership.[3] Anti-internalization, also known as self-match prevention, is an optional feature available on the Exchange that (1) prevents two orders with the same Market Participant Identifier (MPID) from executing against each other, or (2) prevents two orders entered through a specific order entry port from executing against each other (in the case of market participants using the OUCH order entry protocol). The proposed rule change would permit market participants to direct that quotes/orders entered into the System not execute against quotes/orders entered across MPIDs that are under Common Ownership. The Exchange believes that this enhancement will provide helpful flexibility for market participants that wish to prevent trading against all quotes and orders entered by market participants under Common Ownership, instead of just quotes and orders that are entered under the same MPID or under a particular order entry port.

Currently, under Equity 4, Rule 3307, the Exchange provides optional anti-

[15] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The proposed rule change would define ''Common Ownership'' under Equity 4, Rule 3307 to mean participants under 75% common ownership or control.

internalization functionality whereby quotes and orders entered by market participants using the same MPID are not executed against each other. In addition, under Equity 4, Rule 3307, market participants using the OUCH order entry protocol may assign to orders entered through a specific order entry port a unique group identification modifier that will prevent quotes/orders with such modifier from executing against each other.[4] Self-match prevention functionality assists participants in reducing trading costs from unwanted executions potentially resulting from the interaction of executable buy and sell trading interest from the same firm.

The Exchange currently provides three versions of self-match prevention functionality to allow participants to choose how orders are handled in the event of a self-match situation: (1) decrement, (2) cancel oldest, and (3) cancel newest. Under the first version (''decrement''), if the self-match orders have the same share size, both orders will cancel back to the customer. If the orders are not equivalent in size, the smaller order will cancel back to the originating customer and the larger order will decrement by the size of the smaller order. The remaining shares of the larger order will remain on the book. Under the second version (''cancel oldest''), the full size of the order residing on the book will cancel back to the customer if the incoming order would execute against it. The incoming order will remain intact with no changes. Under the third version (''cancel newest''), the full size of the order coming into the book will cancel back to the customer. The resting order will remain intact with no changes. Currently, firms may opt-in to any version of the self-match prevention functionality on a per MPID basis or per port basis.

Today, the anti-internalization protection prevents market participants from trading against their own quotes and orders at the MPID or port level. The proposed enhancement to this functionality would allow participants to choose to have this protection applied at the MPID or port level as implemented today, or across MPIDs under Common Ownership. If participants choose to have this protection applied across MPIDs under Common Ownership, the anti-internalization functionality would prohibit quotes and orders from different MPIDs associated with the same Organization ID (''OrgId'')[5] from trading against one another. Under the proposed rule change, the anti-internalization functionality would continue to be an optional feature. If a firm chooses to take advantage of self-match prevention, the firm would need to opt-in to the self-match prevention functionality, as is the case today. If participants opt-in to the self-match prevention functionality, under the proposed rule change, participants would have the option to choose whether to apply the protection at the OrgId, MPID, or port level. In addition, participants may opt-in to any version of the self-match prevention strategy that exists today (*i.e.,* decrement, cancel oldest, or cancel newest).[6]

The Exchange believes that the proposed anti-internalization enhancement would provide participants with more tailored self-trade functionality that allows them to manage their trading as appropriate based on the participant's business needs. While the Exchange believes that some firms will want to restrict self-match prevention to trading against interest from the same MPID or same port—*i.e.,* as implemented today—the Exchange believes that other firms will find it helpful to be able to configure self-match prevention to apply at the OrgId level so that they are protected regardless of which MPID the order or quote originated from.

Implementation Date

The Exchange intends to introduce this new functionality no later than the First Quarter of 2023. In any event, the Exchange will issue an Equities Trader Alert to provide notification of the change and relevant date prior to introducing the new functionality.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[7] in general, and furthers the objectives of Section 6(b)(5) of the Act,[8] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest.

The Exchange believes that the proposed rule change is consistent with the protection of investors and the public interest as it is designed to provide market participants with additional flexibility with respect to how to implement self-trade protections provided by anti-internalization functionality. Currently, market participants are provided optional functionality that (1) prevents quotes and orders from one MPID from trading with quotes and orders from the same MPID, or (2) prevents quotes and orders entered through a specific order entry port from trading with quotes and orders entered though the same order entry port (in the case of market participants using the OUCH order entry protocol). This functionality allows participants to better manage their order flow and prevent undesirable executions where the participant, using the same MPID or same port, would be on both sides of the trade. While this functionality is helpful, the Exchange proposes to expand the protections to provide participants with the option not to trade with quotes and orders entered by different MPIDs under Common Ownership. The Exchange would continue to provide the option to opt out of the self-match prevention. In addition, the Exchange would continue to provide the option to use the current functionality to prevent self-trades on a per MPID or per port basis. The proposed rule change would offer a new option for participants opting-in to the self-match prevention to prevent undesirable executions across different MPIDs under the same Common Ownership. The Exchange believes that flexibility to apply anti-internalization functionality at the OrgId level would be useful to participants. The Exchange believes that the proposed rule change is designed to promote just and equitable principles of trade and will remove impediments to and perfect the mechanisms of a free and open market as it will further enhance self-trade protections provided to market participants. This functionality does not relieve or otherwise modify the duty of best execution owed to orders received from public customers.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is designed to enhance self-match prevention functionality provided to the Exchange's participants and will benefit participants that wish to protect their quotes and orders against trading with other quotes and orders within the same

[4] The group identification modifier allows firms to apply self-match prevention on a more granular level (*i.e.,* per a specific order entry port).

[5] The OrgId is a field that indicates Common Ownership across multiple MPIDs.

[6] If the self-match prevention strategy differs between two orders, the strategy of the order removing liquidity applies.

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

OrgId, rather than the more limited MPID or port standard applied today. The new functionality is also completely voluntary, and members that wish to use the current functionality (or opt out altogether) can also continue to do so. The Exchange does not believe that providing more flexibility to participants will have any significant impact on competition. In fact, the Exchange believes that the proposed rule change is evidence of the competitive environment where exchanges must continually improve their offerings to maintain competitive standing.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act [9] and subparagraph (f)(6) of Rule 19b–4 thereunder.[10]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–Phlx–2022–43 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–Phlx–2022–43. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–Phlx–2022–43 and should be submitted on or before November 21, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

J. Matthew DeLesDernier,

Deputy Secretary.

[FR Doc. 2022–23583 Filed 10–28–22; 8:45 am]

BILLING CODE 8011–01–P

[9] 15 U.S.C. 78s(b)(3)(A)(iii).

[10] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[11] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–96156; File No. SR–BX–2022–020]

Self-Regulatory Organizations; Nasdaq BX, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Equity 4, Rule 4757 To Enhance the Anti-Internalization Functionality Available on the Exchange

October 25, 2022.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on October 21, 2022, Nasdaq BX, Inc. (''BX'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Equity 4, Rule 4757, as described further below. The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/bx/rules,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to enhance the anti-

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

internalization functionality available on the Exchange by giving market participants the flexibility to choose to have this protection apply to market participants under Common Ownership.[3] Anti-internalization, also known as self-match prevention, is an optional feature available on the Exchange that (1) prevents two orders with the same Market Participant Identifier (MPID) from executing against each other, or (2) prevents two orders entered through a specific order entry port from executing against each other (in the case of market participants using the OUCH order entry protocol). The proposed rule change would permit market participants to direct that quotes/orders entered into the System not execute against quotes/orders entered across MPIDs that are under Common Ownership. The Exchange believes that this enhancement will provide helpful flexibility for market participants that wish to prevent trading against all quotes and orders entered by market participants under Common Ownership, instead of just quotes and orders that are entered under the same MPID or under a particular order entry port.

Currently, under Equity 4, Rule 4757, the Exchange provides optional anti-internalization functionality whereby quotes and orders entered by market participants using the same MPID are not executed against each other. In addition, under Equity 4, Rule 4757, market participants using the OUCH order entry protocol may assign to orders entered through a specific order entry port a unique group identification modifier that will prevent quotes/orders with such modifier from executing against each other.[4] Self-match prevention functionality assists participants in reducing trading costs from unwanted executions potentially resulting from the interaction of executable buy and sell trading interest from the same firm.

The Exchange currently provides three versions of self-match prevention functionality to allow participants to choose how orders are handled in the event of a self-match situation: (1) decrement, (2) cancel oldest, and (3) cancel newest. Under the first version (''decrement''), if the self-match orders have the same share size, both orders will cancel back to the customer. If the orders are not equivalent in size, the smaller order will cancel back to the originating customer and the larger order will decrement by the size of the smaller order. The remaining shares of the larger order will remain on the book. Under the second version (''cancel oldest''), the full size of the order residing on the book will cancel back to the customer if the incoming order would execute against it. The incoming order will remain intact with no changes. Under the third version (''cancel newest''), the full size of the order coming into the book will cancel back to the customer. The resting order will remain intact with no changes. Currently, firms may opt-in to any version of the self-match prevention functionality on a per MPID basis or per port basis.

Today, the anti-internalization protection prevents market participants from trading against their own quotes and orders at the MPID or port level. The proposed enhancement to this functionality would allow participants to choose to have this protection applied at the MPID or port level as implemented today, or across MPIDs under Common Ownership. If participants choose to have this protection applied across MPIDs under Common Ownership, the anti-internalization functionality would prohibit quotes and orders from different MPIDs associated with the same Organization ID (''OrgId'')[5] from trading against one another. Under the proposed rule change, the anti-internalization functionality would continue to be an optional feature. If a firm chooses to take advantage of self-match prevention, the firm would need to opt-in to the self-match prevention functionality, as is the case today. If participants opt-in to the self-match prevention functionality, under the proposed rule change, participants would have the option to choose whether to apply the protection at the OrgId, MPID, or port level. In addition, participants may opt-in to any version of the self-match prevention strategy that exists today (*i.e.,* decrement, cancel oldest, or cancel newest).[6]

The Exchange believes that the proposed anti-internalization enhancement would provide participants with more tailored self-trade functionality that allows them to manage their trading as appropriate based on the participant's business needs. While the Exchange believes that some firms will want to restrict self-match prevention to trading against interest from the same MPID or same port—*i.e.,* as implemented today—the Exchange believes that other firms will find it helpful to be able to configure self-match prevention to apply at the OrgId level so that they are protected regardless of which MPID the order or quote originated from.

Implementation Date

The Exchange intends to introduce this new functionality no later than the First Quarter of 2023. In any event, the Exchange will issue an Equities Trader Alert to provide notification of the change and relevant date prior to introducing the new functionality.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[7] in general, and furthers the objectives of Section 6(b)(5) of the Act,[8] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest.

The Exchange believes that the proposed rule change is consistent with the protection of investors and the public interest as it is designed to provide market participants with additional flexibility with respect to how to implement self-trade protections provided by anti-internalization functionality. Currently, market participants are provided optional functionality that (1) prevents quotes and orders from one MPID from trading with quotes and orders from the same MPID, or (2) prevents quotes and orders entered through a specific order entry port from trading with quotes and orders entered though the same order entry port (in the case of market participants using the OUCH order entry protocol). This functionality allows participants to better manage their order flow and prevent undesirable executions where the participant, using the same MPID or same port, would be on both sides of the trade. While this functionality is helpful, the Exchange proposes to expand the protections to provide participants with the option not to trade with quotes and orders entered by different MPIDs under Common Ownership. The Exchange would continue to provide the option to opt out of the self-match prevention. In addition, the Exchange would continue

[3] The proposed rule change would define ''Common Ownership'' under Equity 4, Rule 4757 to mean participants under 75% common ownership or control.

[4] The group identification modifier allows firms to apply self-match prevention on a more granular level (*i.e.,* per a specific order entry port).

[5] The OrgId is a field that indicates Common Ownership across multiple MPIDs.

[6] If the self-match prevention strategy differs between two orders, the strategy of the order removing liquidity applies.

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

to provide the option to use the current functionality to prevent self-trades on a per MPID or per port basis. The proposed rule change would offer a new option for participants opting-in to the self-match prevention to prevent undesirable executions across different MPIDs under the same Common Ownership. The Exchange believes that flexibility to apply anti-internalization functionality at the OrgId level would be useful to participants. The Exchange believes that the proposed rule change is designed to promote just and equitable principles of trade and will remove impediments to and perfect the mechanisms of a free and open market as it will further enhance self-trade protections provided to market participants. This functionality does not relieve or otherwise modify the duty of best execution owed to orders received from public customers.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is designed to enhance self-match prevention functionality provided to the Exchange's participants and will benefit participants that wish to protect their quotes and orders against trading with other quotes and orders within the same OrgId, rather than the more limited MPID or port standard applied today. The new functionality is also completely voluntary, and members that wish to use the current functionality (or opt out altogether) can also continue to do so. The Exchange does not believe that providing more flexibility to participants will have any significant impact on competition. In fact, the Exchange believes that the proposed rule change is evidence of the competitive environment where exchanges must continually improve their offerings to maintain competitive standing.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act[9] and subparagraph (f)(6) of Rule 19b–4 thereunder.[10]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–BX–2022–020 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–BX–2022–020. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–BX–2022–020 and should be submitted on or before November 21, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

J. Matthew DeLesDernier,

Deputy Secretary.

[FR Doc. 2022–23579 Filed 10–28–22; 8:45 am]

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[9] 15 U.S.C. 78s(b)(3)(A)(iii).

[10] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[11] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–027, OMB Control No. 3235–0035]

Submission for OMB Review; Comment Request; Extension: Rule 17a–13

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (''PRA'') (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for approval of extension of the previously approved collection of information provided for in Rule 17a–13 (17 CFR 240.17a–13) under the Securities Exchange Act of 1934 (15 U.S. C. 78a *et seq.*) (''Exchange Act'').

Rule 17a–13(b) (17 CFR 240.17a–13(b)) generally requires that at least once each calendar quarter, all registered brokers-dealers physically examine and count all securities held, and that they account for all other

securities not in their possession, but subject to the broker-dealer's control or direction. Any discrepancies between the broker-dealer's securities count and the firm's records must be noted and, within seven days, the unaccounted for difference must be recorded in the firm's records. Rule 17a–13(c) (17 CFR 240.17a–13(c)) provides that under specified conditions, the count, examination, and verification of the broker-dealer's entire list of securities may be conducted on a cyclical basis rather than on a certain date. Although Rule 17a–13 does not require broker-dealers to file a report with the Commission, discrepancies between a broker-dealer's records and the securities counts may be required to be reported, for example, as a loss on Form X–17a–5 (17 CFR 248.617), which must be filed with the Commission under Exchange Act Rule 17a–5 (17 CFR 240.17a–5). Rule 17a–13 exempts broker-dealers that limit their business to the sale and redemption of securities of registered investment companies and interests or participation in an insurance company separate account and those who solicit accounts for federally insured savings and loan associations, provided that such persons promptly transmit all funds and securities and hold no customer funds and securities. Rule 17a–13 also does not apply to certain broker-dealers required to register only because they effect transactions in securities futures products.

Rule 17a–13 requires the recording of only those differences in the broker-dealer's records that remain unresolved seven business days after the date of the examination, count, and verification. The Commission or the self-regulatory organization (''SRO'') designated as the broker-dealer's examining authority may examine these recorded discrepancies in a broker-dealer's records to determine whether they are the result of the firm's inability to maintain control of its business.

The information obtained from Rule 17a–13 is used as an inventory control device to monitor a broker-dealer's ability to account for all securities held in transfer, in transit, pledged, loaned, borrowed, deposited, or otherwise subject to the firm's control or direction. Discrepancies between the securities counts and the broker-dealer's records alert the Commission and the self-regulatory organizations (''SROs'') to those firms experiencing back-office operational issues.

As of August 2022, there were approximately 3,532 active broker-dealers registered with the Commission. However, given the variability in their businesses, it is difficult to quantify how many hours per year each broker-dealer spends complying with Rule 17a–13. As noted, Rule 17a–13 requires a broker-dealer to account for all securities in its possession or subject to its control or direction. Many broker-dealers hold few, if any, securities, while others hold large quantities. Therefore, the time burden of complying with Rule 17a–13 will depend on respondent-specific factors, including size, number of customers, and proprietary trading activity. The staff estimates that the average time spent per respondent is 100 hours per year on an ongoing basis to maintain the records required under Rule 17a–13. This estimate takes into account the fact that more than half of the 3,532 respondents—according to financial reports filed with the Commission—may spend little or no time complying with Rule 17a–13, given that they do not do a public securities business or do not hold inventories of securities. For these reasons, the staff estimates that the total recordkeeping burden per year is approximately 353,200 hours (3,532 respondents × 100 hours/respondent)

The records required to be made by Rule 17a–13 are available only to Commission examination staff, state securities authorities, and applicable SROs. Subject to the provisions of the Freedom of Information Act, 5 U.S.C. 522, and the Commission's rules thereunder (17 CFR 200.80(b)(4)(iii)), the Commission does not generally publish or make available information contained in any reports, summaries, analyses, letters, or memoranda arising out of, in anticipation of, or in connection with an examination or inspection of the books and records of any person or any other investigation.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

The public may view background documentation for this information collection at the following website: *www.reginfo.gov.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Written comments and recommendations for the proposed information collection should be sent by November 30, 2022 to (i) *www.reginfo.gov/public/do/PRAMain* and (ii) David Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o John Pezzullo, 100 F Street NE, Washington, DC 20549, or by sending an email to: *PRA_Mailbox@sec.gov.*

Dated: October 25, 2022.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2022–23571 Filed 10–28–22; 8:45 am]

BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

[License No. 04/04–0302]

BB&T Capital Partners II, L.L.C.; Surrender of License of Small Business Investment Company

Pursuant to the authority granted to the United States Small Business Administration under the Small Business Investment Act of 1958, as amended, under Section 309, and the Small Business Administration Rules and Regulations (13 CFR 107.1900) to function as a small business investment company under the Small Business Investment Company License No. 04/04–0302 issued to BB&T Capital Partners II, L.L.C., said license is hereby declared null and void.

Bailey DeVries,

Associate Administrator, Office of Investment and Innovation, United States Small Business Administration.

[FR Doc. 2022–23606 Filed 10–28–22; 8:45 am]

BILLING CODE P

SMALL BUSINESS ADMINISTRATION

[License No. 08/08–0172]

UV Partners IV Financial Institutions Fund, LP; Surrender of License of Small Business Investment Company

Pursuant to the authority granted to the United States Small Business Administration under the Small Business Investment Act of 1958, as amended, under Section 309, and the Small Business Administration Rules and Regulations (13 CFR 107.1900) to function as a small business investment company under the Small Business Investment Company License No. 08/08–0172 issued to UV Partners IV Financial Institutions Fund, LP, said license is hereby declared null and void.

Bailey DeVries,

Associate Administrator, Office of Investment and Innovation, United States Small Business Administration.

[FR Doc. 2022–23603 Filed 10–28–22; 8:45 am]

BILLING CODE P

SMALL BUSINESS ADMINISTRATION

[License No. 06/06–0306]

Council Oak Investment Corporation; Surrender of License of Small Business Investment Company

Pursuant to the authority granted to the United States Small Business Administration under the Small Business Investment Act of 1958, as amended, under section 309, and the Small Business Administration Rules and Regulations (13 CFR 107.1900) to function as a small business investment company under the Small Business Investment Company License No. 06/06–0306 issued to Council Oak Investment Corporation, said license is hereby declared null and void.

Bailey DeVries,

Associate Administrator, Office of Investment and Innovation, United States Small Business Administration.

[FR Doc. 2022–23623 Filed 10–28–22; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[License No. 02/02–0675]

QS Capital Strategies, LP; Surrender of License of Small Business Investment Company

Pursuant to the authority granted to the United States Small Business Administration under the Small Business Investment Act of 1958, as amended, under Section 309, and the Small Business Administration Rules and Regulations (13 CFR 107.1900) to function as a small business investment company under the Small Business Investment Company License No. 02/02–0675 issued to QS Capital Strategies, LP, said license is hereby declared null and void.

Bailey DeVries,

Associate Administrator, Office of Investment and Innovation, U.S. Small Business Administration.

[FR Doc. 2022–23604 Filed 10–28–22; 8:45 am]

BILLING CODE P

SMALL BUSINESS ADMINISTRATION

[License No. 03/03–0276]

LNC Partners II—SBIC, L.P.; Notice Seeking Exemption Under Section 312 of the Small Business Investment Act, Conflicts of Interest

Notice is hereby given that LNC Partners II—SBIC, L.P., 11720 Plaza America Drive, Suite 650, Reston, VA 20190, a Federal Licensee under the Small Business Investment Act of 1958, as amended (''the Act''), in connection with the financing of a small concern, has sought an exemption under Section 312 of the Act and Section 107.730, Financings which Constitute Conflicts of Interest of the Small Business Administration (''SBA'') Rules and Regulations (13 CFR 107.730). LNC Partners II—SBIC, L.P. is providing a financing to OutSolve, LLC, 3330 West Esplanade Ave., Metairie, LA 70002.

The financing is brought within the purview of § 107.730(a)(4) of the Regulations because LNC Partners II—SBIC, L.P. is providing a financing to OutSolve, LLC, Inc. that will be used, in part, to discharge an obligation to an Associate. Therefore, this transaction is considered financing a Small Business to discharge an obligation to its Associate, requiring a prior SBA exemption and pre-financing SBA approval.

Notice is hereby given that any interested person may submit written comments on the transaction, within fifteen days of the date of this publication, to the Associate Administrator, Office of Investment and Innovation, U.S. Small Business Administration, 409 Third Street SW, Washington, DC 20416.

Bailey DeVries,

Associate Administrator, Office of Investment and Innovation, U.S. Small Business Administration.

[FR Doc. 2022–23605 Filed 10–28–22; 8:45 am]

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SMALL BUSINESS ADMINISTRATION

[License No. 04/04–0311]

BB&T Capital Partners Mezzanine Fund II, LP; Surrender of License of Small Business Investment Company

Pursuant to the authority granted to the United States Small Business Administration under the Small Business Investment Act of 1958, as amended, under Section 309, and the Small Business Administration Rules and Regulations (13 CFR 07.1900) to function as a small business investment company under the Small Business Investment Company License No. 04/04–0311 issued to BB&T Capital Partners Mezzanine Fund II, LP, said license is hereby declared null and void.

Bailey DeVries,

Associate Administrator, Office of Investment and Innovation, United States Small Business Administration.

[FR Doc. 2022–23602 Filed 10–28–22; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF STATE

[Public Notice 11908]

Designation of Mohamed Mire, Yasir Jiis, Yusuf Ahmed Hajji Nurow, Mohamoud Abdi Aden, and Mustaf 'Ato as Specially Designated Global Terrorists

Acting under the authority of and in accordance with section 1(a)(ii)(B) of E.O. 13224, I hereby determine that the persons known as: Mohamed Mire; Yasir Jiis; Yusuf Ahmed Hajji Nurow (also known as Gees Ade, Abdurrahman Footade); Mohamoud Abdi Aden (also known as Mohamed Yare, Mohamud Abdi Aden, Mohamed Hassan, Mohamud Abdirahman, Mahamoud Abdirahman, Mohamed Abdi Aden, Mahdi Sayid, Moalim Ibrahim, Moalim Mahadi); and Mustaf 'Ato (also known as Abdi Karim Ato) are leaders of al-Shabaab, a group whose property and interests in property are currently blocked pursuant to a determination by the Secretary of State pursuant to E.O. 13224.

Consistent with the determination in section 10 of E.O. 13224 that prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously, I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register**.

Authority: E.O. 13224.

Dated: October 14, 2022.

Antony J. Blinken,

Secretary of State.

[FR Doc. 2022–23585 Filed 10–28–22; 8:45 am]

BILLING CODE 4710–AD–P

DEPARTMENT OF STATE

[Public Notice: 11906]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: ''Promenades on Paper: Eighteenth-Century French Drawings from the Bibliothèque nationale de France'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being

imported from abroad pursuant to an agreement with their foreign owner or custodian for temporary display in the exhibition ''Promenades on Paper: Eighteenth-Century French Drawings from the Bibliothèque nationale de France'' at the Sterling and Francine Clark Art Institute, Williamstown, Massachusetts, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Elliot Chiu, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), E.O. 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 523 of December 22, 2021.

Stacy E. White,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2022–23586 Filed 10–28–22; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice 11904]

Determination Under Section 610 of the Foreign Assistance Act of 1961

Pursuant to the authority vested in me by section 610 of the Foreign Assistance Act of 1961 (FAA) and section 8003(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (Div. J, Pub. L. 115–31), I hereby determine that it is necessary for the purposes of the FAA that up to $14,638,106 of FY 2017 Peacekeeping Operations—Overseas Contingency Operations (PKO–OCO) funds be transferred to, and consolidated with, the Economic Support Fund (ESF) OCO account to provide assistance in support of international climate objectives. Such funds are hereby so transferred and consolidated.

This determination shall be reported to Congress and published in the **Federal Register**.

Dated: September 7, 2022.

Antony J. Blinken,

Secretary of State.

[FR Doc. 2022–23584 Filed 10–28–22; 8:45 am]

BILLING CODE 4710–10–P

DEPARTMENT OF STATE

[Public Notice: 11907]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: ''Beyond the Light: Identity and Place in Nineteenth-Century Danish Art'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to an agreement with their foreign owner or custodian for temporary display in the exhibition ''Beyond the Light: Identity and Place in Nineteenth-Century Danish Art'' at The Metropolitan Museum of Art, New York, New York; the J. Paul Getty Museum, Los Angeles, California; and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Elliot Chiu, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), E.O. 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 523 of December 22, 2021.

Stacy E. White,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2022–23587 Filed 10–28–22; 8:45 am]

BILLING CODE 4710–05–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36641]

Eastern Maine Railway Company—Acquisition and Operation Exemption—Central Maine & Quebec Railway US Inc., d/b/a Canadian Pacific

Eastern Maine Railway Company (EMR), a Class III common carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire from the current owner and operator, Central Maine & Quebec Railway US Inc., d/b/a Canadian Pacific (CMQR), and to operate approximately 36.57 miles of a main line and approximately nine miles of branch line in Maine.[1] The main line is between milepost 109 (Grindstone, Penobscot County, Me.) and milepost 72.43 (near Brownville in Piscataquis County, Me.). The branch lines consist of: (1) the East Millinocket branch line, from milepost 0.0 to milepost 7.72; and (2) the Millinocket branch line, from milepost 104.65 southward 1.2 miles to the end of the track. EMR will also acquire all other associated yard, spur, siding, and other track along the main line between milepost 109 and milepost 72.43.[2]

According to the verified notice, EMR will also acquire incidental trackage rights on CMQR between milepost 72.43 (near Brownville) and the connection of CMQR's track with an EMR rail line in the vicinity of Brownville Junction (milepost 75.07 of CMQR's Bangor Subdivision), a distance of approximately three miles, including CMQR's Brownville Junction yard, as well as use of the CMQR main line to the west for one mile (to milepost 1.0 of CMQR's Moosehead Subdivision). Furthermore, the Maine Northern Railway Company (''MNRC'') currently has overhead trackage rights over the Line. EMR is acquiring the Line subject to these overhead trackage rights. Thus, MNRC's overhead trackage rights will

[1] This is a republication of the notice of exemption originally served and published in the **Federal Register** on October 21, 2022 (87 FR 64129). This notice contains corrected information.

[2] The Line refers collectively to the main line, branch lines, and all other associated yard, spur, siding, and other track along the main line.

remain unchanged by EMR's acquisition of the Line.

According to the verified notice, the parties executed an agreement on September 1, 2022, by which EMR will acquire the Line from CMQR.

EMR certifies that the proposed acquisition and operation of the Line does not involve a provision or agreement that may limit future interchange with a third-party connecting carrier. EMR certifies that its projected annual revenues as a result of this transaction will not result in EMR's becoming a Class II or Class I rail carrier, but that its annual revenues after the proposed transaction are expected to exceed $5 million. Pursuant to 49 CFR 1150.42(e), if a carrier's projected annual revenues will exceed $5 million, it must, at least 60 days before this exemption is to become effective, post a notice of its intent to undertake the proposed transaction at the workplace of the employees on the affected lines, serve a copy of the notice on the national offices of the labor unions with employees on the affected lines, and certify to the Board that it has done so. Exhibit 4 to EMR's verified notice provides the necessary certification.

The transaction may be consummated on or after on or after November 5, 2022, the effective date of the exemption (30 days after the verified notice was filed).

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than October 28, 2022 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36641, should be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E St. SW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on EMR's representative, David E. Benz, Thompson Hine LLP, 1919 M Street NW, Suite 700, Washington, DC 20036.

According to EMR, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at *www.stb.gov.*

Decided: October 25, 2022.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

Aretha Laws-Byrum,

Clearance Clerk.

[FR Doc. 2022–23611 Filed 10–28–22; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

[Docket No. EP 526 (Sub-No. 15)]

Notice of Railroad-Shipper Transportation Advisory Council Vacancies

AGENCY: Surface Transportation Board (Board).

ACTION: Notice of vacancies on the Railroad-Shipper Transportation Advisory Council (RSTAC) and solicitation of nominations.

SUMMARY: The Board hereby gives notice of vacancies on RSTAC for one small railroad representative and one small shipper representative. The Board seeks nominations for candidates to fill these vacancies.

DATES: Nominations are due on November 30, 2022.

ADDRESSES: Nominations may be submitted via e-filing on the Board's website at *www.stb.gov.* Submissions will be posted to the Board's website under Docket No. EP 526 (Sub-No. 15).

FOR FURTHER INFORMATION CONTACT: Gabriel Meyer at (202) 245–0150. Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877–8339.

SUPPLEMENTARY INFORMATION: The Board, created in 1996 to take over many of the functions previously performed by the Interstate Commerce Commission, exercises broad authority over transportation by rail carriers, including regulation of railroad rates and service (49 U.S.C. 10701–47, 11101–24), the construction, acquisition, operation, and abandonment of rail lines (49 U.S.C. 10901–07), as well as railroad line sales, consolidations, mergers, and common control arrangements (49 U.S.C. 10902, 11323–27).

The ICC Termination Act of 1995 (ICCTA), enacted on December 29, 1995, established RSTAC to advise the Board's Chair; the Secretary of Transportation; the Committee on Commerce, Science, and Transportation of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives with respect to rail transportation policy issues RSTAC considers significant. RSTAC focuses on issues of importance to small shippers and small railroads, including car supply, rates, competition, and procedures for addressing claims. ICCTA instructs RSTAC to endeavor to develop private-sector mechanisms to prevent, or identify and address, obstacles to the most effective and efficient transportation system practicable. The members of RSTAC also prepare an annual report concerning RSTAC's activities. RSTAC is not subject to the Federal Advisory Committee Act.

RSTAC's 15 appointed members consist of representatives of small and large shippers, and small and large railroads. These members are appointed by the Chair. In addition, members of the Board and the Secretary of Transportation serve as ex officio members. Of the 15 appointed members, nine are voting members and are appointed from senior executive officers of organizations engaged in the railroad and rail shipping industries. At least four of the voting members must be representatives of small shippers as determined by the Chair, and at least four of the voting members must be representatives of Class II or III railroads. The remaining six members to be appointed—three representing Class I railroads and three representing large shipper organizations—serve in a nonvoting, advisory capacity, but may participate in RSTAC deliberations.

Meetings of RSTAC are required by statute to be held at least semi-annually. RSTAC typically holds meetings quarterly at the Board's headquarters in Washington, DC, although some meetings are held virtually or in other locations.

The members of RSTAC receive no compensation for their services and are required to provide for the expenses incidental to their service, including travel expenses. Currently, RSTAC members have elected to submit annual dues to pay for RSTAC expenses.

RSTAC members must be citizens of the United States and represent as broadly as practicable the various segments of the railroad and rail shipper industries. They may not be full-time employees of the United States. According to revised guidance issued by the Office of Management and Budget, it is permissible for federally registered lobbyists to serve on advisory committees, such as RSTAC, as long as they do so in a representative capacity, rather than an individual capacity. *See Revised Guidance on Appointment of Lobbyists to Fed. Advisory Comms., Bds., & Comm'ns,* 79 FR 47,482 (Aug. 13, 2014). Members of RSTAC are appointed to serve in a representative capacity.

Each RSTAC member is appointed for a term of three years. No member will be eligible to serve in excess of two consecutive terms. However, a member may serve after the expiration of his or her term until a successor has taken office.

Due to the departure of a small shipper representative and the expiration of the second term of a small railroad representative, the Board is seeking to fill those two RSTAC positions. Nominations for candidates to fill the vacancies should be submitted in letter form, identifying the name of the candidate, providing a summary of why the candidate is qualified to serve on RSTAC, and containing a representation that the candidate is willing to serve as an RSTAC member effective immediately upon appointment. Candidates may nominate themselves. The Chair is committed to having a committee reflecting diverse communities and viewpoints and strongly encourages the nomination of candidates from diverse backgrounds. RSTAC candidate nominations should be filed with the Board by November 30, 2022. Members selected to serve on RSTAC are chosen at the discretion of the Board Chair. Please note that submissions will be posted on the Board's website under Docket No. EP 526 (Sub-No. 15) and can also be obtained by contacting the Office of Public Assistance, Governmental Affairs, and Compliance at *RCPA@stb.gov* or (202) 245–0238.

Authority: 49 U.S.C. 1325.

Decided: October 26, 2022.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

Stefan Rice,

Clearance Clerk.

[FR Doc. 2022–23628 Filed 10–28–22; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

[Docket No. AB 1327X]

Flats Industrial Inc. d/b/a Flats Industrial Railroad Company—Abandonment Exemption—in Cleveland, Ohio

Flats Industrial Inc. d/b/a Flats Industrial Railroad Company (FIR) has filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon approximately 1.85 miles of rail line, extending from milepost 10 to milepost 11.85 near West 41st Street in Cleveland, Ohio (the Line). The Line traverses U.S. Postal Service Zip Code 44113.

FIR has certified that: (1) during the past two years, FIR has provided no local or overhead traffic over the Line; (2) overhead traffic, if there were any, could be rerouted over other Lines; (3) no formal complaint filed by a user of rail service on the Line (or by state or local government on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board (Board) or has been decided in favor of a complainant within the two-year period; and (4) the requirements at 49 CFR 1105.7(b) and 1105.8(c) (notice of environmental and historic reports), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to government agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho,* 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received,[1] this exemption will be effective on November 30, 2022, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,[2] formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2), and interim trail use/rail banking requests under 49 CFR 1152.29 must be filed by November 10, 2022.[3] Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by November 21, 2022.

All pleadings, referring to Docket No. AB 1327X, must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on FIR's representative, William A. Mullins, Baker & Miller PLLC, 2401 Pennsylvania Ave. NW, Suite 300, Washington, DC 20037.

If the verified notice contains false or misleading information, the exemption is void ab initio.

FIR has filed a combined environmental and historic report that addresses the potential effects, if any, of the abandonment on the environment and historic resources. OEA will issue a Draft Environmental Assessment (Draft EA) by November 4, 2022. The Draft EA will be available to interested persons on the Board's website, by writing to OEA, or by calling OEA at (202) 245–0294. Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877–8339. Comments on environmental or historic preservation matters must be filed within 15 days after the Draft EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), FIR shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by FIR's filing of a notice of consummation by October 31, 2023, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available at *www.stb.gov.*

Decided: October 26, 2022.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

Jeffrey Herzig,

Clearance Clerk.

[FR Doc. 2022–23655 Filed 10–28–22; 8:45 am]

BILLING CODE 4915–01–P

[1] Persons interested in submitting an OFA must first file a formal expression of intent to file an offer, indicating the type of financial assistance they wish to provide (*i.e.,* subsidy or purchase) and demonstrating that they are preliminarily financially responsible. *See* 49 CFR 1152.27(c)(2)(i).

[2] The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. *See Exemption of Out-of-Serv. Rail Lines,* 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

[3] Filing fees for OFAs and trail use requests can be found at 49 CFR 1002.2(f)(25) and (27), respectively.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on a Land Release Request at Malden Regional Airport & Industrial Park (MAW), Malden, MO

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of request to release of airport land.

SUMMARY: The FAA proposes to rule and invites public comment on the request to release and sell two parcels, 2.69 acres and 5.13 acres respectively, of

federally obligated airport property at the Malden Regional Airport & Industrial Park (MAW), Malden, Missouri.

DATES: Comments must be received on or before November 30, 2022.

ADDRESSES: Comments on this application may be mailed or delivered to the FAA at the following address: Amy J. Walter, Airports Land Specialist, Federal Aviation Administration, Airports Division, ACE–620G, 901 Locust, Room 364, Kansas City, MO 64106.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to: David Blalock, Airport Manager, City of Malden Regional Airport & Industrial Park, 3077 Mitchell Drive, P.O. Box 411, Malden, MO 63863–0411, (573) 276–2279.

FOR FURTHER INFORMATION CONTACT: Amy J. Walter, Airports Land Specialist, Federal Aviation Administration, Airports Division, ACE–620G, 901 Locust, Room 364, Kansas City, MO 64106, (816) 329–2603, *amy.walter@faa.gov.* The request to release property may be reviewed, by appointment, in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA invites public comment on the request to release two parcels containing a total of 7.82 acres of airport property at the Malden Regional Airport & Industrial Park (MAW) under the provisions of 49 U.S.C. 47107(h)(2). This is a Surplus Property Airport. The City of Malden requested a release from the FAA to sell a 2.69 acre parcel to Chad Fullerton for commercial development and a 5.13 acre parcel to Cesar Marquez for commercial development. The FAA determined this request to release and sell property at the Malden Regional Airport & Industrial Park (MAW) submitted by the Sponsor meets the procedural requirements of the FAA and the release and sale of the property does not and will not impact future aviation needs at the airport. The FAA may approve the request, in whole or in part, no sooner than thirty days after the publication of this notice.

The following is a brief overview of the request:

The Malden Regional Airport & Industrial Park (MAW) is proposing the release from obligations and sale of a two parcels containing a total of 7.82 acres of airport property. The release of land is necessary to comply with Federal Aviation Administration Grant Assurances that do not allow federally acquired airport property to be used for non-aviation purposes. The sale of the subject property will result in the land at the Malden Regional Airport & Industrial Park (MAW) being changed from aeronautical to non-aeronautical use and release the lands from the conditions of the Airport Improvement Program Grant Agreement Grant Assurances in order to sell the land. In accordance with 49 U.S.C. 47107(c)(2)(B)(i) and (iii), the airport will receive fair market value for the property, which will be subsequently reinvested in another eligible airport improvement project for general aviation use.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may request an appointment to inspect the application, notice and other documents determined by the FAA to be related to the application in person at the Malden City Hall.

Issued in Kansas City, MO, on October 24, 2022.

James A. Johnson,

Director, FAA Central Region, Airports Division.

[FR Doc. 2022–23671 Filed 10–28–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2021–0095; Notice 2]

Continental Tire the Americas, LLC, Grant of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Grant of petition.

SUMMARY: Continental Tire the Americas, LLC, (CTA) has determined that certain Continental motorcycle tires do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 119, *New Pneumatic Tires for Motor Vehicles with a GVWR of More Than 4,536 Kilograms (10,000 Pounds), Specialty Tires, and Tires for Motorcycles.* CTA filed a noncompliance report dated December 2, 2021, and subsequently petitioned NHTSA on December 22, 2021, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This notice announces the grant of CTA's petition.

FOR FURTHER INFORMATION CONTACT: Jayton Lindley, General Engineer, NHTSA, Office of Vehicle Safety Compliance, telephone (325) 655–0547.

SUPPLEMENTARY INFORMATION:

I. Overview

CTA has determined that certain Continental motorcycle tires from several different tire lines do not fully comply with the requirements of paragraph S6.5(b) of FMVSS No. 119, *New Pneumatic Tires for Motor Vehicles with a GVWR of More Than 4,536 Kilograms (10,000 Pounds)* (49 CFR 571.119). CTA filed a noncompliance report dated December 2, 2021, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports.* CTA subsequently petitioned NHTSA on December 22, 2021, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance.*

This notice of receipt of CTA's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any Agency decision or other exercise of judgment concerning the merits of the petition.

Notice of receipt of CTA's petition was published with a 30-day public comment period, on April 13, 2022, in the **Federal Register** (87 FR 22022). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) website at *https://www.regulations.gov/.* Then follow the online search instructions to locate docket number ''NHTSA–2021–0095.''

II. Tires Involved

Approximately 14,198 Continental motorcycle tires, size 100/80–16 M/C 50P, manufactured between July 2, 2018, and September 24, 2020, are potentially involved.

III. Noncompliance

CTA explains the noncompliance is that the tires contain symbols in the tire identification number (TIN) that are not allowed and, therefore, do not meet the requirements of 49 CFR 574.5(f) which results in a noncompliance with paragraph S6.5(b) of FMVSS No. 119. Specifically, the sidewalls of the subject tires are marked with a TIN that may contain one of the following unauthorized symbols: G, I, O, Q, S, and Z.

IV. Rule Requirements

Paragraph S6.5(b) of FMVSS No. 119 includes the requirements relevant to this petition. Each tire must be marked on each sidewall with the TIN required by part 574. Specifically, section 574.5(f) states that the only symbols that manufacturers and retreaders are allowed to use in the tire identification number are: A, B, C, D, E, F, H, J, K, L, M, N, P, R, T, U, V, W, X, Y, 1, 2, 3, 4, 5, 6, 7, 8, 9, and 0.

V. Summary of CTA's Petition

The following views and arguments presented in this section, ''V. Summary of CTA's Petition,'' are the views and arguments provided by CTA. They do not reflect the views of the Agency.

CTA begins its petition by describing the subject noncompliance and contending that it is inconsequential because the subject tires can still be registered with the unauthorized symbols and can be identified in the event of a recall.

CTA explains that it uses a third-party company, Computerized Information and Management Services, Inc. (CIMS), who maintains ''a database of all CTA's tire registrations for the purpose of identifying purchasers of tires in the event of a future recall.'' Further, CTA states that the database can be searched for not only exact matches but also ''close matching database entries,'' which would mean the database can perform a search ''if an 'I' was misrepresented as a '1' or vice versa.''

CTA says that in the event of a recall, the subject tires can be identified in the U.S. Tire Manufacturers Association's tire recall search tool [1] because it uses an algorithm in which the unauthorized letter can be used interchangeably with a corresponding allowed number, for example, ''G or 6, I or 1, O or 0, etc.''

CTA states that NHTSA has previously assigned a plant code containing an unauthorized letter to Continental Tire's location in Timisoara, Romania. In that case, CTA says the plant code contained the letter ''G'' which CTA believes ''does not cause any issues with tire registration and would not affect the registration search in the case of a recall.'' Therefore, CTA argues, that the use of the unauthorized symbols in the TIN of the subject tires will not affect tire registration or the identification of the TIN in the event of a recall.

CTA says that it has stopped the sale of the subject tires and ''has initiated the process of changing tire curing molds to compliant DOT TIN's'' and that ''the mold change dates will be documented in the CTA specification system for future traceability.'' CTA also says that it is taking action to prevent the reoccurrence of the subject noncompliance by modifying its sidewall specification system to include ''a control point before a DOT TIN can be released for production.'' Additionally, CTA says that it will comply with the new 13 character TIN requirement by including a 3 character assigned plant code and the 6 digit manufacturer code that will be ''automatically generated by the specification system, which assures that only authorized symbols are used.''

CTA concludes its petition by stating that the subject noncompliance is inconsequential as it relates to motor vehicle safety and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

VI. NHTSA's Analysis

NHTSA has evaluated the merits of the inconsequential noncompliance petition submitted by CTA and is granting their request for relief from notification and remedy based on the following:

- *Operational Safety & Performance:* NHTSA has not identified a manner in which the incorrect characters in the TIN will have an effect on the operational safety and performance of the affected tires.
- *Traceability & Identification:* NHTSA currently has no reason to believe that the registration rate of the tires will decrease due to the use of unauthorized characters. CTA demonstrated that the affected tires can be registered by using either the actual or the alternative, visually similar, characters (examples are ''G'' and ''6'', ''1'' and ''I'', etc.). Further, CTA demonstrated that, through the use of CIMS, registrations using a similar unauthorized symbol in lieu of a permitted symbol may be retrieved from the CIMS registration database. This will ensure that in the event of a recall, registration information for variations of the TIN numbers including both the permitted and unauthorized symbols will be included, and therefore the notification to consumers will not be diminished. Finally, NHTSA believes that the incorrect characters in the TIN will not prevent consumers from identifying the affected tires in the event of a recall.

Other Arguments: The Agency does not find an errant plant code assignment using unauthorized symbols as compelling support for this petition. Further, a previous error committed by the Agency does not negate the requirements as stated in 49 CFR 574.5 (f).

VII. NHTSA's Decision

In consideration of the foregoing, NHTSA finds that CTA has met its burden of persuasion that the subject FMVSS No. 119 noncompliance in the affected tires is inconsequential to motor vehicle safety. Accordingly, CTA's petition is hereby granted and CTA is consequently exempted from the obligation of providing notification of, and a free remedy for, that noncompliance under 49 U.S.C. 30118 and 30120.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file inconsequentiality petitions, only allow NHTSA to exempt manufacturers from the duties to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, the granting of this petition only applies to the subject tires that CTA no longer controlled at the time it determined that the noncompliance existed. However, the granting of this petition does not relieve equipment distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant tires under their control after CTA notified them that the subject noncompliance existed.

(Authority: 49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8)

Otto G. Matheke III,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2022–23598 Filed 10–28–22; 8:45 am]

BILLING CODE 4910–59–P

[1] *https://recallinfo.ustires.org/.*

DEPARTMENT OF TRANSPORTATION

[Docket No. PHMSA–2021–0054]

Pipeline Safety: Information Collection Activities

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

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, this notice announces that the information collection requests abstracted below are being forwarded to the Office of Management and Budget (OMB) for

review and comment. A **Federal Register** notice with a 60-day comment period soliciting comments on the information collection was published on March 11, 2022.

DATES: Interested persons are invited to submit comments on or before November 30, 2022.

ADDRESSES: The public is invited to submit comments regarding this information collection request, including suggestions for reducing the burden, to the Office of Management and Budget, Attention: Desk Officer for the Office of the Secretary of Transportation, 725 17th Street NW, Washington, DC 20503. Comments can also be submitted electronically at *www.reginfo.gov/public/do/PRAMain.*

FURTHER INFORMATION CONTACT: Angela Hill by telephone at 202–680–2034, by email at *angela.hill@dot.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Title 5, Code of Regulations (CFR) section 1320.8(d), requires PHMSA to provide interested members of the public and affected agencies the opportunity to comment on information collection and recordkeeping requests before they are submitted to OMB for approval. In accordance with this regulation, on March 11, 2022, PHMSA published a **Federal Register** notice (87 FR 14092) with a 60-day comment period soliciting comments on its plan to request revisions to the following forms: Form PHMSA F 7000–1, ''Accident Report—Hazardous Liquid and Carbon Dioxide Pipeline Systems,'' under Office of Management and Budget (OMB) Control No. 2137–0047; Form PHMSA F 7100.2–1, ''Annual Report for Natural and Other Gas Transmission and Gathering Pipeline Systems,'' under OMB Control No. 2137–0522; Form PHMSA F 7000–1.1, ''Annual Report for Hazardous Liquid and Carbon Dioxide Pipeline Systems,'' under OMB Control No. 2137–0614; Form PHMSA F 7100.1–1, ''Annual Report for Gas Distribution Systems,'' under OMB Control No. 2137–0629; and Forms PHMSA F 7100.1, ''Incident Report—Gas Distribution Systems,'' PHMSA F 7100.2, ''Incident Report—Gas Transmission and Gathering Systems,'' and PHMSA F 7100.3, ''Incident Report—Liquefied Natural Gas (LNG) Facilities,'' each under OMB Control No. 2137–0635.

PHMSA proposed to revise the annual reports to collect data on excavation damage events to align with the Common Ground Alliance's (CGA's) Damage Information Reporting Tool (DIRT) root causes. PHMSA proposed to revise its incident and accident reports, to update the excavation damage questions to match the 2018 version of DIRT and collect state one-call law exemption data when any sub-cause is selected under excavation damage. In the hazardous liquid accident report, PHMSA proposed requiring the collection of tank data in Parts C3u and C3v for all reports where A14, ''Part of system involved in the Accident,'' is ''Onshore Breakout Tank or Storage Vessel.'' In all three gas incident reports, PHMSA proposed adding the local time and date of ''confirmed discovery'' to better assess operator compliance with PHMSA's reporting regulations. Finally, PHMSA proposed removing Part E of the gas distribution annual report pertaining to the number of excess flow valves (EFVs) and manual service line shut-off valves installed or in the system.

During the 60-day comment period, PHMSA received comments from Sander Resources, the GPA Midstream Association (GPA Midstream), the Interstate Natural Gas Association of America (INGAA), and a joint comment from the American Petroleum Institute and the Association of Oil Pipe Lines (API/AOPL). The comments, organized by topic area, are summarized and addressed below.

II. Response to Public Comments

A. Common Ground Alliance Damage Information Reporting Tool

Sander Resources opines that aligning PHMSA data with the CGA DIRT Report does not increase pipeline safety and does little to improve the quality or completeness of the data currently being collected by CGA. Sander Resources believes the noticed information collection will result in increased cost and greater administrative burden with no benefit to operators, regulators, or other stakeholders within the damage prevention space. Also, Sander Resources opines there is a greater burden on operators since states require different reporting information on excavation damage. Sanders Resources states this comes at a time where many operators are already under pressure due to the new and pending regulatory changes.

PHMSA's proposed revisions for the three annual report forms is limited to collecting the total number of one-call tickets and the total number of excavation damage events in each of 26 CGA DIRT root cause categories on an annual basis. The current gas distribution annual report includes only four root cause categories, and the other annual reports currently do not collect data regarding excavation damage. PHMSA recognizes an increased burden on operators for all three annual reports to provide the expanded root cause data. While the collection of data does not immediately impact pipeline safety, reporting events under the 26 root cause categories allows PHMSA and stakeholders, including operators, to better understand how or why excavation damage events have occurred, and thus identify potential gaps in damage prevention programs. Over the past twenty years, the leading cause of incidents and accidents resulting in fatality or injury has been excavation damage. Having 26 root cause values could allow stakeholders to identify more specific corrective measures than could be identified with only four root causes. A better understanding of gaps and the implementation of corrective measures could reduce the number of incidents and accidents caused by excavation damage.[1] Finally, states may implement different reporting requirements to support unique state processes such as excavation damage enforcement. Regardless of the government agency collecting data, the operator only needs to determine the root cause once and reporting which category the cause falls under is a minimal additional burden.

Sander Resources also claims that the 26 new damage root cause categories are overwhelmingly excavator-focused and excavators will be found responsible for inaccurately high numbers of events reported.

PHMSA notes that 11 of the 26 root cause categories are excavator-focused. The categories are designed to capture most of the causes of excavation damage and are based on years of CGA experience in evaluating the causes of excavation damage events. Again, the additional categories are intended to better understand potential gaps in pipeline damage prevention programs.

Sander Resources also expresses concern that the new data collection may result in duplicate reporting, that PHMSA has not clarified whether the data will be ''normalized,'' and that reporting to PHMSA eliminates the anonymity inherent in DIRT.

Although Sander Resources stated their comments applied to the annual report, PHMSA suspects that this comment is intended for the incident and accident reports. On the incident

[1] PHMSA provides the currently collected excavation damage data on its website at *https://portal.phmsa.dot.gov/PDMPublicReport/?url=https://portal.phmsa.dot.gov/analytics/saw.dll?Portalpages&PortalPath=%2Fshared%2FPDM%20Public%20website%2F_portal%2FExcavation%20Damage.*

and accident reports, operators can indicate whether they want PHMSA to submit the data to CGA DIRT. Within CGA DIRT, processes are currently in place to minimize duplicate reporting. If more than one stakeholder reports a damage event to DIRT, the data is ''normalized'' to provide the most accurate record for the event. PHMSA collects excavation damage data only from the operator and makes no changes to the data. The incident and accident report changes proposed by PHMSA have no impact on the potential for duplicate reporting in DIRT. Further, since CGA DIRT is voluntary, a degree of anonymity is maintained. However, PHMSA has never collected incident and accident reports anonymously. Visibility of each operator's data is essential for PHMSA and stakeholders to better understand gaps in pipeline damage prevention programs.

Sander Resources states that PHMSA only requires excavation damage data when the reporting thresholds for incidents or accidents are met and suggests that PHMSA adjust the reporting threshold downward significantly. They also suggest that PHMSA capture information on first- and second-party damage in addition to third party damage.

PHMSA is proposing the collection of the number of excavation damage events in each of 26 root causes on the annual reports. Most of the excavation damage events included in the annual reports would not be associated with reportable incidents or accidents so collection of the data on annual reports is a more streamlined approach to collecting this information. Regarding the party causing the damage, neither CGA DIRT nor PHMSA's annual, incident, and accident reports, limit the data collection to damage events caused by a third party.

B. Time/Date Incident Reporting Criteria Met

GPA Midstream recommends that PHMSA clarify that property damage amounts in section A4 on the incident and accident report forms are estimates only. If PHMSA chooses to retain section A4 and add time/date of confirmed discovery to section A19, INGAA recommends that PHMSA acknowledge that property damage amounts in section A4 are often estimated. GPA Midstream and INGAA also recommend that PHMSA remove A4 from the Gas Transmission and Gathering Incident Report since PHMSA is proposing to add time/date of confirmed discovery to section A19 of those reports, and the commenters believe the inputs are duplicative.

PHMSA understands that property damage values are typically estimates. PHMSA has traditionally used section A4 of the incident and accident report forms to collect the time/date of the incident or accident. The report text and instructions have been changed over the past ten years in response to the wide variety of incident and accident timelines. PHMSA's proposed changes to the instructions for A4 were made in response to apparent confusion on the part of operators and other stakeholders who believed that the A4 value should be the time/date when the operator first finishes estimating property damage or the time/date when an injured person is admitted to the hospital. In A4, PHMSA intends to collect the time/date that consequences began occurring. In response to the comments, PHMSA proposes to make it clear in the instructions that it expects the operator to report the time/date the incident/accident occurred or began, not the time/date the property damage estimates were generated by the operator (*i.e.,* not the time/date the operator believed the criteria were met). PHMSA will also change the name of A4 in the incident and accident reports from ''Earliest local time and date an incident (accident) reporting criteria was met'' to ''Incident (Accident) local time and date.'' In the instructions, PHMSA maintains the underlying proposal to report the time/date that consequences began occurring.

As discussed above, PHMSA proposes maintaining A4 to collect the earliest time/date that consequences began occurring. In 49 CFR 191.3, confirmed discovery means ''when it can be reasonably determined, based on information available to the operator at the time a reportable event has occurred, even if only based on a preliminary evaluation.'' The regulatory requirement associated with confirmed discovery is in section 191.5, which requires notice to the National Response Center at the earliest practicable moment following discovery, but no later than one hour after confirmed discovery. Confirmed discovery is related to the time required for the operator to conduct a preliminary evaluation after the operator became aware that consequences were occurring. In many instances, the actual time/date of the event reported in A4 and confirmed discovery reported in A19 will be very close together. In other cases, there may be significant time between the first occurrence of consequences (reported in A4) and confirmed discovery by the operator (reported in A19). Both of these time/date values are important and provide PHMSA and stakeholders with an indication of the time required for the operator to become aware of consequences and conduct its preliminary evaluation.

C. Accident Report Breakout Tank Data

API/AOPL do not believe that revising Part C of the Hazardous Liquid and Carbon Dioxide Accident Report for the scenario of a tank weld failure will improve data quality and recommend that PHMSA clarify specifically how tank releases should be reported as operators have multiple options at the time.

In response to this comment, PHMSA has made several changes to its original proposal, including amendments to the following data fields on the form: ITEM_INVOLVED (C3), TANK_VESSEL_SUBTYPE (C3u), and CAUSE of ''Material Failure of Pipe or Weld'' (G5). For C3, PHMSA proposes a default, unalterable value of ''Tank/Vessel'' in C3 when SYSTEM_PART_INVOLVED (A14) is ''Onshore Breakout Tank or Storage Vessel, Including Attached Appurtenances.'' These changes will eliminate multiple options for reporting tank releases. PHMSA also proposes to modify the instructions for C3u and add additional options. The proposed instructions are to report the failure path in C3u. Based on text submitted by operators when ''Other'' is selected in C3 or C3u, PHMSA proposes adding ''Vent'' and ''Manway'' as additional C3u failure path options. Currently, the G5 CAUSE is selectable only when C3 is ''Pipe'' or ''Weld.'' Since PHMSA is proposing to allow only ''Tank/Vessel'' in C3 for tank releases and tanks have welds, we also propose allowing the selection of the G5 CAUSE when C3 is ''Tank/Vessel.'' With these changes, stakeholders would have a clear picture of tank releases through a combination of the failure path in C3u and the cause of the accident. For example, the failure of a weld in a tank shell would be reported with ''Tank Shell'' in C3u and a ''Material Failure of Pipe or Weld'' in G5.

Further, PHMSA will continue improving the clarity of existing accident reports. For example, for some tank failures, operators have entered ''Other'' for C3 when they should have selected ''Tank/Vessel'' in C3 and ''Mixer'' in C3u. PHMSA plans to ask operators to replace ''Other'' selections with specific data, which will improve the quality and clarity of accident reports. PHMSA is committed to continually improving the clarity of the reports to collect the best data possible and appreciates the API/AOPL comments supporting these efforts.

III. Summary of Impacted Collections

This notice announces that PHMSA will submit the information collection revision requests abstracted below to OMB for approval. The following information is provided for these information collections: (1) Title of the information collection; (2) OMB control number; (3) Current expiration date; (4) Type of request; (5) Abstract of the information collection activity; (6) Description of affected public; (7) Estimate of total annual reporting and recordkeeping burden; and (8) Frequency of collection.

PHMSA will request a 3-year term of approval for these information collections. PHMSA requests comments on the following information:

1. *Title:* Transportation of Hazardous Liquids by Pipeline: Record Keeping and Accident Reporting.

OMB Control Number: 2137–0047.

Current Expiration Date: 3/31/2024.

Type of Request: Revision.

Abstract: This mandatory information collection covers the recordkeeping requirements and the collection of accident data from operators of hazardous liquid and carbon dioxide pipelines. Part 195 requires hazardous liquid operators to file an accident report as soon as practicable, but not later than 30 days after discovery of the accident on form, ''PHMSA F 7000–1'' whenever there is a reportable accident. With respect to accidents caused by excavation damage to a pipeline, PHMSA is revising this information collection to require state law exemption data when any sub-cause is selected within the excavation damage causes. PHMSA believes that the current time estimated for this information collection provides sufficient time for affected operators to include the newly required information. PHMSA does not expect operators to incur additional burden due to this revision.

Affected Public: Operators of hazardous liquid and carbon dioxide pipeline facilities.

Annual Reporting and Recordkeeping Burden:

Estimated number of responses: 1,644.

Estimated annual burden hours: 53,504.

Frequency of Collection: On occasion.

2. *Title:* Annual and Incident Reports for Gas Pipeline Operators.

OMB Control Number: 2137–0522.

Current Expiration Date: 5/31/2024.

Type of Request: Revision.

Abstract: This mandatory information collection covers the requirements for operators of natural gas pipelines, underground natural gas storage facilities, and liquefied natural gas facilities to submit annual and incident reports to PHMSA. Currently, PHMSA receives an estimated 2,247 reports from operators in compliance with these requirements resulting in an overall time burden of 71,801 hours annually.

Section 191.17 requires operators of underground natural gas storage facilities, gas transmission systems, and gas gathering systems to submit an annual report by March 15, for the preceding calendar year. The revision to this information collection includes changes to the ''Annual Report for Natural and Other Gas Transmission and Gathering Pipeline Systems'' to collect data on excavation damages. Each year, gas transmission operators submit an estimated 1,440 annual reports to PHMSA. The current estimated burden for each annual report is 47 hours for an overall reporting burden of 67,680 hours [47 hours × 1,440 reports]. Because gas transmission operators are new to collecting and submitting data on excavation damage, PHMSA estimates that it will take the estimated 1,440 respondents a one-time effort of 18 hours, per operator, to update their systems to accommodate the new data request. This will result in gas transmission and gathering operators incurring a one-time burden of 25,920 hours [18 hours × 1,440 reports]. In addition, PHMSA expects that it will take gas transmission operators an additional hour, annually, to include the newly requested excavation damage data in their annual report submission. Therefore, over the course of the three-year approval for the information collection, the average time increase to the gas transmission annual report burden will be 7 hours [(18 hours + 3 hours)/3] each year—resulting in the annual time burden to increase from 47 hours to 54 hours per report. This will result in an overall burden increase of 10,080 hours [7 hours × 1,440 reports] due to this revision. The total annual burden for submitting the gas transmission annual report will be 77,760 hours [54 hours × 1,440 reports]. Based on the annual burden increase of 10,080 hours for the gas transmission annual reports, the estimated annual burden for this entire information collection, including the annual report burden for liquefied natural gas and underground natural gas storage operators, and the immediate notice of incidents for all of these operators, will increase from 71,801 hours to 81,881 hours [71,801 hours + 10,080].

Affected Public: Operators of natural gas transmission pipelines, underground natural gas storage facilities, and liquefied natural gas facilities.

Annual Reporting and Recordkeeping Burden:

Estimated number of responses: 2,247.

Estimated annual burden hours: 81,881.

Frequency of collection: Annually and on occasion.

3. *Title:* Hazardous Liquid Pipeline Operator Annual Report.

OMB Control Number: 2137–0614.

Current Expiration Date: 1/31/2023.

Type of Request: Revision.

Abstract: This mandatory information collection covers the collection of annual report data from operators of hazardous liquid and carbon dioxide pipelines. Part 195 requires these pipeline operators to submit reports each year. This revision includes collecting excavation damage data and changes to the report form to improve consistency. Each year, hazardous liquid operators submit an estimated 475 annual reports to PHMSA. The current estimated burden for operators to submit each report is 19 hours for an overall annual reporting burden of 9,025 hours [19 hours × 475 reports]. Because hazardous liquid operators are new to collecting and submitting data on excavation damage, PHMSA estimates that it will take each of these 475 respondents a one-time effort of 18 hours, per operator, to update their systems to accommodate the new data request. This will result in a one-time burden of 8,550 hours [475 responses × 18 hours]. PHMSA expects that it will take hazardous liquid operators an additional hour, annually, to include the newly requested excavation damage data in their annual report submission. Therefore, over the course of the three-year approval for the information collection, the average increase to the annual report burden will be 7 hours [(18 hours + 3 hours)/3]. As a result, the annual reporting burden will increase from 19 hours to 26 hours per report. This will result in an estimated annual reporting burden of 12,350 hours [475 reports × 26 hours].

Affected Public: Operators of hazardous liquid and carbon dioxide pipeline facilities.

Annual Reporting and Recordkeeping Burden:

Estimated number of responses: 475.

*Estimated annual burden hours:*12,350.

Frequency of Collection: Annually.

4. *Title:* Annual Report for Gas Distribution Operators.

OMB Control Number: 2137–0629.

Current Expiration Date: 5/31/2024.

Type of Request: Revision.

Abstract: This mandatory information collection covers the collection of data from operators of gas distribution pipeline systems for annual reports. Section 191.17 requires operators of gas distribution systems to submit an annual report by March 15, for the preceding calendar year. This revision includes updating the CGA DIRT root cause categories and removing data about manual service line shut-off valves and excess flow valves. Each year, gas distribution operators submit approximately 1,446 annual reports to PHMSA. The current estimated burden for operators to submit each report is 17.5 hours for an overall annual reporting burden of 25,305 hours [17.5 hours × 1,446 reports]. Because gas distribution operators are currently collecting and submitting data on excavation damage, PHMSA estimates that these respondents will incur a one-time effort of nine hours, per operator, to update their systems to accommodate the expanded data request. This will result in a one-time burden of 13,014 hours [1,446 reports × 9 hours]. PHMSA expects that it will take gas distribution operators an additional hour, annually, to add the newly expanded excavation damage data to their annual report submission. Therefore, over the course of the three-year approval for the information collection, the average increase to the annual report burden will be 4 hours [(9 hours + 3 hours)/3] each year. As a result, the annual reporting burden will increase from 17.5 hours to 21.5 hours per report. This will result in an estimated annual reporting burden of 31,089 hours [1,446 reports × 21.5 hours].

PHMSA is also revising the burden estimate to account for the elimination of the requirement to report EFV/shut-off valve data. PHMSA currently estimates that it takes gas distribution operators 1.5 hours, per report, to submit the total number of EFVs and shut-off valves installed and maintained in each calendar year. Therefore, the burden hour for this requirement is 2,169 hours [1.5 hours × 1,446 reports). PHMSA is proposing to eliminate this requirement which will result in a 2,169-hour burden reduction. Based on the revisions discussed above, the burden hour estimate for the gas distribution annual report will be 20 hours [17.5 hours (current) + 4 hours (DIRT revisions)—1.5 hours (eliminated EFV/shut-off valve data)] for a total annual burden of 28,920 hours [20 hours × 1,446 reports].

Affected Public: Operators of gas distribution pipeline systems.

Annual Reporting and Recordkeeping Burden:

Estimated number of responses: 1,446.

Estimated annual burden hours: 28,920.

Frequency of Collection: Annually.

5. *Title:* Incident Reports for Natural Gas Pipeline Operators.

OMB Control Number: 2137–0635.

Current Expiration Date: 5/31/2024.

Type of Request: Revision.

Abstract: This mandatory information collection covers the collection of incident data from operators of gas distribution systems (form PHMSA F 7100.1, ''Incident Report—Gas Distribution Systems''), gas transmission and gathering systems (form PHMSA F 7100.2, ''Incident Report—Gas Transmission and Gathering Systems''), and liquefied natural gas facilities (PHMSA F 7100.3, ''Incident Report—Liquefied Natural Gas (LNG) Facilities,'' each under OMB Control No. 2137–0635). Part 191 requires these operators to submit incident reports when certain criteria are met. This revision includes changes to form PHMSA F 7100.1, ''Incident Report—Gas Distribution Systems,'' to collect more state one-call law exemption data and update the CGA DIRT questions. In the ''Incident Report—Gas Transmission and Gathering Systems'' form, this revision includes changing the name of the form, collecting more state one-call law exemption data, and updating the CGA DIRT questions. In all three incident reports, this revision includes collecting the local time and date of the event as well as the ''confirmed discovery.'' PHMSA does not expect operators to incur additional time due to these revisions. PHMSA expects the current time estimated for this information collection to be sufficient for affected operators to include the newly required information.

Affected Public: Gas pipeline operators, operators of underground natural gas, and operators of liquefied natural gas facilities.

Annual Reporting and Recordkeeping Burden:

Estimated Number of Responses: 259.

Estimated Annual Burden Hours: 3,108.

Frequency of Collection: On occasion.

Comments are invited on:

(a) The need for the renewal and revision of this collection of information for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(b) The accuracy of the Agency's estimate of the burden of the proposed collection of information,

(c) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(d) Ways to minimize the burden of the collection of information on those who are required to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; and 49 CFR 1.48.

Issued in Washington, DC, on October 25, 2022, under authority delegated in 49 CFR 1.97.

Alan K. Mayberry,

Associate Administrator for Pipeline Safety.

[FR Doc. 2022–23627 Filed 10–28–22; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Extension of Information Collection Request Submitted for Public Comment; Comment Request for Form 1099–DIV

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. Currently, the IRS is soliciting comments concerning Form 1099–DIV, *Dividends and Distributions.*

DATES: Written comments should be received on or before December 30, 2022 to be assured of consideration.

ADDRESSES: Direct all written comments to Andrés Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov.* Please include, ''OMB Number: 1545–0110—Public Comment Request Notice'' in the Subject line.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to Ronald J. Durbala, at (202) 317–5746, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at *RJoseph.Durbala@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Dividends and Distributions.

OMB Number: 1545–0110.

Regulation Project Number: Form 1099–DIV.

Abstract: Form 1099–DIV is used by the IRS to ensure that dividends are properly reported as required by Internal Revenue Code section 6402, that liquidation distributions are correctly reported as required by Internal Revenue Code section 6403, and to determine whether payees are correctly reporting their income.

Current Actions: There is an increase in the estimated number of respondents previously approved by OMB.

Type of Review: Revision of a currently approved collection.

Affected Public: Business or other for-profit groups.

Estimated Number of Respondents: 89,588,000.

Estimated Time per Respondent: 28 minutes.

Estimated Total Annual Burden Hours: 42,106,360.

The following paragraph applies to all the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number.

Books or records relating to a collection of information must be retained if their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Desired Focus of Comments: The Internal Revenue Service (IRS) is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including using appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* by permitting electronic submissions of responses.

Comments submitted in response to this notice will be summarized and/or included in the ICR for OMB approval of the extension of the information collection; they will also become a matter of public record.

Approved: October 26, 2022.

Ronald J. Durbala,

IRS Tax Analyst.

[FR Doc. 2022–23644 Filed 10–28–22; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Proposed Collection; Comment Request; Emergency Rental Assistance Program (ERA2)

AGENCY: Office of Recovery Programs, Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other federal agencies to comment on the proposed information collections listed below, in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments should be received on or before December 30, 2022 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to Melody Braswell, Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW, Suite 8100, Washington, DC 20220, or email at *PRA@treasury.gov.* Copies of the submissions may be obtained from Haley Adams by emailing *haley.adams@treasury.gov* or viewing the entire information collection request at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

Title: Emergency Rental Assistance Program (ERA2).

OMB Control Number: 1505–0270.

Type of Review: Extension of a previously approved collection.

Description: On March 11, 2021, the President signed the American Rescue Plan Act of 2021 (the ''Act'') into law. The Act authorizes the Secretary of the Treasury to disburse $21.55 billion of Emergency Rental Assistance (ERA2) to States, the District of Columbia, U.S. Territories, and certain local governments with more than 200,000 residents (collectively, ''grantees'') to provide financial assistance and housing stability services to eligible households. Beginning on October 1, 2022, eligible ERA2 grantees that have obligated 75% of the ERA2 funds allocated to them may also use their remaining unobligated funds on other affordable rental housing and eviction prevention activities, as defined by the Secretary, serving very low-income families.

The Act requires Treasury to reallocate funds initially allocated, but not yet paid, to eligible grantees, according to a procedure established by Treasury. Pursuant to the reallocation procedure Treasury has established, Treasury identifies funds subject to reallocation on a quarterly basis and refers to them as ''excess funds.'' To identify the eligible grantees interested in receiving reallocated funds, Treasury solicits Request for Reallocation forms through its ERA2 program portal, which capture the amount of each grantee's request as well as information confirming that a requesting grantee meets certain eligibility requirements, including the statutory requirement that a grantee obligate at least 50% of its initial ERA2 allocation before receiving reallocated funds.

In addition to confirming grantees' eligibility to receive reallocated funds, the reallocation forms on Treasury's ERA2 portal allow Treasury to collect information needed to determine which grantees to prioritize in the distribution of reallocated funds. Treasury's prioritization calculation considers: whether potential recipient grantees are located in the same state as transferor grantees; potential recipient grantees' rate of expenditure; and potential recipient grantees' jurisdictional needs. Pursuant to Treasury's ERA2 program guidance, starting with reallocation based on data as of June 30, 2022 (known as the Quarter 2 Assessment), Treasury will also prioritize, among eligible grantees, those grantees that have expended non-ERA funds, including State and Local Fiscal Recovery Funds, for rental or utility assistance substantially similar to eligible uses under ERA1 [1] or ERA2 since the enactment of the ERA1 statute on December 27, 2020, in an amount exceeding 20% of their initial ERA2 allocation. To receive this prioritization, a grantee must submit to Treasury a certification of, among other things, the amount of non-ERA funding expended on rental or utility assistance substantially similar to eligible uses under ERA1 or ERA2, the sources of these expenditures, and the number of households served. To implement this prioritization system for the Quarter 2 Assessment and subsequent reallocation

[1] ''ERA1'' refers to the Emergency Rental Assistance program authorized by the Consolidated Appropriations Act, 2021, Pub. L. 116–260, section 501, 134 Stat. 2069 (Dec. 27, 2020).

cycles, Treasury has developed a form for its reallocation portal to collect information needed to confirm that a requesting eligible grantee is entitled to prioritization based on its non-ERA expenditures.

In addition to the above-described reallocation process, some grantees choose to voluntarily reallocate a portion of their ERA2 allocations to one or more eligible grantees. To that end, Treasury has also developed, within its reallocation portal, a standard form that grantees use to initiate voluntary reallocation. In accordance with statutory requirements, a grantee may transfer up to 60% of its initial ERA2 allocation.

OMB approved the usage of these various reallocation forms on June 16, 2022. Since then, Treasury has made *de minimis* changes accounting for the passage of time and other program developments, none of which substantively alter the forms.

Accordingly, the collection of the above-described information is crucial to the reallocation process, which is a central component of the ERA2 program.

Forms: Request for Voluntary Reallocation; Request for Reallocated Funds; Request for Reallocated Funds—Voluntary; Non-ERA Expenditures Report.

Affected Public: States, Territories and local governments who received ERA2 awards.

Estimated Number of Respondents: 482.

Frequency of Response: Once.

Estimated Total Number of Annual Responses: 982.

Estimated Time per Response: Varies from 10–60 minutes.

Estimated Total Annual Burden Hours: 524.4 hours.

Request for Comments: Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will become a matter of public record. Comments are invited on: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services required to provide information.

Authority: 44 U.S.C. 3501 *et seq.*

Melody Braswell,

Treasury PRA Clearance Officer.

[FR Doc. 2022–23564 Filed 10–28–22; 8:45 am]

BILLING CODE 4810–AK–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0745]

Agency Information Collection Activity: Request for Certificate of Veteran Status

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Benefits Administration, Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before December 30, 2022.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M33), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420 or email to *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0745, in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Maribel Aponte, Office of Enterprise and Integration, Data Governance Analytics (008), 810 Vermont Ave. NW, Washington, DC 20006, (202) 266–4688 or email *maribel.aponte@va.gov.* Please refer to ''OMB Control No. 2900–0745'' in any correspondence.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Authority: Public Law 104–13; 44 U.S.C. 3501–3521.

Title: Request for Certificate of Veteran Status, VA form 26–8261a.

OMB Control Number: 2900–0745.

Type of Review: Extension of a currently approved collection.

Abstract: VA Form 26–8261a is used by VA to determine an applicant's eligibility for a possible reduced down payment when obtaining a loan insured by the Federal Housing Administration (FHA), under the provisions of section 203(b)(2) or 220(d)(a) of the National Housing Act as amended. FHA actually provides the benefit. However, VA is charged with determining if the veteran-applicant meets the basic eligibility requirements regarding length and character of service. If eligibility is established, VA issues the applicant a Certificate of Veterans Status that is then used when the borrower obtains an FHA insured loan. This certificate gives the borrower the possibility of a reduced down payment on an FHA backed loan.

Affected Public: Individuals and households.

Estimated Annual Burden: 4 hours.

Estimated Average Burden per Respondent: 10 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 25.

By direction of the Secretary.

Maribel Aponte,

VA PRA Clearance Officer, Office of Enterprise and Integration/Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2022–23654 Filed 10–28–22; 8:45 am]

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Federal Register

Vol. 87, No. 209

Monday, October 31, 2022

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Laws **741–6000**

Presidential Documents
Executive orders and proclamations **741–6000**
The United States Government Manual **741–6000**

Other Services
Electronic and on-line services (voice) **741–6020**
Privacy Act Compilation **741–6050**

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FEDERAL REGISTER PAGES AND DATE, OCTOBER

59633–60056 3
60057–60240 4
60241–60540 5
60541–60866 6
60867–61216 7
61217–61440 11
61441–61948 12
61949–62282 13
62283–62720 14
62721–62976 17
62977–63380 18
63381–63660 19
63661–63932 20
63933–64148 21
64149–64364 24
64365–64682 25
64683–65010 26
65011–65157 27
65159–65518 28
65519–65648 31

CFR PARTS AFFECTED DURING OCTOBER

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

2 CFR
700 60059

3 CFR
Proclamations:
10456 60241
10457 60243
10458 60245
10459 60249
10460 60251
10461 60253
10462 60257
10463 60259
10464 60261
10465 60263
10466 61215
10467 61441
10468 61443
10469 61949
10470 61951
10471 61953
10472 61955
10473 61957
10474 62299
10475 62301
10476 63381
10477 63393
10478 63395
10479 63397
10480 63661
10481 64683
Executive Orders:
8809 (amended by 14085) 60541
9158 (amended by 14085) 60541
10694 (amended by 14085) 60541
11046 (amended by 14085) 60541
11545 (amended by 14085) 60541
13830 (amended by 14085) 60541
13851 (amended and revised by 14088) 64685
14084 60535
14085 60541
14086 62283
14087 63399
14088 64685
Administrative Orders:
Memorandums:
Memorandum of September 30, 2022 60539
Memorandum of October 3, 2022 60545
Memorandum of October 4, 2022 61947
Notices:
Notice of October 12, 2022 62279
Notice of October 12, 2022 62281
Presidential Determinations:
No. 2022–24 of September 23, 2022 60057
No. 2022–25 of September 27, 2022 60547
No. 2023–01 of October 3, 2022 61943

5 CFR
Ch. 18 63401

7 CFR
272 59633
273 59633
457 64365
1740 63419
Proposed Rules:
205 61268
905 63431
922 63433
984 64385

8 CFR
214 ..... 61959, 62721

9 CFR
327 63420
351 63420
354 63420
381 63420
500 63420
590 63420
592 63420
Proposed Rules:
130 59731
201 60010

10 CFR
50 65128
429 ..... 63588, 63860, 64550, 64689
430 ..... 60867, 64550
431 ..... 63588, 63860, 64689
626 64369
Proposed Rules:
71 65177
429 ..... 63324, 63356
430 ..... 60941, 63324, 63356, 65533
431 ..... 60555, 60942, 62038

11 CFR
Proposed Rules:
110 65178

12 CFR
34 63663

201.....60868
204.....60869
213.....63666
226.....63663, 63671
235.....61217
327.....64313, 64348
1013.....63666
1022.....60265, 64689
1026.....63663, 63671
1102.....60870
Proposed Rules:
Ch. II.....64170
234.....60314
Ch. III.....64170
701.....59740
702.....60326
1282.....60331

13 CFR

Proposed Rules:
107.....63436
120.....64724
121.....63436, 64724

14 CFR

11.....61232
13.....61232
25.....60059, 60549
39 .....59660, 60061, 60877, 61233, 61236, 61445, 61450, 61963, 63933, 63935, 63938, 63940, 63943, 64149, 64152, 64156, 64375, 64378, 64693
71 .....59664, 59666, 59667, 59668, 59670, 60265, 61237, 63678, 63679, 63680, 63681, 63946, 64157, 64159, 64160, 64171, 64695, 64697, 64699, 65011, 65519, 65520, 65521
73.....63683
93.....65159, 65161
95.....60879
97 .....61966, 61968, 65523, 65525
121.....61452
Proposed Rules:
21.....60338
25.....62739
39 .....60344, 60347, 60349, 60352, 60944, 63704, 63706, 63709, 63712, 63715, 63968, 63970, 63973, 63978, 64175, 64397, 64734, 65016, 65018, 65534, 65535, 65538, 65541
71 .....60356, 64737, 65178, 65180, 65544, 65546
399.....63718

15 CFR

30.....62303
734.....61970, 62186
736.....61970, 62186
740.....61970, 62186
742.....61970, 62186
744 .....60064, 61970, 61971, 62186
762.....61970, 62186
766.....60890
772.....61970, 62186
774.....61970, 62186
998.....59671
Proposed Rules:
922.....62314

16 CFR

1.....60077
305.....61465
Proposed Rules:
Ch. I.....63738
305.....64399
461.....62741

17 CFR

232.....61977
Proposed Rules:
200.....63016
210.....63016
229.....63016
230.....63016
232.....63016
239.....63016
240.....63016, 64610
242.....63016
249.....63016
270.....63016
274.....63016
275.....63016
279.....63016

18 CFR

343.....65163
Proposed Rules:
35.....60567
101.....59870

19 CFR

Ch. I.....61488
24.....63262, 63267
111.....63262, 63267

20 CFR

653.....61660
655.....61660

21 CFR

1.....62977, 63686
117.....65527
216.....63947
507.....65527
Proposed Rules:
1.....60947
174.....65020
175.....65020
177.....65020
201.....64178
314.....64178

22 CFR

Proposed Rules:
51.....63739

23 CFR

192.....61238

24 CFR

Proposed Rules:
201.....63018
203.....63458
206.....63458

25 CFR

518.....62984

26 CFR

1.....61489, 61979
Proposed Rules:
1.....61543, 63981
20.....61269
300.....60357
301.....61544

28 CFR

201.....62303

29 CFR

501.....61660
Proposed Rules:
103.....63465
780.....62218, 64749
788.....62218, 64749
795.....62218, 64749
2570.....62751
4213.....62316

31 CFR

1.....63904
560.....62003
570.....59675
587.....62005, 62006
591.....62007, 62020

33 CFR

100 .....60892, 62308, 62724, 63948, 64163, 64700
147.....64163
165 .....60267, 60269, 60271, 60893, 61506, 61508, 62029, 62030, 62310, 62311, 62727, 62729, 62731, 63687, 63948, 64163, 64380, 65013, 65527, 65529
207.....62987
326.....62987
Proposed Rules:
147 .....64179, 64181, 64183, 64186, 64188
165.....60363, 63981

34 CFR

Ch. II.....60083, 60092
600.....63689, 65426
602.....63689
668.....63689, 65426
674.....61512
682.....61512
685.....61512
690.....65426

37 CFR

2.....62032
6.....61244
7.....62032
Proposed Rules:
210.....64405

38 CFR

4.....61248
14.....63695
Proposed Rules:
17.....64190
21.....61544
36.....62752

39 CFR

20.....63424
111.....63425, 63696
Proposed Rules:
20.....65181
111.....63741, 63985

40 CFR

9.....64864
52 .....59688, 59692, 59695, 59697, 60102, 60273, 60292, 60551, 60895, 60897, 60926, 61249, 61514, 62034, 62733, 62990, 63698, 63701, 64165, 64382, 65015
59.....64864
60.....64864
63.....60816
81 .....60897, 60926, 62733, 63701
85.....64864
86.....64864
88.....64864
89.....64864
90.....64864
91.....64864
92.....64864
94.....64864
180 .....60295, 61259, 61531, 61534, 61537
271 .....59699, 62995, 63426
372.....63950
1027.....64864
1033.....64864
1036.....64864
1037.....64864
1039.....64864
1042.....64864
1043.....64864
1045.....64864
1048.....64864
1051.....64864
1054.....64864
1060.....64864
1065.....64864
1066.....64864
1068.....64864
1074.....64864
Proposed Rules:
49.....61870
51.....62322
52 .....60494, 61548, 61555, 62322, 62337, 63743, 63744, 63751, 64412, 64428
55.....63465
81.....63751
87.....62753
141.....61269
152.....61557
180.....64196
271 .....59748, 63022, 63468
721.....65548
1031.....62753
1068.....62753

41 CFR

Ch. 302.....62312
Proposed Rules:
105–64.....60955

43 CFR

Proposed Rules:
10.....63202

45 CFR

613.....64167

46 CFR

Proposed Rules:
541.....62341

47 CFR

9.....60104
64.....62736
Proposed Rules:
0.....61271
2.....64750
25.....64750
64.....61271
73.....60956, 63999

48 CFR

Ch. 12.....61152

52.....62999
203.....65510
211.....65513
212 .....65500, 65510, 65513, 65514, 65515
213.....65515
215.....65502
216.....65512
229.....65515
232.....65515
235.....65512
237.....65500
242.....65502
252 .....65500, 65513, 65514, 65515
802.....62999
807.....62999
808.....62999
810.....62999
813.....62999
819.....62999
832.....62999
852.....62999
853.....62999

Proposed Rules:
215.....65507
217.....65507
242.....65505
252.....65507

49 CFR
192.....64384

Proposed Rules:
218.....65021
243.....59749

50 CFR
17.....60298, 64700
216.....63955
300.....65531
600.....59965
622.....61540, 63958
635 .....59965, 60938, 64720
648.....64722
660 .....59705, 59716, 59724, 60105
679 .....59729, 59730, 61542, 62737, 63430, 63967, 64723, 65175

Proposed Rules:
17 .....60580, 60612, 60957, 61834, 62502, 62564, 62614, 63150, 63468, 63472
217.....64868
223.....62930
226.....62930
622.....60975
648.....64430
660.....62676
679.....60638, 65183
680.....60638, 65183

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws**.

Last List October 20, 2022

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