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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 39

[Docket No. FAA–2025–0337; Project Identifier MCAI–2023–01016–R; Amendment 39–22980; AD 2025–05–08]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Airbus Helicopters Model AS332L1 and EC225LP helicopters. This AD was prompted by a determination of a possible interference of the hoist operator's helmet cord with the toggle switch of the hoist cable cut control. This AD requires replacing, or modifying and re-identifying, certain hoist shear toggle switch supports, and prohibits installing certain hoist shear toggle switch supports, as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective April 21, 2025.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of April 21, 2025.

The FAA must receive comments on this AD by May 19, 2025.

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](https://www.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](https://www.regulations.gov) under Docket No. FAA–2025–0337; 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 final rule, 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 EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADS@easa.europa.eu; website: easa.europa.eu. You may find the EASA material on the EASA website at ad.easa.europa.eu.

- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2025–0337.

FOR FURTHER INFORMATION CONTACT:

Evan Weaver, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 521–5771; email: evan.p.weaver@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written data, views, or arguments about this final rule. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA–2025–0337; Project Identifier MCAI–2023–01016–R” at the beginning of your comments. The most helpful comments reference a specific portion of the final rule, 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 this final rule 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](https://www.regulations.gov), including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this final rule.

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 AD 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 AD, 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 AD. Submissions containing CBI should be sent to Evan Weaver, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 521–5771; email: evan.p.weaver@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

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2023–0172, dated September 20, 2023 (EASA AD 2023–0172) (also referred to as the MCAI), to correct an unsafe condition on Airbus Helicopters Model AS 332 L1 helicopters, serial numbers (S/Ns) 2218, 2221, 2341, 2950, and 2956; and Model EC 225 LP helicopters, S/Ns 2666, 2673, and 2759. The MCAI states it was determined that the hoist operator's helmet cord can entangle with the toggle switch of the hoist cable cut control, which is located on the cabin wall in front of the right-hand main sliding door. The MCAI further states this condition could lead to unintentional activation of the hoist cable cutter

during a hoist operation, which could lead to an in-flight release of the hoisted external load.

The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2025–0337.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2023–0172, which requires, for Model AS 332 L1 helicopters, replacing an affected hoist shear toggle switch support with a serviceable hoist shear toggle switch support, and for Model EC 225 LP helicopters, modifying and re-identifying an affected hoist shear toggle switch support. After replacement or modification and re-identification, as applicable, EASA AD 2023–0172 also prohibits installing an affected part as defined within on any helicopter.

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 the **ADDRESSES** section.

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 this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA is issuing this AD after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

AD Requirements

This AD requires accomplishing the actions specified in EASA AD 2023–0172, described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this AD.

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 been coordinating this process with manufacturers and CAAs. As a result, EASA AD 2023–0172 is incorporated by reference in this AD. This AD requires compliance with EASA AD 2023–0172 in its entirety through that incorporation, except for

any differences identified as exceptions in the regulatory text of this AD. Using common terms that are the same as the heading of a particular section in EASA AD 2023–0172 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 2023–0172. Material required by EASA AD 2023–0172 for compliance will be available at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2025–0337 after this AD is published.

Justification for Immediate Adoption and Determination of the Effective Date

Section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 551 *et seq.*) authorizes agencies to dispense with notice and comment procedures for rules when the agency, for "good cause," finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under this section, an agency, upon finding good cause, may issue a final rule without providing notice and seeking comment prior to issuance. Further, section 553(d) of the APA authorizes agencies to make rules effective in less than thirty days, upon a finding of good cause.

There are currently no helicopters with these type certificates and serial numbers on the U.S. Registry. Accordingly, notice and opportunity for prior public comment are unnecessary, pursuant to 5 U.S.C. 553(b). In addition, for the foregoing reason, the FAA finds that good cause exists pursuant to 5 U.S.C. 553(d) for making this amendment effective in less than 30 days.

Regulatory Flexibility Act

The requirements of the Regulatory Flexibility Act (RFA) do not apply when an agency finds good cause pursuant to 5 U.S.C. 553 to adopt a rule without prior notice and comment. Because the FAA has determined that it has good cause to adopt this rule without prior notice and comment, RFA analysis is not required.

Costs of Compliance

There are no costs of compliance with this AD because there are currently no helicopters with these type certificates and serial numbers on the U.S. Registry.

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

This AD will not have federalism implications under Executive Order 13132. This AD will 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 that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866, and
- (2) Will not affect intrastate aviation in Alaska.

List of Subjects in 14 CFR Part 39

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

The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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(f), 40113, 44701.

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

2025–05–08 Airbus Helicopters:

Amendment 39–22980; Docket No. FAA–2025–0337; Project Identifier MCAI–2023–01016–R.

(a) Effective Date

This airworthiness directive (AD) is effective April 21, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Helicopters Model AS332L1 and EC225LP helicopters, certificated in any category, as identified in European Union Aviation Safety Agency AD 2023–0172, dated September 20, 2023 (EASA AD 2023–0172).

(d) Subject

Joint Aircraft System Component (JASC) Code 2500, Cabin equipment/furnishings.

(e) Unsafe Condition

This AD was prompted by a determination of a possible interference of the hoist operator's helmet cord with the toggle switch of the hoist cable cut control. The FAA is issuing this AD to improve the protection of the toggle switch. The unsafe condition, if not addressed, could result in unintentional activation of the hoist cable cutter during a hoist operation and subsequent in-flight release of the hoisted external load.

(f) Compliance

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

(g) Required Actions

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2023–0172.

(h) Exceptions to EASA AD 2023–0172

(1) Where EASA AD 2023–0172 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where the material referenced in EASA AD 2023–0172 specifies discarding parts, this AD requires removing those parts from service.

(3) This AD does not adopt the “Remarks” section of EASA AD 2023–0172.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2023–0172 specifies to submit certain information to the manufacturer, this AD does not require that action.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, 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 local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (k) of this AD. Information may be emailed to: AMOC@faa.gov.

(2) 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 Evan Weaver, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 521–5771; email: evan.p.weaver@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 material as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2023–0172, dated September 20, 2023.

(ii) [Reserved]

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

(4) You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov.

Issued on March 3, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–05796 Filed 4–3–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA–2024–2411; Project Identifier MCAI–2023–00874–R; Amendment 39–22981; AD 2025–05–09]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Airbus Helicopters Model SA330J helicopters. This AD was prompted by the determination that new or more restrictive airworthiness limitations are necessary. This AD requires revising the existing maintenance records by

incorporating new or more restrictive airworthiness limitations, as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective May 9, 2025.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of May 9, 2025.

ADDRESSES:

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA–2024–2411; 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 final rule, the EASA AD, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADS@easa.europa.eu; website: easa.europa.eu. You may find the EASA material on the EASA website at ad.easa.europa.eu.

- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at regulations.gov under Docket No. FAA–2024–2411.

FOR FURTHER INFORMATION CONTACT:

Adam Hein, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946–4116; email: Adam.Hein@faa.gov.

SUPPLEMENTARY INFORMATION:**Background**

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Airbus Helicopters Model SA330J helicopters. The NPRM published in the **Federal Register** on October 24, 2024 (89 FR 84836). The NPRM was prompted by EASA AD 2023–0146, dated July 14, 2023 (EASA AD 2023–0146), issued by EASA, which is the Technical Agent for the Member States of the European Union. EASA advises that airworthiness limitations and certification maintenance instructions are identified as mandatory

for continued airworthiness and that Revision 7 of SA 330 J Maintenance Program—PUMA 330 J Airworthiness Limitations 5.99, Edition 2, date code 06–22, has been issued to specify all service life limits and maintenance tasks for SA 330 J helicopters and separate the airworthiness limitations from the Master Servicing Recommendations Manual (P.R.E.). According to EASA, failure to accomplish these instructions could result in an unsafe condition.

In the NPRM, the FAA proposed to require revising the existing maintenance records by incorporating new or more restrictive actions and associated thresholds and intervals, including any life limits, specified in EASA AD 2023–0146, described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this AD and except as discussed under “Differences Between this AD and the EASA AD.”

You may examine EASA AD 2023–0146 in the AD docket at *regulations.gov* under Docket No. FAA–2024–2411.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from the University of Virginia Aviation Club, which supported the NPRM without change.

Conclusion

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 this State of Design Authority, it has notified the FAA of the unsafe condition described in its AD referenced above. The FAA reviewed the relevant data, considered the comments received, and determined that air safety requires adopting the AD as proposed, Except for minor editorial changes, *e.g.*, correcting the Joint Aircraft System Component title from “Main Gearbox Oil Cooler” to “Rotorcraft Cooling Fan System”. and any other changes described previously, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Accordingly, the FAA is issuing this AD to address the unsafe condition on these products.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2023–0146, which requires replacing components before exceeding their life limits and accomplishing maintenance

tasks within thresholds and intervals specified in the ALS as defined within. Depending on the results of the maintenance tasks, EASA AD 2023–0146 requires accomplishing corrective action(s) or contacting AH [Airbus Helicopters] for approved instructions and accomplishing those instructions. EASA AD 2023–0146 also requires revising the Aircraft Maintenance Programme (AMP) by incorporating the limitations, tasks, and associated thresholds and intervals described in the specified ALS, as applicable. Revising the AMP constitutes terminating action for the requirement to record accomplishment of the actions of replacing components before exceeding their life limits and to record accomplishment of maintenance tasks within thresholds and intervals specified in the applicable ALS as required by EASA AD 2023–0146 for demonstration of AD compliance on a continued basis.

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 the ADDRESSES section.

Differences Between This AD and the EASA AD

EASA AD 2023–0146 requires, as individual tasks, replacing certain components before exceeding applicable life limits, accomplishing certain maintenance tasks within thresholds and intervals as specified in the ALS, as defined within, and depending on the results, accomplishing corrective action, whereas this AD does not. EASA AD 2023–0146 also requires revising the approved AMP by incorporating the limitations, tasks, and associated thresholds and intervals described in that ALS within 12 months, whereas this AD requires revising the existing maintenance records by incorporating the limitations, tasks, and associated thresholds and intervals described in that ALS within 30 days, and clarifies that if the initial instance of an incorporated limitation or threshold therein is reached before 30 days after the effective date of this AD, you still have up to 30 days after the effective date of this AD to accomplish the corresponding task.

Costs of Compliance

The FAA estimates that this AD affects 6 helicopters of U.S. registry. Labor rates are estimated at \$85 per work-hour. Based on these numbers, the FAA estimates the following costs to comply with this AD.

Revising the existing maintenance records takes approximately 1 work-

hour, for an estimated cost of \$85 per helicopter and \$510 for the U.S. fleet.

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

This AD will not have federalism implications under Executive Order 13132. This AD will 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 that this AD:

- (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 Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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(f), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

2025–05–09 Airbus Helicopters:

Amendment 39–22981; Docket No. FAA–2024–2411; Project Identifier MCAI–2023–00874–R.

(a) Effective Date

This airworthiness directive (AD) is effective May 9, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Helicopters Model SA330J helicopters, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 6322, Rotorcraft Cooling Fan System.

(e) Unsafe Condition

This AD was prompted by new and more restrictive airworthiness limitations. The FAA is issuing this AD to prevent failure of certain parts, which if not addressed, could result in subsequent loss of control of the helicopter.

(f) Compliance

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

(g) Required Actions

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency AD 2023–0146, dated July 14, 2023 (EASA AD 2023–0146).

(h) Exceptions to EASA AD 2023–0146

(1) Where EASA AD 2023–0146 refers to its effective date, this AD requires using the effective date of this AD.

(2) This AD does not adopt the requirements specified in paragraphs (1), (2), (4), and (5) of EASA AD 2023–0146.

(3) Where paragraph (3) of EASA AD 2023–0146 specifies “Within 12 months after the effective date of this AD, revise the approved AMP;” for this AD, replace that text with “Within 30 days after the effective date of this AD, revise maintenance records required by 14 CFR 91.417(a)(2) or 135.439(a)(2), as applicable for the helicopter.”

(4) The initial compliance time for doing the tasks specified in paragraph (3) of EASA AD 2023–0146 is on or before the applicable “limitations” and “associated thresholds” as incorporated by the requirements of paragraph (3) of EASA AD 2023–0146 or within 30 days after the effective date of this AD, whichever occurs later.

(5) This AD does not adopt the “Remarks” section of EASA AD 2023–0146.

(i) Provisions for Alternative Actions and Intervals

No alternative actions and associated thresholds and intervals, including life

limits, are allowed for compliance with paragraph (g) of this AD unless they are approved as specified in the provisions of the “Ref. Publications” section of EASA AD 2023–0146.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in § 39.19. In accordance with § 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 International Validation Branch, send it to the attention of the person identified in paragraph (k) of this AD. If sending information directly to the manager of the International Validation Branch, mail it to the address identified in paragraph (k) of this AD or email to: AMOC@faa.gov. If mailing information, also submit information by email.

(2) 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 Adam Hein, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946–4116; email: Adam.Hein@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 material as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2023–0146, dated July 14, 2023.

(ii) [Reserved]

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

(4) You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov.

Issued on March 4, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–05798 Filed 4–3–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA–2025–0346; Project Identifier MCAI–2025–00052–E; Amendment 39–23003; AD 2025–07–02]

RIN 2120–AA64

Airworthiness Directives; BRP-Rotax GmbH & Co KG (Formerly BRP-POWERTRAIN GMBH & CO KG and Bombardier-Rotax GmbH) Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain BRP-Rotax GmbH & Co KG (Rotax) Model 912 iSc2 Sport, 912 iSc3 Sport, 915 iSc2 C24, and 915 iSc3 C24 engines. This AD was prompted by a report of deviations during the manufacturing process that caused incorrect application of a certain thread-locker to certain sprag clutch housing and oil spray nozzles. This AD requires repetitive operational checks of the battery backup function with removal of the engine from service if insufficient battery power is found, one-time inspections of the oil spray nozzle and generator stator assembly, and, depending on the results of the inspections, replacement with parts eligible for installation. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective April 21, 2025.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of April 21, 2025.

The FAA must receive comments on this AD by May 19, 2025.

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–2025–0346; 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 final rule, 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 Rotax material identified in this AD, contact Rotax, Rotaxstrasse 1, A–4623 Gunskirchen, Austria; phone: +43 7246 601 0; website: flyrotax.com.
- 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. It is also available at regulations.gov under Docket No. FAA–2025–0346.

FOR FURTHER INFORMATION CONTACT:

Kenneth Steeves, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (781) 238–7765; email: kenneth.steeves@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written data, views, or arguments about this final rule. Send your comments to an address listed under **ADDRESSES**. Include “Docket No. FAA–2025–0346; Project Identifier MCAI–2025–00052–E” at the beginning of your comments. The most helpful comments reference a specific portion of the final rule, 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 this final rule 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 final rule.

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 AD 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 AD, 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 AD. Submissions containing CBI should be sent to Kenneth Steeves, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590. 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 European Union Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Emergency AD 2025–0019–E, dated January 16, 2025 (referred to after this as the MCAI), to address an unsafe condition on Rotax 912 iSc Sport, 915 iSc A, 915 iSc C24, 916 iSc A, 916 iSc B, and 916 iSc C24 series engines, all models, all serial numbers. The MCAI states that the manufacturer reported an occurrence from the production line of an excessive amount of thread-locker applied at the sprag clutch housing and oil spray nozzle of several engines. Further investigation by the manufacturer revealed that this abnormality was caused by a deviation in the manufacturing process. Improper application of thread-locker can cause blockage of the oil nozzle, potentially leading to inadequate cooling and damage to the generators. This condition, if not corrected, could lead to engine in-flight shutdown and forced landing, damage to the airplane, and injury to the occupants.

The FAA is also permitting the owner/operator (pilot) holding at least a private pilot certificate to perform an operational check to ensure the availability of the battery backup function in accordance with paragraph (g)(1) of this AD. The FAA is also requiring that compliance with the applicable paragraphs of this AD be entered into the engine maintenance records in accordance with 14 CFR 43.9(a) and 91.417(a)(2)(v). This action could be performed equally well by a pilot or a mechanic. This is an exception to the FAA’s standard maintenance regulations.

You may examine the MCAI in the AD docket at regulations.gov under Docket No. FAA–2025–0346.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Rotax Alert Service Bulletin ASB–912 i–016 R1/ASB–915 i–016 R1/ASB–916 i–006 R1, Revision 1, dated December 20, 2024 (published as a single document). This material specifies procedures for performing an operational check of the battery backup function, inspecting the oil spray nozzle and generator stator assembly, and replacing the oil spray nozzle.

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 the **ADDRESSES** section.

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 this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA is issuing this AD after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

AD Requirements

This AD requires repetitive operational checks of the battery backup function with removal of the engine from service if insufficient battery power is found, one-time inspections of the oil spray nozzle and generator stator assembly, and, depending on the results of the inspections, replacement with parts eligible for installation.

Differences Between This AD and the MCAI

Where the MCAI applies to Rotax Model 915 iSc A, 916 iSc A, 916 iSc B and 916 iSc C24 series engines, all models, all serial numbers, this AD does not, as these engine models do not have an FAA type certificate.

Justification for Immediate Adoption and Determination of the Effective Date

Section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 551 *et seq.*) authorizes agencies to dispense with notice and comment procedures for rules when the agency, for “good cause,” finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under this section, an agency, upon finding good cause, may issue a final rule without providing notice and seeking comment prior to issuance. Further, section 553(d) of the APA authorizes agencies to

make rules effective in less than thirty days, upon a finding of good cause.

An unsafe condition exists that requires the immediate adoption of this AD without providing an opportunity for public comments prior to adoption. The FAA has found that the risk to the flying public justifies forgoing notice and comment prior to adoption of this rule because deviations during the manufacturing process of certain sprag clutch housing and oil spray nozzles could cause blockage of the oil nozzle and damage to the generators which, if not corrected, could lead to engine in-flight shutdown and forced landing, damage to the airplane, and injury to the occupants. Since this condition can result rapidly and without warning, the

FAA has determined that these engines will need to be inspected within 25 flight hours or within 12 months, whichever occurs first after the effective date of this AD. These compliance times are shorter than the time necessary for the public to comment and for publication of the final rule. Accordingly, notice and opportunity for prior public comment are impracticable and contrary to the public interest pursuant to 5 U.S.C. 553(b).

In addition, the FAA finds that good cause exists pursuant to 5 U.S.C. 553(d) for making this amendment effective in less than 30 days, for the same reasons the FAA found good cause to forgo notice and comment.

Regulatory Flexibility Act

The requirements of the Regulatory Flexibility Act (RFA) do not apply when an agency finds good cause pursuant to 5 U.S.C. 553 to adopt a rule without prior notice and comment. Because the FAA has determined that it has good cause to adopt this rule without prior notice and comment, RFA analysis is not required.

Costs of Compliance

The FAA estimates that this AD affects 25 engines installed on airplanes of U.S. registry.

The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspect oil spray nozzle and generator stator assembly.	8.50 work-hours × \$85 per hour = \$722.50 ...	\$0	\$722.50	\$18,062.50

The FAA estimates the following costs to do any necessary replacements that would be required based on the

results of the inspection. The agency has no way of determining the number of

engines that might need these replacements:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replace oil spray nozzle	8 work-hours × \$85 per hour = \$680	\$500	\$1,180
Replace generator stator assembly	8 work-hours × \$85 per hour = \$680	2,000	2,680

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected operators.

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

This AD will not have federalism implications under Executive Order 13132. This AD will 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 that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866, and
- (2) Will not affect intrastate aviation in Alaska.

List of Subjects in 14 CFR Part 39

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

The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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 adding the following new airworthiness directive:

2025–07–02 BRP-Rotax GmbH & Co KG (formerly BRP-POWERTRAIN GMBH & CO KG and Bombardier-Rotax GmbH):
Amendment 39–23003; Docket No. FAA–2025–0346; Project Identifier MCAI–2025–00052–E.

(a) Effective Date

This airworthiness directive (AD) is effective April 21, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to BRP-Rotax GmbH & Co KG (formerly BRP-POWERTRAIN GMBH & CO KG and Bombardier-Rotax GmbH) (Rotax) Model 912 iSc2 Sport, 912 iSc3 Sport, 915 iSc2 C24, and 915 iSc3 C24 engines that are equipped with an affected part as defined in paragraph (h)(1) of this AD.

(d) Subject

Joint Aircraft System Component (JASC) Code 8120, Exhaust Turbocharger; 8550, Reciprocating Engine Oil System.

(e) Unsafe Condition

This AD was prompted by a report of deviations during the manufacturing process of certain sprag clutch housing and oil spray nozzles, including incorrect application of a certain thread-locker. The FAA is issuing this AD to prevent blockage of the oil nozzle, inadequate cooling, and damage to the generators. The unsafe condition, if not addressed, could result in engine in-flight shutdown and forced landing, damage to the airplane, and injury to the occupants.

(f) Compliance

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

(g) Required Actions

(1) Before further flight after the effective date of this AD and thereafter before each flight, perform a first start of the battery prior to starting the engine under normal procedure as an operational check to ensure the availability of the battery backup function.

(i) In order to check the sufficient state of battery capacity, do not use an additional external power source for this operational check.

(ii) The owner/operator (pilot) holding at least a private pilot certificate may perform the action required by paragraph (g)(1) of this AD for your engine and must enter compliance with the applicable paragraphs of this AD into the engine maintenance records in accordance with 14 CFR 43.9(a) and 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.439.

(2) If, during the operational check required by paragraph (g)(1) of this AD, the battery capacity is determined to be insufficient, before further flight, remove the engine from service.

(3) Within 25 flight hours or 12 months, whichever occurs first after the effective date of this AD, perform a one-time inspection of the oil spray nozzle in accordance with the Accomplishment/Instructions, paragraph 3.4.1) of Rotax Alert Service Bulletin ASB-912 i-016 R1/ASB-915 i-016 R1/ASB-916 i-006 R1, Revision 1, dated December 20, 2024 (published as a single document) (Rotax ASB-912 i-016 R1/ASB-915 i-016 R1/ASB-916 i-006 R1).

(4) If, during the inspection required by paragraph (g)(3) of this AD, any oil spray

nozzle fails to meet the serviceability criteria specified in the Accomplishment/Instructions, paragraph 3.4.1) of Rotax ASB-912 i-016 R1/ASB-915 i-016 R1/ASB-916 i-006 R1, before further flight, replace the oil spray nozzle with a part eligible for installation, in accordance with the Accomplishment/Instructions, paragraph 3.5.2) of Rotax ASB-912 i-016 R1/ASB-915 i-016 R1/ASB-916 i-006 R1.

(5) Within 25 flight hours or 12 months, whichever occurs first after the effective date of this AD, perform a one-time inspection of the generator stator assembly in accordance with the Accomplishment/Instructions, paragraph 3.5.1) of Rotax ASB-912 i-016 R1/ASB-915 i-016 R1/ASB-916 i-006 R1.

(6) If, during the inspection required by paragraph (g)(6) of this AD, any generator stator assembly fails to meet the serviceability criteria specified in the Accomplishment/Instructions, paragraph 3.5.1) of Rotax ASB-912 i-016 R1/ASB-915 i-016 R1/ASB-916 i-006 R1, before further flight, replace the generator stator assembly with a part eligible for installation.

Note 1 to paragraph (g)(6): Guidance for removal and installation of the generator stator assembly for Rotax Model 912 iSc2 Sport and 912 iSc3 Sport engines may be found in Rotax Heavy Maintenance Manual MMH-912i, Part No. 898752, Chapter 24-20-00. Guidance for removal and installation of the generator stator assembly for Rotax Model 915 iSc2 C24 and 915 iSc3 C24 engines may be found in the Rotax Heavy Maintenance Manual MMH-915 I A/C24, Part No. 898861, Chapter 24-20-00.

(h) Definitions

(1) For the purpose of this AD, an “affected part” is a generator stator assembly, or an oil spray nozzle assembly having part number (P/N) 456540 manufactured before October 31, 2024, that is:

(i) Installed on an engine with a serial number specified in the Appendix to Rotax ASB-912 i-016 R1/ASB-915 i-016 R1/ASB-916 i-006 R1; or

(ii) Known to have been delivered as a spare part, as specified in Planning Information, Paragraph 1.1, Criterion B), of Rotax ASB-912 i-016 R1/ASB-915 i-016 R1/ASB-916 i-006 R1; or

(iii) Unable to be excluded from the criteria listed in paragraph (h)(1)(i) or (ii) of this AD.

(iv) A generator stator assembly or an oil spray nozzle assembly is not considered an “affected part” if it has been in operation for 200 flight hours or more without a required maintenance action due to generator stator assembly cooling issues.

(2) For the purpose of this AD, a “part eligible for installation” is any of the following:

(i) An oil spray nozzle having P/N 456540, manufactured after October 31, 2024.

(ii) For Rotax Model 912 iSc2 Sport and 912 iSc3 Sport engines, a generator stator assembly having P/N 891095.

(iii) For Rotax Model 915 iSc2 C24 and 915 iSc3 C24 engines, a generator stator assembly having P/N 889562.

(i) Terminating Action

The actions specified in paragraphs (g)(3) through (6) of this AD constitute terminating action for all the requirements of paragraph (g)(1) of this AD.

(j) Credit for Previous Actions

You may take credit for the actions required by paragraphs (g)(3) through (6) of this AD if you performed those actions before the effective date of this AD using Rotax Service Bulletin SB-912 i-016/SB-915 i-016/SB-916 i-006, dated December 16, 2024 (published as a single document).

(k) Alternative Methods of Compliance (AMOCs)

The Manager, 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 local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (l)(1) of this AD and email to: AMOC@faa.gov.

(l) Additional Information

(1) For more information about this AD, contact Kenneth Steeves, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (781) 238-7765; email: kenneth.steeves@faa.gov.

(2) Material identified in this AD that is not incorporated by reference is available at the address specified in paragraph (m)(3) of this AD.

(m) Material Incorporated by Reference

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

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

(i) BRP-Rotax GmbH & Co KG (Rotax) Alert Service Bulletin ASB-912 i-016 R1/ASB-915 i-016 R1/ASB-916 i-006 R1, Revision 1, dated December 20, 2024 (published as a single document).

(ii) [Reserved]

(3) For Rotax material identified in this AD, contact BRP-Rotax GmbH & Co KG, Rotaxstrasse 1, A-4623 Gunskirchen, Austria; phone: +43 7246 601 0; website: flyrotax.com.

(4) 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.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov.

Issued on April 1, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–05852 Filed 4–1–25; 4:15 pm]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. **FAA–2024–2419**; Project Identifier **MCAI–2023–00366–R**; Amendment **39–22992**; AD **2025–06–04**]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Airbus Helicopters (Airbus) Model AS350B, AS350B1, AS350B2, AS350B3, AS350BA, AS350D, AS355E, AS355F, AS355F1, AS355F2, AS355N, AS355NP, EC130B4, and EC130T2 helicopters. This AD was prompted by a manufacturer assessment that determined additional actions are necessary to improve particle detection for main gearboxes (MGBs) with certain planet gear bearings installed. This AD requires repetitively inspecting the MGB bevel wheel and the MGB magnetic plug for particles and prohibits installing an affected MGB unless certain requirements are met. These actions are specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective May 9, 2025.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of May 9, 2025.

ADDRESSES:

AD Docket: You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. **FAA–2024–2419**; 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 final rule, the EASA AD, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADS@easa.europa.eu. You may find the EASA material on the EASA website at ad.easa.europa.eu.

- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at [regulations.gov](https://www.regulations.gov) under Docket No. **FAA–2024–2419**.

FOR FURTHER INFORMATION CONTACT: Dan McCully, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (404) 474–5548; email: william.mccully@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Airbus Model AS350B, AS350B1, AS350B2, AS350B3, AS350BA, AS350D, AS355E, AS355F, AS355F1, AS355F2, AS355N, AS355NP, EC130B4, and EC130T2 helicopters. The NPRM published in the **Federal Register** on November 5, 2024 (89 FR 87821). The NPRM was prompted by EASA AD 2023–0044, dated February 28, 2023, (EASA AD 2023–0044), issued by EASA, which is the Technical Agent for the Member States of the European Union. EASA advises that after a fleet design review for detection of particles in the MGB, it was determined that additional maintenance actions are necessary to improve detection of particles in the MGB.

In the NPRM, the FAA proposed to require repetitively inspecting the MGB bevel wheel for the presence of particles, repetitively inspecting the MGB magnetic plug for particles, close monitoring of the MGB magnetic plug if it has particles, and replacing the epicyclic module if necessary. The NPRM also proposed to prohibit installing an affected MGB unless certain requirements are met. The FAA is issuing this AD to detect and correct the presence of particles in the MGB, which if not addressed, could result in reduced or loss of control of the helicopter.

You may examine EASA AD 2023–0044 in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. **FAA–2024–2419**.

Discussion of Final Airworthiness Directive

Comments

The FAA received no comments on the NPRM or on the determination of the costs.

Conclusion

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 this State of Design Authority, it has notified the FAA of the unsafe condition described in the EASA AD referenced above. The FAA reviewed the relevant data and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

EASA AD 2023–0044 requires repetitive borescope visual inspections of the bevel wheel of the affected MGB for particles, collecting and analyzing any found particles, and depending on the results, further actions, accomplishing corrective action in accordance with the ASB defined within, or contacting AH [Airbus Helicopters] for further corrective action. EASA AD 2023–0044 also requires accomplishing a borescope visual inspection of the bevel wheel of the affected MGB for particles following the detection of any particles at the MGB magnetic plug during accomplishment of certain maintenance tasks and depending on the results, taking corrective action. Lastly, EASA AD 2023–0044 prohibits installing an affected MGB on any helicopter unless it is a serviceable part as defined within and certain requirements are met.

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 the **ADDRESSES** section.

Differences Between this AD and EASA AD 2023–0044

EASA AD 2023–0044 applies to Model AS350BB helicopters, whereas this AD does not because that model is not FAA-type certificated.

Where Note 1 in the material referenced in EASA AD 2023–0044 specifies the option of 1 mechanical technician and 1 crew member, for this

AD, the pilot is only permitted to turn the tail rotor (b) because the other actions specified in the note must be accomplished by persons authorized under 14 CFR 43.3. Therefore, for the purpose of this AD, the owner/operator (pilot) may turn the tail rotor (b) and must enter compliance with the applicable paragraph of this AD in the helicopter maintenance records in accordance with 14 CFR 43.9(a) and 91.417(a)(2)(v). The pilot may perform this action because it only involves turning the tail rotor (b). This action can be performed equally well by a pilot or a mechanic. This action is an exception to the FAA's standard maintenance regulations.

This AD does not require complying with paragraph (2) of EASA AD 2023-0044. Instead, this AD requires repetitively inspecting the MGB magnetic plug for particles and, if there is any particle, accomplishing a borescope visual inspection, as specified in paragraphs (h)(6)(i) and (ii) of this AD.

Where the material referenced in EASA AD 2023-0044 specifies contacting Airbus Helicopters for a certain action, this AD requires accomplishing action in accordance with a method approved the FAA, EASA, or Airbus Helicopters' EASA Design Organization Approval.

Costs of Compliance

The FAA estimates that this AD affects 522 helicopters of U.S. Registry. Labor rates are estimated at \$85 per work-hour. Based on these numbers, the FAA estimates the following costs to comply with this AD.

A repetitive visual borescope inspection of the MGB bevel wheel will take 1 work-hour for an estimated cost of \$85 per helicopter and \$44,370 for the U.S. fleet, per inspection cycle.

If necessary, collecting and performing a metallurgical analysis of the detected particles will take 6 work-hours for an estimated cost of \$510 per helicopter, per analysis.

Repetitively inspecting the magnetic plugs of the MGB will take 1 work-hour for an estimated cost of \$85 per helicopter and \$44,370 for the U.S. fleet, per inspection cycle.

If required, close monitoring will take 2 work-hours for an estimated cost of \$170 per helicopter, per close monitoring cycle.

Accomplishing a visual borescope inspection of the MGB bevel wheel as a result of an MGB magnetic plug inspection will take 1 work-hour for an estimated cost of \$85 per helicopter.

If necessary, replacing an epicyclic module will take 56 work-hours and

parts will cost \$50,524 (overhauled) for an estimated cost of \$55,284 per module.

If necessary, replacing a bevel reduction module will take 56 work-hours and parts will cost \$18,500 (overhauled) for an estimated cost of \$23,260 per module.

Certain corrective action could vary significantly from helicopter to helicopter. The FAA has no data to determine the costs to accomplish the corrective action.

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

This AD will not have federalism implications under Executive Order 13132. This AD will 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 that this AD:

- (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 Amendment

Accordingly, under the authority delegated to me by the Administrator,

the FAA amends 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 adding the following new airworthiness directive:

2025-06-04 Airbus Helicopters:

Amendment 39-22992; Docket No. FAA-2024-2419; Project Identifier MCAI-2023-00366-R.

(a) Effective Date

This airworthiness directive (AD) is effective May 9, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Airbus Helicopters Model AS350B, AS350B1, AS350B2, AS350B3, AS350BA, AS350D, AS355E, AS355F, AS355F1, AS355F2, AS355N, AS355NP, EC130B4, and EC130T2 helicopters, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code: 6320, Main Rotor Gearbox.

(e) Unsafe Condition

This AD was prompted by an assessment performed by the manufacturer which determined that additional actions are necessary to improve particle detection for main gearboxes (MGBs) with certain part-numbered planet gear bearings installed. The FAA is issuing this AD to detect and correct particles in the MGB. The unsafe condition, if not addressed, could result in reduced or loss of control of the helicopter.

(f) Compliance

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

(g) Requirements

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency AD 2023-0044, dated February 28, 2023 (EASA AD 2023-0044).

(h) Exceptions to EASA AD 2023-0044

(1) Where EASA AD 2023-0044 defines "serviceable MGB" as "An affected MGB which has accumulated less than 330 flight hours (FH) since new (first installation on a helicopter), or since an overhaul, or since an inspection in accordance with the instructions of the ASB," this AD requires replacing that text with "An affected MGB which has accumulated less than 330 total hours time-in-service since new (zero total hours time-in-service), since last overhaul if

an overhaul has been accomplished, or since last inspection and any specified corrective action in accordance with the instructions of the ASB if an inspection and any specified corrective action by following the instructions of the ASB have been accomplished.”

(2) Where EASA AD 2023–0044 requires compliance in terms of flight hours, this AD requires using hours time-in-service (TIS).

(3) Where EASA AD 2023–0044 refers to its effective date, this AD requires using the effective date of this AD.

(4) Where Note 1 in the material referenced in paragraph (1) of EASA AD 2023–0044 specifies the option of 1 mechanical technician and 1 crew member, for this AD, the pilot is only permitted to turn the tail rotor (b). The owner/operator (pilot) holding at least a private pilot certificate may turn the

tail rotor (b) and must enter compliance with paragraph (g) of this AD in the helicopter maintenance records in accordance with 14 CFR 43.9(a) and 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.43. All other actions specified in Note 1 in the material referenced in paragraph (1) of EASA AD 2023–0044 must be accomplished by persons authorized under 14 CFR 43.3.

(5) Where Note 2 in the material referenced in paragraph (1) of EASA AD 2023–0044 specifies contacting Airbus Helicopters for further instructions if the bottom of the radius (a6) of the bevel wheel (a3) or head screws (a4) (see Figure 2) are not clearly visible, this AD requires, before further flight, accomplishing action in accordance with a method approved by the FAA, EASA, or Airbus Helicopters’ EASA Design

Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(6) Instead of complying with paragraph (2) of EASA AD 2023–0044, comply with the actions required by paragraphs (h)(6)(i) and (ii) of this AD.

(i) After the effective date of this AD, and within the compliance time intervals specified table 1 to paragraph (h)(6)(i) of this AD, visually inspect the MGB magnetic plug for particles.

Note 1 to paragraph (h)(6)(i): Aircraft Maintenance Manual (AMM) task 60–00–00, 6–2A, or AMM task 60–00–00, 6–2, or work card 60–00–00–602, as applicable, provides information regarding inspecting the MGB magnetic plug.

TABLE 1 TO PARAGRAPH (h)(6)(i)—MGB MAGNETIC PLUG INSPECTIONS

Helicopter model(s)	Initial compliance times (after the effective date of this AD) (hours TIS)	Interval compliance times (thereafter) (hours TIS)
AS350B, AS350B1, AS350BA, and AS350D	5	30
AS355E, AS355F, AS355F1, AS355F2, AS355N, and AS355NP	5	30
AS350B2 and AS350B3	10	100
EC130B4	5	150
EC130T2	5	150

(ii) If there is any particle as a result of any MGB magnetic plug inspection required by paragraph (h)(6)(i) of this AD, before further flight, borescope inspect the bevel wheel of the affected MGB for particles as required by paragraph (1) of EASA AD 2023–0044. If there is any particle as a result of the borescope inspection of the bevel wheel, before further flight, collect and analyze the particles as required by paragraph (3) of EASA AD 2023–0044.

(7) Where paragraph (3) of EASA AD 2023–0044 specifies “If, during any inspection as required by paragraph (1) or (2) of this AD,” this AD requires replacing that text with “If, during any inspection as required by paragraph (1) of this AD.”

(8) Where the material referenced in paragraph (3) of EASA AD 2023–0044 specifies performing a metallurgical analysis and contacting Airbus Helicopters if collected particles cannot be characterized with Work Card 20–08–01–601, this AD does not require contacting Airbus Helicopter but does require performing the metallurgical analysis.

(9) This AD does not allow the ferry flight provision specified in the material referenced in paragraph (3) of EASA AD 2023–0044; for this AD, refer to paragraph (j) of this AD.

(10) Where the material referenced in paragraph (3) of EASA AD 2023–0044 specifies contacting Airbus Helicopters if the damaged module cannot be identified, this AD requires, before further flight, accomplishing action in accordance with a method approved by the FAA, EASA, or Airbus Helicopters’ EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(11) Where paragraph (5) of EASA AD 2023–0044 states “to contact AH for

corrective action(s) instructions, and within the compliance time specified therein, to accomplish those instructions accordingly,” this AD requires replacing that text with “accomplishing corrective actions in accordance with a method approved by the FAA, EASA, or Airbus Helicopters’ EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.”

(12) Where paragraph (7) of EASA AD 2023–0044 states “since new (first installation a helicopter), or since an overhaul, or since an inspection in accordance with the instructions of the ASB, as applicable, and, thereafter, as required by this AD,” this AD requires replacing that text with “since new (zero total hours time-in-service), or since last overhaul if an overhaul has been accomplished, or since last inspection and any specified corrective action in accordance with the instructions of the ASB if an inspection and any specified corrective action by following the instructions of the ASB have been accomplished, and thereafter as required by this AD.”

(13) This AD does not adopt the “Remarks” section of EASA AD 2023–0044.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2023–0044 specifies to submit certain information to the manufacturer, this AD does not require that action.

(j) Special Flight Permits

A special flight permit may be issued in accordance with 14 CFR 21.197 and 21.199 to permit a one-time, non-revenue flight to a location where the actions required by this AD can be accomplished. This flight must be performed with only essential flight crew.

(k) Alternative Methods of Compliance (AMOCs)

(1) The Manager, 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 local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (l) of this AD. Information may be emailed to: 9-AVS-AIR-730-AMOC@faa.gov.

(2) 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.

(l) Related Information

For more information about this AD, contact Dan McCully, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (404) 474–5548; email: william.mccully@faa.gov.

(m) 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 material as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2023–0044, dated February 28, 2023.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3,

50668 Cologne, Germany; phone: +49 221 8999 000; email: ADs@easa.europa.eu; website: easa.europa.eu. You may find the EASA material on the EASA website at ad.easa.europa.eu.

(4) You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov.

Issued on March 28, 2025.

Paul R. Bernado,

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

[FR Doc. 2025-05781 Filed 4-3-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG-2024-0628]

RIN 1625-AA09

Drawbridge Operation Regulation; Gulf Intracoastal Waterway, Osprey, FL

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the operating schedule that governs the Blackburn Point Bridge across the Gulf Intracoastal Waterway (GICW), mile 63.1, at Osprey, FL. The Case Key Association has requested the Coast Guard consider changing the operating schedule to reduce drawbridge openings during the weekday peak traffic periods to assist with alleviating roadway congestion.

DATES: This rule is effective May 5, 2025.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>. Type the docket number (USCG-2024-0628) in the “SEARCH” box and click “SEARCH”. In the Document Type column, select “Supporting & Related Material.”

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email mail Ms. Jennifer Zercher, Bridge Management Specialist, Seventh Coast Guard District; telephone 571-607-5951, email Jennifer.N.Zercher@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
OMB Office of Management and Budget
NPRM Notice of proposed rulemaking (advance, supplemental)
§ Section
U.S.C. United States Code
TD Temporary deviation
FL Florida
GICW Gulf Intracoastal Waterway

II. Background Information and Regulatory History

On August 6, 2024, the Coast Guard published a temporary deviation entitled “Drawbridge Operation Regulation; Gulf Intracoastal Waterway, Osprey, FL” in the **Federal Register** (89 FR 63815). The temporary deviation, effective from 7 a.m. on August 12, 2024, through 7 p.m. on January 31, 2025, allowed the Blackburn Point Bridge to operate with restricted, scheduled openings at peak traffic times during weekdays and operate on demand at all other times. The temporary deviation was authorized to test the impact of restricted opening on vessels and roadway traffic. The comment period for the temporary deviation ended September 20, 2024, with three comments received. Those comments were addressed in the notice of proposed rulemaking (NPRM) discussed next.

On January 8, 2025, the Coast Guard published an NPRM entitled “Drawbridge Operation Regulation; Gulf Intracoastal Waterway, Osprey, FL” in the **Federal Register** (90 FR 1402). There we stated why we issued the NPRM and invited comments on our proposed regulatory action related to this regulatory change. During the comment period that ended February 7, 2025, we received one comment, and that comment is discussed in section IV of this final rule.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority 33 U.S.C. 499.

Blackburn Point Bridge across the GICW, mile 63.1, at Osprey, FL, is a swing bridge with a 9-foot vertical clearance above mean high water when in the closed position. The existing general drawbridge regulation requires the bridge to open on demand any time a vessel requests an opening. The general drawbridge opening regulation can be found in 33 CFR 117.5.

The Coast Guard received a request from the Casey Key Association to consider changing the operating schedule for the Blackburn Point Bridge

by allowing the drawbridge scheduled openings instead of on demand openings. This request was made to assist with vehicle congestion during the weekday daylight hours.

IV. Discussion of Comments, Changes and the Final Rule

The Coast Guard provided a comment period of 30 days, and one comment was received. The comment received stated that bridges in general, should not impede navigation any time. The default operating regulation for moveable bridges across navigable waters of the United States is to open on demand. Coast Guard policy is to minimize the impact of drawbridge operations on waterway traffic, while considering the needs of other modes of transportation. The test deviation has determined that by allowing the bridge to open at designated times has provided vehicle congestion relief while not having an unreasonable impact on navigation.

The current operating schedule allows the Blackburn Point Bridge to open on demand for marine traffic. Under this rule, the swing bridge will open at the top of the hour, 20 minutes past the hour and 40 minutes past the hour, Monday through Friday between the hours of 7 a.m. and 7 p.m. if a vessel request an opening for safe navigation. At all other times the swing bridge will open on demand. Vessels that can pass beneath the bridge without an opening may do so at any time. Emergency vessels and tugs with tows can still request an opening at any time.

This rule adds one new special requirement to § 117.287 for the Gulf Intracoastal Waterway, the Blackburn Point Bridge at Osprey, FL. Additionally, this rule will republish § 117.287 to reorganize the paragraph structure to follow current regulatory drafting requirements.

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.

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 section 3(f) of Executive Order 12866. Accordingly, it has not been reviewed

by the Office of Management and Budget (OMB).

This regulatory action determination is based on the ability that vessels can still transit the bridge during the designated times and vessels able to pass without an opening may do so at any time.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 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 bridge 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 contact 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 calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Government

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 Management Directive 023–01, Rev.1, associated implementing instructions, and Environmental Planning Policy COMDTINST 5090.1 (series) which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f). The Coast Guard has 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 promulgates the operating regulations or procedures for drawbridges and is categorically excluded from further review, under paragraph L49, of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

Neither a Record of Environmental Consideration nor a Memorandum for the Record are required for this rule.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05–1; and DHS Delegation No. 00170.1., Revision No. 01.3.

■ 2. Revise and republish § 117.287 to read as follows:

§ 117.287 Gulf Intracoastal Waterway.

Public vessels of the United States and tugs with tows must be passed through the drawspan of each drawbridge listed in this section at any time.

(a) The Boca Grande Swing Bridge, mile 34.3, at Placida, Florida shall open on signal; except that, from 7 a.m. to 6 p.m., Monday through Friday, except Federal holidays, the draw need only open on the hour and half hour. On Saturday, Sunday and Federal holidays, from 7 a.m. to 6 p.m., the draw need only open on the hour, quarter hour, half hour and three-quarter hour.

(b) The Venice Avenue Bridge, mile 56.6, at Venice, Florida shall open on signal, except that from 7 a.m. to 4:30 p.m., Monday through Friday except Federal holidays, the draw need only open at 10 minutes after the hour, 30 minutes after the hour and 50 minutes after the hour and except between 4:35 p.m. and 5:35 p.m. when the draw need not open.

(c) The Hatchett Creek (US–41) Bridge, mile 56.9, at Venice, Florida shall open on signal, except that, from 7 a.m. to 4:20 p.m., Monday through Friday except Federal holidays, the draw need only open on the hour, 20 minutes after the hour, and 40 minutes after the hour and except between 4:25 p.m. and 5:25 p.m. when the draw need not open. On Saturdays, Sundays, and Federal holidays from 7:30 a.m. to 6 p.m. the draw need only open on the hour, quarter-hour, half-hour, and three-quarter hour. This bridge need not open to navigation on the second Sunday of November annually, from 9 a.m. to 5 p.m., to facilitate the Iron Man Triathlon event.

(d) The Blackburn Point Bridge, mile 63.1, at Osprey, Florida shall open on signal; except that from 7 a.m. to 7 p.m., Monday through Friday, except Federal holidays, the draw need only open on the hour, 20 minutes after the hour, and 40 minutes after the hour.

(e) The Stickney Point Bridge, mile 68.6, at South Sarasota, Florida shall open on signal, except that from 6 a.m.

to 7 p.m. daily, the draw need only open on the hour and half hour.

(f) The Siesta Drive Bridge, mile 71.6, at Sarasota, Florida shall open on signal, except that from 6 a.m. to 7 p.m. daily, the draw need only open on the hour and half hour.

(g) The Cortez (SR 684) Bridge, mile 87.4, at Bradenton Beach, Florida shall open on signal, except that from 6 a.m. to 7 p.m. daily, the draw need only open on the quarter hour and three-quarter hour.

(h) The Anna Maria (SR 64) (Manatee Avenue West) Bridge, mile 89.2, at Bradenton Beach, Florida shall open on signal, except that from 6 a.m. to 7 p.m. daily, the draw need only open on the quarter hour and three-quarter hour.

(i) The Corey Causeway (SR693) Bridge, mile 117.7, at South Pasadena, Florida shall open on signal; except that, from 8 a.m. to 7 p.m. Monday through Friday, and 10 a.m. to 7 p.m. Saturdays, Sundays, and Federal holidays, the draw need only open on the hour, 20 minutes after the hour, and 40 minutes after the hour.

(j) The Treasure Island Causeway Bridge, mile 119.0, at Treasure Island, Florida shall open on signal except that from 7 a.m. to 7 p.m. the draw need only open on the hour, 20 minutes after the hour and 40 minutes after the hour Monday through Friday and on the quarter hour and three-quarter hour on Saturday, Sunday and Federal holidays.

(k) The Welch Causeway (SR 699) Bridge, mile 122.8, at Madeira Beach, Florida, shall open on signal; except that, from 7 a.m. to 7 p.m. daily, except Federal holidays, the draw need only open on the hour and half hour.

Dated: March 24, 2025.

Douglas M. Schofield,

Rear Admiral, U.S. Coast Guard, Commander, Coast Guard Seventh District.

[FR Doc. 2025-05778 Filed 4-3-25; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG-2025-0204]

RIN 1625-AA09

Drawbridge Operation Regulation; Miami River, North Fork, Miami, FL

AGENCY: Coast Guard, DHS.

ACTION: Temporary interim rule with request for comments.

SUMMARY: The Coast Guard is temporarily modifying the operating

schedule that governs the Florida Department of Transportation (FDOT) Railroad Bridge, across the Miami River, North Fork, mile 5.3, at Miami, FL. This action is necessary to allow for construction of an adjacent railroad bridge. The proximity and construction method prevents the bridge from opening to marine traffic. Until the construction is complete the bridge must remain in the closed position.

DATES: This temporary interim rule is effective April 4, 2025 through 11:59 p.m. on December 31, 2027.

Comments and related material must reach the Coast Guard on or before July 3, 2025.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>. Type the docket number (USCG-2025-0204) in the "SEARCH" box and click "SEARCH". In the Document Type column, select "Supporting & Related Material".

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary interim rule, call or email Ms. Jennifer Zercher, Bridge Management Specialist, Seventh Coast Guard District; telephone 571-607-5951, email Jennifer.N.Zercher@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR	Code of Federal Regulations
DHS	Department of Homeland Security
FR	Federal Register
NPRM	Notice of proposed rulemaking
Pub. L.	Public Law
§	Section
U.S.C.	United States Code
FL	Florida
FDOT	Florida Department of Transportation

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary interim 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), 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. The proximity and construction method of an adjacent railroad bridge keeps this bridge in the closed to navigation position.

On September 9, 2024, the Coast Guard issued a General Deviation which allowed the bridge owner, FDOT, to deviate from the current operating schedule in 33 CFR 117.307 to begin construction of an adjacent railroad bridge which will replace this bridge. Due to a delay in the start of construction and changes to the construction method, the bridge owner has requested an extension of closure that will take the project past the allowable 180 days for a deviation. The project will run past the end date of March 8, 2025, of the General Deviation. Since the bridge cannot open to navigation until the completion of the adjacent railroad bridge, there is insufficient time to provide a reasonable comment period and then consider those comments before issuing the modification.

However, we will be soliciting comments on this rulemaking during the first 90 days while this rule is in effect. If the Coast Guard determines that changes to the temporary interim rule are necessary, we will publish a temporary final rule or other appropriate document.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making it effective in less than 30 days after publication in the **Federal Register**. For reasons presented above, delaying the effective date of this rule would be impracticable and contrary to the public interest because the bridge is currently unable to safely open to for marine traffic and will not be able to until the adjacent railroad bridge is completed.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this temporary interim rule under authority in 33 U.S.C. 499. The FDOT Railroad Bridge, across the Miami River, North Fork, mile 5.3, at Miami, FL, is a single bascule bridge with a 6-foot vertical clearance at mean high water in the closed position. The normal operating schedule is set forth in 33 CFR 117.307.

The existing drawbridge regulation states that the draw of the FDOT Railroad Bridge, mile 5.3, shall open on signal if at least 48-hour advance notice is given. FDOT, the bridge owner, has requested to keep the bridge in the closed position during the construction of an adjacent railroad bridge.

IV. Discussion of the Temporary Interim Rule

The Coast Guard is issuing this rule to allow the bridge owner of the FDOT Railroad Bridge across the Miami River, mile 5.3, Miami, FL, to keep the bridge in the closed to navigation position

until December 31, 2027. The rule is necessary to accommodate the construction of an adjacent railroad bridge due to the proximity and construction method.

V. Regulatory Analyses

We developed this temporary interim 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.

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, as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, it has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the fact that little, or no commercial or recreational vessel traffic will be impacted by this rule. A water control structure is located 750 feet upriver from the bridge and no waterside facilities are available.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 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 bridge 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 contact 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 calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Government

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 Management Directive 023–01, Rev.1, associated implementing instructions, and Environmental Planning Policy COMDTINST 5090.1 (series) which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f). The Coast Guard has 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 promulgates the operating regulations or procedures for drawbridges and is categorically excluded from further review, under paragraph L49, of Chapter 3, Table3–1 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

Neither a Record of Environmental Consideration nor a Memorandum for the Record are required for this rule. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

VI. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

Submitting comments. We encourage you to submit comments through the Federal Decision Making Portal at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG–2025–0204 in the search box and click “Search.” Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If your material cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

Viewing material in docket. To view documents mentioned in this proposed rule as being available in the docket, find the docket as described in the previous paragraph, and then select “Supporting & Related Material” in the Document Type column. Public comments will also be placed in our online docket and can be viewed by

following instructions on the <https://www.regulations.gov> Frequently Asked Questions web page. Also, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted, or a final rule is published of any posting or updates to the docket.

We review all comments received, but we will only post comments that address the topic of the proposed rule. We may choose not to post off-topic, inappropriate, or duplicate comments that we receive.

Personal information. We accept anonymous comments. Comments we post to <https://www.regulations.gov> will include any personal information you have provided. For more about privacy and submissions in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05–1; and DHS Delegation No. 00170.1. Revision No. 01.3

§ 117.307 [Stayed]

■ 2. Stay § 117.307.

■ 3. Add § 117.307T to read as follows:

§ 117.307T Miami River, North Fork

The draw of the Florida Department of Transportation (FDOT) Railroad Bridge, mile 5.3 at Miami, Florida need not open to navigation.

Dated: March 24, 2025.

Douglas M. Schofield,

Rear Admiral, U.S. Coast Guard, Commander, Coast Guard Seventh District.

[FR Doc. 2025–05748 Filed 4–3–25; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2022–0987; FRL–10551–02–R3]

Air Plan Approval; District of Columbia, Maryland, Virginia; Determination of Attainment by the Attainment Date and Clean Data Determination for the Washington, DC–MD–VA Nonattainment Area for the 2015 Ozone National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is finalizing multiple actions related to the Washington, DC–MD–VA nonattainment area (the Washington Area or the Area) for the 2015 8-hour ozone national ambient air quality standards (2015 ozone NAAQS). First, the EPA is determining that the Washington Area attained the 2015 ozone NAAQS by the applicable attainment date of August 3, 2024. Second, the EPA is determining that the Washington Area has clean data under the EPA's Clean Data Policy. Lastly, the EPA is taking final action on an exceptional events request submitted by the District of Columbia (DC) on March 20, 2024, and concurred on by the EPA on July 17, 2024. This action addresses the EPA's obligation under Clean Air Act (CAA) sections 179(c) and 181(b)(2) to determine whether the Washington Area attained the 2015 ozone NAAQS by the August 3, 2024 attainment date and, as set forth in the EPA's Clean Data Policy, will suspend the obligation of DC, the State of Maryland (MD), and the Commonwealth of Virginia (VA) to submit certain attainment planning requirements for as long as the Washington Area continues to attain the 2015 ozone NAAQS. This action is being taken under the CAA.

DATES: This final rule is effective on May 5, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID Number EPA–R03–OAR–2022–0987. All documents in the docket are listed on the www.regulations.gov website. Although listed in the index, some information is not publicly available, e.g., confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form.

Publicly available docket materials are available through www.regulations.gov, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Ian Neiswinter, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, 1600 John F. Kennedy Boulevard, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814–2011. Mr. Neiswinter can also be reached via electronic mail at neiswinter.ian@epa.gov.

SUPPLEMENTARY INFORMATION: This attainment determination and clean data determination (CDD) are based upon quality-assured, quality-controlled, and certified ambient air monitoring data from 2021 to 2023 available in the EPA's Air Quality System (AQS) database. Neither this attainment determination nor CDD redesignates the Washington Area to attainment for the 2015 ozone NAAQS. The Washington Area remains designated nonattainment until such time as DC, MD, and VA submit a request for redesignation pursuant to section 107(d)(3) of the CAA and the EPA determines that the area meets the CAA requirements for redesignation to attainment and takes action to redesignate the Washington Area.

I. Background

On October 26, 2015 (80 FR 65292), the EPA promulgated a revised primary and secondary ozone NAAQS to provide requisite increased protection of public health and welfare, respectively. In that action, the EPA strengthened both standards from 0.075 parts per million (ppm) to 0.070 ppm and retained the indicator (ozone), averaging time (8-hour), and form (annual fourth-highest daily maximum, averaged over three years) of the existing standards. Effective August 3, 2018 (83 FR 25776, June 4, 2018), the EPA designated 52 areas throughout the country as nonattainment for the 2015 ozone NAAQS, including the Washington Area,¹ which was classified as a Marginal nonattainment area. This designation was based on quality-assured, quality-controlled, and

¹ The Washington Area consists of the following counties/cities: Calvert County, Charles County, Frederick County, Montgomery County, and Prince George's County in Maryland; Alexandria city, Arlington County, Fairfax County, Fairfax city, Falls Church city, Loudoun County, Manassas Park city, Manassas city, Prince William County in Virginia; and all of the District of Columbia. See 40 Code of Federal Regulations (CFR) 81.309, 81.321, and 81.347.

certified ambient air monitoring data from calendar years 2014 to 2016. The EPA established the attainment date for Marginal 2015 ozone NAAQS nonattainment areas as 3 years from the effective date of the final designations, meaning the Washington Area had an attainment date of August 3, 2021.²

Effective November 7, 2022 (87 FR 60897), the EPA determined that 22 Marginal areas or portions of areas failed to attain the standard by the applicable Marginal attainment date, including the Washington Area. In that action, the EPA reclassified the Washington Area as Moderate nonattainment for the 2015 ozone NAAQS because it failed to attain the standard by the attainment date of August 3, 2021. That designation was based on quality-assured, quality-controlled, and certified ambient air monitoring data from calendar years 2018 to 2020. In that same action, the EPA established the Moderate attainment date as August 3, 2024.³

On February 1, 2023 (88 FR 6688), the EPA proposed a CDD for the Washington Area (2023 CDD Proposal) based on quality-assured, quality-controlled, and certified ambient air monitoring data from 2019 to 2021 showing the Area attained the 2015 ozone NAAQS. The EPA did not finalize that action due to a monitored violation of the 2015 ozone NAAQS prior to final approval.⁴ On March 20, 2024, the Department of Energy and Environment (DOEE), on behalf of DC, submitted an exceptional events demonstration to show that the ozone concentration recorded at the McMillan monitor (AQS

Site ID #110010043) on June 29, 2023, which resulted in a violation preventing the EPA from finalizing the 2023 CDD proposal, was influenced by wildfires. The EPA concurred on this request on July 17, 2024.

On November 15, 2024 (89 FR 90249), the EPA published a notice of proposed rulemaking (2024 NPRM), which proposed to determine that the Washington Area attained the 2015 ozone NAAQS by its August 3, 2024 attainment date. The EPA explained that, if finalized, this action would fulfill the EPA's statutory obligation under CAA sections 179(c) and 181(b)(2) to determine whether the Washington Area attained the 2015 ozone NAAQS by the attainment date.

As provided under the EPA's Clean Data Policy and 40 CFR 51.1318, the EPA also re-proposed a CDD in the 2024 NPRM. The EPA noted that, if this CDD is finalized, the requirements for the Washington Area to submit an attainment demonstration, associated reasonably available control measures (RACM), reasonable further progress (RFP) plan, contingency measures, and any other state implementation plan (SIP) revisions related to the attainment of the 2015 ozone NAAQS, would be suspended for so long as the Washington Area continues to meet the 2015 ozone NAAQS. The EPA also explained that neither the attainment determination nor CDD constitutes a redesignation to attainment, and that the Washington Area will remain designated nonattainment for the 2015 ozone NAAQS until such time as DC, MD, and VA submit a request for

redesignation pursuant to section 107(d)(3) of the CAA and the EPA determines that the Washington Area meets the CAA requirements for redesignation to attainment and takes action to redesignate the Area.

Lastly, the EPA proposed to take final action on the exceptional events request submitted by DC on March 20, 2024, and concurred on by the EPA on July 17, 2024. The attainment determination and CDD are based upon the EPA's concurrence on the exceptional events demonstration, which removed from the design value (DV) calculation those event-influenced data recorded at the McMillan monitor (AQS Site ID #110010043) on June 29, 2023.

II. The EPA's Evaluation

The EPA has reviewed the complete, quality-assured, quality-controlled, and certified air quality monitoring data for the monitoring period 2021 to 2023 for the Washington Area. The DVs for each monitor within the Washington Area are less than or equal to 0.070 ppm, which is the 2015 ozone NAAQS level. All monitors, with the exception of one circumstance described in the 2024 NPRM,⁵ meet the data completeness requirements (*see* Tables 1 through 3 in this preamble).⁶ Based on this 2021 to 2023 data from the EPA's AQS database and consistent with the requirements contained in 40 CFR part 50, the EPA has concluded that the Washington Area attained the 2015 ozone NAAQS by the August 3, 2024 attainment date and has clean data for the 2015 ozone NAAQS.

TABLE 1—COMPLETENESS DATA PERCENTAGE (%) FROM 2019 TO 2023 FOR THE WASHINGTON AREA

Location	AQS site ID	2019	2020	2021	2019–2021 average	2022	2020–2022 average	2023	2021–2023 average
District of Columbia	110010041	100	98	98	99	95	97	98	97
District of Columbia	110010043	98	99	99	99	98	99	96	98
District of Columbia	110010050	100	97	99	99	* 29	* 75	* 23	* 50
Calvert, MD	240090011	93	96	90	93	97	94	96	94
Charles, MD	240170010	90	96	98	95	100	98	98	99
Frederick, MD	240210037	99	94	98	97	96	96	94	96
Montgomery, MD	240313001	96	97	98	97	98	98	99	98
Prince George's, MD	240330030	96	97	95	96	89	94	96	93
Prince George's, MD	240338003	95	95	98	96	97	97	97	97
Prince George's, MD	240339991	93	92	96	94	92	93	93	94
Arlington, VA	510130020	99	99	100	99	99	99	99	99
Fairfax, VA	510590030	98	98	99	98	98	98	98	98
Loudoun, VA	511071005	90	99	100	96	100	100	97	99

² See 83 FR 10376 (March 9, 2018) and 40 CFR 51.1303(a).

³ See 87 FR 60897 (November 7, 2022).

⁴ The EPA initially noted this violation based on preliminary data, which was later certified.

⁵ The Takoma Recreation Center monitor (AQS Site ID #110010050) has incomplete data for data years 2022 and 2023 due to building repairs and a burglary incident, respectively. Further details and explanation are included in the 2024 NPRM and will not be restated here.

⁶ Under the EPA regulations at 40 CFR part 50, the 2015 ozone NAAQS is attained when the 3-year average of the annual fourth-highest daily maximum 8-hour average ozone concentrations at an ozone monitor is less than or equal to 0.070 ppm. See 40 CFR 50.19(b) and 40 CFR part 50, appendix U. This 3-year average is referred to as the design value (DV). When calculating the DV, digits to the right of the third decimal place are truncated. See 40 CFR 51.1300(b), which refers to 40 CFR part 50, appendix U. When the DV is less than or equal

to 0.070 ppm at each monitor within the area, then the area is attaining the NAAQS. The data completeness requirement is met when the average percent of days with valid ambient monitoring data is greater than or equal to 90 percent (%), and no single year has less than 75% data completeness as determined in appendix U of 40 CFR part 50. The data must be collected and quality-assured in accordance with 40 CFR part 58, and recorded in the EPA's AQS database.

TABLE 1—COMPLETENESS DATA PERCENTAGE (%) FROM 2019 TO 2023 FOR THE WASHINGTON AREA—Continued

Location	AQS site ID	2019	2020	2021	2019–2021 average	2022	2020–2022 average	2023	2021–2023 average
Prince William, VA	511530009	100	99	96	98	100	98	100	99

* These data are below the data completeness requirement in 40 CFR part 50, appendix U. See footnote 5 in this preamble for further information.

TABLE 2—FOURTH-HIGHEST 8-HOUR OZONE AVERAGE CONCENTRATIONS (ppm) IN THE WASHINGTON AREA IN EACH YEAR FROM 2019 TO 2023

Location	AQS Site ID	2019	2020	2021	2022	2023
District of Columbia	110010041	0.062	0.054	0.064	0.059	0.058
District of Columbia	110010043	0.071	0.063	0.072	0.066	* 0.072
District of Columbia	110010050	0.067	0.063	0.069	** 0.051	** 0.046
Calvert, MD	240090011	0.058	0.054	0.062	0.058	0.066
Charles, MD	240170010	0.061	0.052	0.066	0.061	0.069
Frederick, MD	240210037	0.065	0.063	0.067	0.061	0.074
Montgomery, MD	240313001	0.062	0.059	0.068	0.063	0.068
Prince George's, MD	240330030	0.071	0.064	0.066	0.061	0.070
Prince George's, MD	240338003	0.065	0.060	0.070	0.064	0.073
Prince George's, MD	240339991	0.075	0.065	0.071	0.065	0.072
Arlington, VA	510130020	0.068	0.062	0.070	0.061	0.071
Fairfax, VA	510590030	0.070	0.057	0.068	0.062	0.073
Loudoun, VA	511071005	0.060	0.060	0.066	0.061	0.067
Prince William, VA	511530009	0.060	0.057	0.062	0.058	0.070

* Based on the EPA's concurrence of the March 20, 2024 exceptional events demonstration, this data excludes the exceptional event-influenced monitoring data on June 29, 2023.

** These data do not meet the 75% annual data completeness requirement in appendix U to 40 CFR part 50. See footnote 5 in this preamble for further information.

TABLE 3—OZONE DESIGN VALUES (ppm) FOR THE WASHINGTON AREA

Location	AQS site ID	2019–2021	2020–2022	2021–2023
District of Columbia	110010041	0.060	0.059	0.060
District of Columbia	110010043	0.068	0.067	* 0.070
District of Columbia	110010050	0.066	** 0.061	** 0.055
Calvert, MD	240090011	0.058	0.058	0.062
Charles, MD	240170010	0.059	0.059	0.065
Frederick, MD	240210037	0.065	0.063	0.067
Montgomery, MD	240313001	0.063	0.063	0.066
Prince George's, MD	240330030	0.067	0.063	0.065
Prince George's, MD	240338003	0.065	0.064	0.069
Prince George's, MD	240339991	0.070	0.067	0.069
Arlington, VA	510130020	0.066	0.064	0.067
Fairfax, VA	510590030	0.065	0.062	0.067
Loudoun, VA	511071005	0.062	0.062	0.064
Prince William, VA	511530009	0.059	0.059	0.063

* Based on the EPA's concurrence of the March 20, 2024 exceptional events demonstration, this design value excludes the exceptional event-influenced monitoring data on June 29, 2023.

** These design values do not meet the 90% 3-year average data completeness requirement in appendix U to 40 CFR part 50. See footnote 5 in this preamble for further information.

The data in Tables 1 through 3 of this document are available in the EPA's AQS database. The AQS report with this data is available in the docket of this rule under docket number EPA–RO3–OAR–2022–0987. Other specific requirements of the determination and the rationale for the EPA's actions, including the EPA's concurrence on the exceptional events demonstration, were explained in the 2024 NPRM, and will not be restated here. Public comments were received on the 2024 NPRM (89 FR 90249, November 15, 2024) and the 2023 CDD Proposal (88 FR 6688, February 1, 2023). Summaries of the

comments received on the 2024 NPRM and 2023 CDD Proposal, as well as the EPA's responses, are in section III inf this preamble.

III. The EPA's Response to Comments Received

The EPA's November 15, 2024 NPRM (89 FR 90249) opened a thirty-day public comment period, which closed on December 16, 2024. The EPA received comments from three individual commenters. The EPA is also addressing in this final rule the four comments received on the 2023 CDD Proposal (88 FR 6688, February 1, 2023),

which had a thirty-day public comment period that closed on March 3, 2023. All comments received have been placed in the docket for this action.

The EPA received four comments that are not relevant to this action. In response to the 2023 CDD proposal, one comment addresses the current NAAQS for fine particulate matter (PM_{2.5}) and one is vague and generally supportive of clean air and water. In response to the 2024 NPRM, one comment addresses a rule proposed by the United States Postal Service. Also, in response to the 2024 NPRM, the EPA received a comment expressing concern regarding

ongoing issues of air pollution in the Washington Area, including an increasing frequency of forest fires and the effect on air quality and public health. The EPA acknowledges the serious concerns referenced by the commenter, but the comment provides no further explanation or context as to the relevancy to this action. None of these comments provide further explanation or context as to their relevancy to this action. Therefore, the EPA is not responding to these four public comments, as they are not adverse to this action.

This action is confined to the EPA's determination that DC's exceptional events demonstration sufficiently showed that the ozone exceedance recorded at the McMillan monitor (AQS Site ID #110010043) on June 29, 2023, was caused by Canadian wildfires, and that after removing the event-influenced data from the DV, the area met the 2015 ozone NAAQS such that it attained by the attainment date as specified by sections 179(c) and 181(b)(2) and has clean data pursuant to Agency policy.

A summary of the relevant comments and the EPA's responses thereto are listed below.

Comment 1: In response to the 2023 CDD Proposal, the commenter expressed concern about the validity of the data collected for the CDD because the period of data examined (2019–2021) includes the COVID–19 pandemic which, the commenter contends, caused a drastic reduction in commuter traffic in the Washington Area and misrepresents the actual air pollution in the area moving forward.

Response 1: The EPA disagrees with the commenter's concern about the validity of the data collected and evaluated in the 2023 CDD Proposal. The EPA's determination of attainment with the 2015 ozone NAAQS is based entirely on monitoring data and on our evaluation of that data's compliance with 40 CFR part 50, appendix U. Therefore, reduction in commuter traffic due to the COVID–19 pandemic, which, the commenter suggests, will misrepresent the actual air pollution in the area moving forward, is irrelevant in determining whether an area is attaining a NAAQS. Under the EPA regulations at 40 CFR part 50, the 2015 ozone NAAQS is attained when the 3-year average of the annual fourth highest daily maximum 8-hour average ambient air quality ozone concentration does not exceed 0.070 ppm at each monitor site within the nonattainment area. See 40 CFR part 50, appendix U. This 3-year average is the DV. When the DV is less than or equal to 0.070 ppm at each monitor within the area, then the area

is attaining the NAAQS. As noted in the 2023 CDD Proposal, the EPA's analysis of monitoring data in the Washington Area for data years 2019 through 2021 supported the determination that the Washington Area attained the 2015 ozone NAAQS. As highlighted in the 2024 NPRM and in the tables above, additional data in 2022 and 2023 continues to support this determination. Additionally, preliminary 2024 ozone data indicate that the Washington Area continues to attain the 2015 ozone NAAQS during the 2022–2024 monitoring period.⁷ As explained in the 2024 NPRM and in section II in this preamble, the data completeness requirements for evaluating monitoring data were met, with the aforementioned exception in the 2024 NPRM.

Regarding the commenter's concern that the COVID–19 pandemic had a drastic reduction in commuter traffic and misrepresents the actual air pollution moving forward, unlike the CAA's redesignation requirement in CAA section 107(d)(3)(E)(iii) that an area's attainment air quality is due to permanent and enforceable measures, the EPA's Clean Data Policy does not require an analogous demonstration. See 40 CFR 51.1318. It is for this reason that the EPA's CDD merely suspends the requirements for an area to submit an attainment demonstration, associated RACM, RFP plans, contingency measures for failure to attain or make reasonable progress, and other planning SIPs related to attainment of the 2015 ozone NAAQS, for as long as the area continues to attain the 2015 ozone NAAQS, in accordance with provisions set forth at 40 CFR 51.1318.

Following enactment of the CAA Amendments of 1990, the EPA promulgated its interpretation of the requirements for implementing the NAAQS in the general preamble for the implementation of Title I of the CAA Amendments of 1990 (General Preamble). See 57 FR 13498, 13564 (April 16, 1992). In 1995, based on the interpretation of CAA sections 171, 172, and 182 in the General Preamble, the EPA set forth what has become known as its "Clean Data Policy" for the 1-hour ozone NAAQS. See Reasonable Further Progress, Attainment Demonstration, and Related Requirements for Ozone Nonattainment Areas Meeting the Ozone National Ambient Air Quality Standard, EPA memorandum from John S. Seitz, Director, Office of Air Quality Planning Standards, May 10, 1995 (Seitz Memorandum). The Seitz Memorandum

provided that requirements to submit SIP revisions addressing RFP, an attainment demonstration, and other related requirements such as contingency measures and other specific ozone-related requirements in section 182 would be suspended for as long as the nonattainment area continued to monitor attainment of the NAAQS. The approach set forth in the memorandum was subsequently codified for the 1997, 2008, and 2015 ozone NAAQS. See 40 CFR 51.918, 51.1118, and 51.1318, respectively. The EPA's longstanding Clean Data Policy has been upheld by the Court of Appeals for the District of Columbia Circuit (D.C. Circuit) and all other courts that have considered it. The D.C. Circuit upheld the EPA's rule embodying the Clean Data Policy for the 1997 8-hour ozone standard in *NRDC v. EPA*, 571 F.3d 1245 (D.C. Cir. 2009). Other courts have reviewed and considered rulemakings applying the EPA's Clean Data Policy and have consistently upheld them. See e.g., *Sierra Club v. EPA*, 99 F.3d 1551 (10th Cir. 1996); *Sierra Club v. EPA*, 375 F.3d 537 (7th Cir. 2004); *Our Children's Earth Foundation v. EPA*, No. 04–73032 (9th Cir. June 28, 2005 (Memorandum Opinion)), *Latino Issues Forum v. EPA*, Nos. 06–75831 and 08–71238 (9th Cir. March 2, 2009 (Memorandum Opinion)).

In sum, the EPA reviewed the complete, quality-assured, quality-controlled, and certified ozone ambient air monitoring data for the 2019–2021 monitoring period in the Washington Area as detailed in the 2023 CDD Proposal and included in section II in this preamble. Additionally, the EPA reviewed the complete, quality-assured, quality-controlled, and certified ozone ambient air monitoring data for the 2019–2021, 2020–2022, and 2021–2023 monitoring periods in the Washington Area as detailed in the 2024 NPRM and included in section II in this preamble. The DVs for each monitor for the years 2019–2021, 2020–2022, and 2021–2023 are less than or equal to 0.070 ppm, and all monitors meet the data completeness requirements, with the exception of the one circumstance described in the 2024 NPRM.⁸ The Washington Area has attained the 2015 ozone NAAQS, and did so by the August 3, 2024 attainment date, in accordance with 40 CFR part 50, appendix U, requirements and 40 CFR 51.1318. Thus, the EPA's determination is in accordance with CAA requirements. Again, the EPA's CDD

⁷ Preliminary 2024 ozone data for the Washington Area can be viewed at: www.epa.gov/outdoor-air-quality-data/ozone-watch.

⁸ See Tables 1 through 3 in this preamble. See footnote 5 in this preamble and the 2024 NPRM regarding the Takoma Recreation Center monitor (AQS Site ID #110010050).

merely suspends the requirements for the Area to submit certain planning SIPs related to attainment of the 2015 ozone NAAQS, for as long as the Area continues to attain the 2015 ozone NAAQS. If the Area violates the NAAQS in the future, these requirements would no longer be suspended and would be due immediately upon the EPA's determination that a violation occurred.

Comment 2: The Virginia Department of Environmental Quality (DEQ) commented on the 2023 CDD Proposal that the EPA should remove the Stafford County (AQS Site ID #511790001) and Fauquier County (AQS Site ID #510610002) ozone monitoring sites from the data tables in the 2023 CDD Proposal because these monitoring sites are outside of the Washington Area, or clearly label these monitors as outside of the Area.

Response 2: The EPA thanks Virginia DEQ for their comment and agrees that the Stafford County and Fauquier County ozone monitoring sites are outside of the Washington Area and should not be included in the Area's determination of attainment for the 2015 ozone NAAQS or CDD. As such, the EPA did not include the Stafford County and Fauquier County ozone monitoring sites, as explained in the 2024 NPRM, when determining that the Washington Area has clean data for the 2015 ozone NAAQS and attained the 2015 ozone NAAQS by the applicable attainment date of August 3, 2024.

Comment 3: One commenter on the 2024 NPRM agrees that the Washington Area has attained the 2015 ozone NAAQS but is apprehensive in supporting the Clean Data Policy procedures because the commenter contends that the present data reveals patterns of increasing ozone that may continue. Additionally, the commenter "believe[s] that the EPA is making a mistake in not considering environmental justice in this ruling," and argues that the Area may experience further increases in ozone emissions due to the suspension of certain attainment plan requirements under the Clean Data Policy.

Response 3: As explained in response to Comment 1, the EPA reviewed the complete, quality-assured, quality-controlled, and certified ozone ambient air monitoring data for the 2019–2021, 2020–2022, and 2021–2023 monitoring periods in the Washington Area as detailed in the 2024 NPRM and included in section II in this preamble. As noted above, preliminary 2024 ozone data indicate that the Washington Area continues to attain the 2015 ozone NAAQS during the 2022–2024

monitoring period.⁹ In accordance with the EPA's regulations and longstanding policy for such determinations and the intent of the CAA, the Washington Area attained and continues to attain the 2015 ozone NAAQS. Unlike the CAA's redesignation requirement in CAA section 107(d)(3)(E)(iii) that an area's attainment air quality is due to permanent and enforceable measures, the EPA's Clean Data Policy does not require an analogous demonstration. See 40 CFR 51.1318. It is for this reason that the EPA's CDD merely suspends the requirements for an area to submit an attainment demonstration, associated RACM, RFP plans, contingency measures for failure to attain or make reasonable progress, and other planning SIPs related to attainment of the 2015 ozone NAAQS, for as long as the area continues to attain the 2015 ozone NAAQS, in accordance with provisions set forth at 40 CFR 51.1318.

Notably, this action fulfills the EPA's statutorily mandated obligation under CAA sections 179(c)(1) and 181(b)(2)(A), and implements longstanding agency policy based on the air quality measurements for ground level ozone in the Area. Due to the implementation of pollution reduction programs, such air quality measurements have improved significantly over time to meet health-based air quality standards. Furthermore, this action is consistent with Executive Order 14173 of January 21, 2025 (Ending Illegal Discrimination and Restoring Merit-Based Opportunity), and Executive Order 14148 of January 20, 2025 (Initial Rescissions of Harmful Executive Orders and Actions). If the Area falls back into nonattainment, those suspended attainment planning SIPs become immediately due upon a determination by the EPA that the Area is no longer attaining the NAAQS. Moreover, DC, MD, and VA may still submit SIPs in anticipation of this event, and the EPA will be required to act on those SIPs in accordance with CAA section 110(k)(2) and (3). The Clean Data Policy embodies the EPA's longstanding interpretation that certain planning requirements in the CAA no longer have meaning for areas that are attaining the standard because the purpose of these provisions is to help a nonattainment area reach attainment, a goal which will already have been achieved.

As explained in response to Comment 1, the EPA promulgated its interpretation of the requirements for

implementing the NAAQS in the General Preamble. In 1995, the EPA set forth what has become known as its "Clean Data Policy" for the 1-hour ozone NAAQS. See Seitz Memorandum. The approach set forth in the memorandum was subsequently codified for the 1997, 2008, and 2015 ozone NAAQS. See 40 CFR 51.918, 51.1118, and 51.1318, respectively. The EPA's longstanding Clean Data Policy has been upheld by the Court of Appeals for the District of Columbia Circuit (D.C. Circuit) and all other courts that have considered it.

The EPA acts to protect the public health in accordance with the CAA and its mandates. The EPA's determination of attainment and CDD for the Washington Area is in accordance with our regulations and longstanding policy and is based on monitored ozone data demonstrating attainment of the 2015 ozone NAAQS, which the EPA set at a level to protect the public health. Thus, the EPA's action is in accordance with the CAA, its implementing regulations, and agency policy.

IV. Final Action

For the reasons discussed in detail in the 2024 NPRM and summarized herein, the EPA is taking final action under CAA sections 179(c) and 181(b)(2) to determine that the Washington Area attained the 2015 ozone NAAQS by its August 3, 2024 attainment date. This action fulfills the EPA's statutory obligation under CAA sections 179(c) and 181(b)(2) to determine whether the Washington Area attained the 2015 ozone NAAQS by the attainment date. Additionally, the EPA is taking final action on an exceptional events request submitted by DC on March 20, 2024, and concurred on by the EPA on July 17, 2024.¹⁰ As provided in 40 CFR 51.5138, the EPA is also finalizing the CDD for the Washington Area, and consequently, the requirements for the Washington Area to submit an attainment demonstration, associated RACM, RFP plan, contingency measures, and any other SIP revisions related to the attainment of the 2015 ozone NAAQS, will be suspended for so long as the Washington Area continues to attain the 2015 ozone NAAQS.

This action does not constitute a redesignation of the Washington Area to attainment of the 2015 ozone NAAQS under CAA section 107(d)(3). This action also does not involve approving

⁹ Preliminary 2024 ozone data for the Washington Area can be viewed at: www.epa.gov/outdoor-air-quality-data/ozone-watch.

¹⁰ Further details on DOE's analyses and the EPA's concurrence, including the exceptional events initial notification, exceptional events demonstration, and the EPA's response to the initial notification can be found in the docket for this regulatory action.

any maintenance plan for the Washington Area and does not determine that the Washington Area has met all the requirements for redesignation under the CAA, including that the attainment be due to permanent and enforceable measures. Therefore, the designation status of the Washington Area will remain nonattainment for the 2015 ozone NAAQS until such time as DC, MD, and VA submit a request for redesignation pursuant to section 107(d)(3) of the CAA and the EPA determines that the Washington Area meets the CAA requirements for redesignation to attainment and takes action to redesignate the Washington Area.

V. Statutory and Executive Order Reviews

This final rule constitutes a determination that the Washington Area has clean data for the 2015 ozone NAAQS and attained the 2015 ozone NAAQS by its attainment date based on air quality monitoring data and does not impose additional requirements. For that reason, this determination:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
 - Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
 - Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
 - Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
 - Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
 - Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
 - Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
 - Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act.
- In addition, this action for the Washington Area does not have Tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9,

2000), because this action is not approved to apply in Indian country located in the Washington Area, and the EPA notes that it will not impose substantial direct costs on Tribal governments or preempt Tribal law.

This action is subject to the Congressional Review Act, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 3, 2025. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Ozone, Reporting and recordkeeping requirements.

Catherine A. Libertz,
Acting Regional Administrator, Region III.

For the reasons stated in the preamble, the EPA amends 40 CFR part 52 as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

- 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart J—District of Columbia

- 2. Amend § 52.475 by adding paragraph (d) to read as follows:

§ 52.475 Determinations of attainment.

* * * * *

(d) Based upon EPA’s review of the ambient air quality data for the 3-year period 2021 to 2023, the Washington, DC-MD-VA moderate nonattainment area for the 2015 8-hour ozone national ambient air quality standards (2015 ozone NAAQS) has attained the 2015 ozone NAAQS by the applicable attainment date of August 3, 2024. Therefore, EPA has met the requirement pursuant to Clean Air Act section 181(b)(2)(A) to determine, based on the

area’s air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Washington, DC-MD-VA moderate nonattainment area will not be reclassified for failure to attain by its applicable attainment date pursuant to section 181(b)(2)(A).

- 3. Amend § 52.476 by adding paragraph (l) to read as follows:

§ 52.476 Control strategy: ozone.

* * * * *

(l) EPA has determined, as of April 4, 2025, that based on 2021 to 2023 ambient air quality data, the Washington, DC-MD-VA moderate nonattainment area for the 2015 8-hour ozone national ambient air quality standards (2015 ozone NAAQS) has attained the 2015 ozone NAAQS. This determination, in accordance with 40 CFR 51.5138, suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 2015 ozone NAAQS.

Subpart V—Maryland

- 4. Amend § 52.1076 by adding paragraph (ii) to read as follows:

§ 52.1076 Control strategy plans for attainment and rate-of-progress: Ozone.

* * * * *

(ii) EPA has determined, as of April 4, 2025, that based on 2021 to 2023 ambient air quality data, the Washington, DC-MD-VA moderate nonattainment area for the 2015 8-hour ozone national ambient air quality standards (2015 ozone NAAQS) has attained the 2015 ozone NAAQS. This determination, in accordance with 40 CFR 51.5138, suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 2015 ozone NAAQS.

- 5. Amend § 52.1082 by adding paragraph (n) to read as follows:

§ 52.1082 Determinations of attainment.

* * * * *

(n) Based upon EPA’s review of the ambient air quality data for the 3-year period 2021 to 2023, the Washington, DC-MD-VA moderate nonattainment

area for the 2015 8-hour ozone national ambient air quality standards (2015 ozone NAAQS) has attained the 2015 ozone NAAQS by the applicable attainment date of August 3, 2024. Therefore, EPA has met the requirement pursuant to Clean Air Act section 181(b)(2)(A) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Washington, DC-MD-VA moderate nonattainment area will not be reclassified for failure to attain by its applicable attainment date pursuant to section 181(b)(2)(A).

Subpart VV—Virginia

- 6. Amend § 52.2428 by adding paragraph (o) to read as follows:

§ 52.2428 Control Strategy: Carbon monoxide and ozone.

* * * * *

(o) EPA has determined, as of April 4, 2025, that based on 2021 to 2023 ambient air quality data, the Washington, DC-MD-VA moderate nonattainment area for the 2015 8-hour ozone national ambient air quality standards (2015 ozone NAAQS) has attained the 2015 ozone NAAQS. This determination, in accordance with 40 CFR 51.5138, suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 2015 ozone NAAQS.

- 7. Amend § 52.2430 by adding paragraph (d) to read as follows:

§ 52.2430 Determinations of attainment.

* * * * *

(d) Based upon EPA's review of the ambient air quality data for the 3-year period 2021 to 2023, the Washington, DC-MD-VA moderate nonattainment area for the 2015 8-hour ozone national ambient air quality standards (2015 ozone NAAQS) has attained the 2015 ozone NAAQS by the applicable attainment date of August 3, 2024. Therefore, EPA has met the requirement pursuant to Clean Air Act section 181(b)(2)(A) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Washington, DC-MD-VA moderate nonattainment area will not be reclassified for failure to attain by its

applicable attainment date pursuant to section 181(b)(2)(A).

[FR Doc. 2025–05913 Filed 4–3–25; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 25–288; FR ID 288249]

Radio Broadcasting Services; Various Locations

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document amends the Table of FM Allotments, of the Federal Communications Commission's (Commission) rules, by reinstating certain channels as a vacant FM allotment in various communities. The FM allotments were previously removed from the FM Table because a construction permit and/or license was granted. These FM allotments are now considered vacant because of the cancellation of the associated FM authorizations or the dismissal of long-form auction FM applications. A staff engineering analysis confirms that all of the vacant FM allotments complies with the minimum distance separation requirements and principle community coverage requirements of the Commission's rules. The window period for filing applications for these vacant FM allotments will not be opened at this time. Instead, the issue of opening these allotments for filing will be addressed by the Commission in subsequent order.

DATES: Effective April 4, 2025.

FOR FURTHER INFORMATION CONTACT:

Rolanda F. Smith, Media Bureau, (202) 418–2054, Rolanda-Faye.Smith@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Order*, adopted March 28, 2025, and released March 31, 2025. The full text of this Commission decision is available online at <https://apps.fcc.gov/ecfs/>. The full text of this document can also be downloaded in Word or Portable Document Format (PDF) at <https://www.fcc.gov/edocs>. This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. The Commission will not send a copy of the *Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A), because these allotments were previously reported.

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

Federal Communications Commission.

Nazifa Sawez,

Assistant Chief, Audio Division, Media Bureau.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

- 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

- 2. In § 73.202, amend table 1 to paragraph (b) by:

- a. Adding the entry for “Hope” in alphabetical order under Arkansas.
■ b. Revising the entry for “Avenal” in alphabetical order under California.
■ c. Revising the entry for “Grand Marais” in alphabetical order under Minnesota.
■ d. Under Montana:
■ i. Adding the entry for “Valier” in alphabetical order.
■ ii. Removing the entry for “Valler” in alphabetical order.
■ e. Under Texas:
■ i. Revising the entries for “Dalhart” and “Kermit” in alphabetical order;
■ ii. Adding the entries for “Mount Vernon,” “Oakwood” and “O’Brien” in alphabetical order;
■ iii. Revising the entry for “Seymour” in alphabetical order.

The additions and revisions read as follows:

§ 73.202 Table of Allotments.

* * * * *

(b) * * *

TABLE 1 TO PARAGRAPH (b)
[U.S. States]

	Channel No.
* * * * *	
Arkansas	
* * * * *	
Hope	285A
* * * * *	
California	
Avenal	295A

TABLE 1 TO PARAGRAPH (b)— Continued [U.S. States]					TABLE 1 TO PARAGRAPH (b)— Continued [U.S. States]					TABLE 1 TO PARAGRAPH (b)— Continued [U.S. States]				
Channel No.					Channel No.					Channel No.				
*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Minnesota					Texas					Oakwood 233A				
										O'Brien 288C2				
*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Grand Marais	237C1, 245C3				Dalhart	241C1, 261C2				Seymour	222C2, 230C2			
*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Montana					Kermit 229A, 289C3									
*	*	*	*	*	*	*	*	*	*	[FR Doc. 2025–05848 Filed 4–3–25; 8:45 am]				
Valier	289C1				Mount Vernon	263A				BILLING CODE 6712–01–P				

[FR Doc. 2025-05848 Filed 4-3-25; 8:45 am]

BILLING CODE 6712-01-P

Proposed Rules

Federal Register

Vol. 90, No. 64

Friday, April 4, 2025

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 TRANSPORTATION

Federal Aviation Administration

14 CFR Part 141

[Docket No.: FAA–2024–2531]

Notice of Public Meetings and Request for Comment on the Modernization of Pilot Schools

AGENCY: Federal Aviation Administration, U.S. Department of Transportation.

ACTION: Notice of public meetings for proposed rulemaking; request for comment.

SUMMARY: The Federal Aviation Administration (FAA) announces public meetings to solicit input on the modernization of pilot school regulations.

DATES: Written comments are requested no later than May 30, 2025. The FAA will hold virtual public meetings on Tuesday, May 6, 2025, Wednesday, May 7, 2025, and Thursday, May 8, 2025, from 9 a.m.–4 p.m. Eastern Time.

ADDRESSES: Members of the public must register to attend the virtual public meetings. See website for registration information link: https://www.faa.gov/about/office_org/headquarters_offices/avs/offices/afx/afs/afs800/afs810/modernization_of_part-141_initiative.

Comments: Send comments identified by docket number FAA–2024–2531 using any of the following methods:

- **Federal eRulemaking Portal:** Go to www.regulations.gov and follow the online instructions for sending your comments electronically.
- **Mail:** Send comments to Docket Operations, M–30; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- **Hand Delivery or Courier:** Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9

a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- **Fax:** Fax comments to Docket Operations at 202–493–2251.

Privacy: DOT solicits comments from the public to better inform its process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at <https://www.govinfo.gov/content/pkg/FR-2008-01-17/pdf/E8-785.pdf>.

Docket: Comments received may be read at www.regulations.gov at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: For questions concerning this action, contact Lyndsay Carlson with the Part 141 Modernization Initiative Team, Office of Safety Standards, General Aviation and Commercial Division, Training and Certification Group (AFS–810); Email: 9-AFS-Modernization-Part141-Comments@faa.gov. Phone: 202–267–1100.

SUPPLEMENTARY INFORMATION: Title 14 Code of Federal Regulations (14 CFR) part 141 pilot schools prescribes the requirements for issuing pilot school air agency certificates, provisional pilot school air agency certificates, and associated ratings, and the general operating rules applicable to a holder of a certificate or rating issued under part 141. Through a part 141 pilot school, a student may obtain equivalent levels of aeronautical experience in fewer hours than required by 14 CFR part 61. Part 141 schools are required to have FAA certification and supplementary oversight. Specifically, part 141 includes curricula standards for training and procedures to ensure a training course used by a school is adequate, appropriate, and administered by qualified personnel.

The process of licensing or certification of pilot schools in the United States is approaching 100 years of existence. Although the FAA has revised certain regulatory requirements pertaining to pilot schools during this time, part 141 still has many foundational ties to Civil Air

Regulations (CAR) part 50, which was implemented in the 1940s. Regulations for pilot schools are typically promulgated to improve safety, reduce aircraft accidents, and embrace changes such as advances in technology and the need for data collection and analysis. Modernizing part 141 is essential for addressing challenges pertaining to certification, certification management, examining authority, and evolving technology and learning methods. The objective of modernizing part 141 is to increase safety and create a foundation for a more structured and robust training environment to aid in the reduction of general aviation fatal accidents.

Therefore, part 141 must be analyzed to determine how it can evolve with the changing aviation industry. Over the course of the project, the FAA is seeking engagement from the flight training industry through participation in public meetings. Collaboration is encouraged to stimulate the innovation of a modern part 141 that will serve the needs of current and future pilot schools, as well as provide a robust and safe training environment that instills the necessary knowledge, skills, critical thinking, and aeronautical decision making in its pilots to create a safer national airspace system.

Public Meetings

Information concerning the public meetings, including topics and meeting times will be posted at the following website: https://www.faa.gov/about/office_org/headquarters_offices/avs/offices/afx/afs/afs800/afs810/modernization_of_part-141_initiative.

DOT is committed to providing equal access to these meetings for all participants. If you require an alternative version of files provided or alternative accommodations, such as sign language, interpretation, or other ancillary aids, please contact the Part 141 Modernization Initiative Team, at 9-AFS-Modernization-Part141-Comments@faa.gov no later than April 21, 2025.

Comments Encouraged

The FAA encourages the public to submit comments to www.regulations.gov, Docket No. FAA–2024–2531. Comments that the FAA would find helpful include validated data and reports, unique discussion topics or scenarios, and/or feedback

specific to modernizing part 141. The public is encouraged to provide feedback regarding innovative ideas; methods; solutions; products; and/or services that have, or could have, a significant impact on pilot school training. We encourage you to submit comments during these public meetings or electronically to Docket No. FAA–2024–2531. If you submit your comments electronically, it is not necessary to also submit a hard copy.

The submission of public comments is encouraged but not required for meeting participation. The FAA will consider public feedback to determine the need for future considerations to the CFR. The FAA will review comments that are post-marked, or submitted electronically, on or before the comment closing date of May 30, 2025. Comments made after the closing date may be reviewed as time and resources permit.

Issued in Washington, DC, on March 31, 2025.

Everette C. Rochon, Jr.,

*Manager, Training and Certification Group,
General Aviation and Commercial Division,
Office of Safety Standards, Flight Standards
Service.*

[FR Doc. 2025–05795 Filed 4–3–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG–2024–0899]

RIN 1625–AA08

Special Local Regulation; San Diego and Mission Bay, San Diego, CA

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to update and amend its special local regulations for recurring marine events in the San Diego Captain of the Port Zone. This rulemaking proposes changes to accurately reflect the dates of existing recurring marine events in the Sector San Diego area of responsibility (AOR).

DATES: Comments and related material must be received by the Coast Guard on or before May 5, 2025.

ADDRESSES: You may submit comments identified by docket number USCG–2024–0899 using the Federal Decision-Making Portal at <https://www.regulations.gov>. See the “Public Participation and Request for

Comments” portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments. This notice of proposed rulemaking with its plain-language, 100-word-or-less proposed rule summary will be available in this same docket.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Lieutenant Shelley Turner, Waterways Management, U.S. Coast Guard Sector, San Diego, CA; telephone 619–278–7656, email MarineEventsSD@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background, Purpose, and Legal Basis

The Captain of the Port Sector San Diego (COTP) proposes to amend the current table of recurring special local regulations for marine events, found in Table 1 to 33 CFR 100.1101. The proposed rule would ensure that the table reflects the most current information regarding recurring marine events in the Sector San Diego AOR. Table 1 to 33 CFR 100.1101 requires amendments to three existing special local regulations, changing the effective dates of the regulations to accurately reflect when the events are taking place. The Coast Guard’s authority for establishing a special local regulation is contained in 46 U.S.C. 70041(a).

III. Discussion of Proposed Rule

This rule proposes to make the following changes in Table 1 to 33 CFR 100.1101:

1. Changing the effective date of Item 3 (San Diego Crew Classic) to “a weekend in March or April.”
2. Changing the effective date of Item 7 (San Diego Sharkfest Swim) to “a weekend in September or October.”
3. Changing the effective date of Item 17 (San Diego Fleet Week Veterans Day Boat Parade) to “one day in November on or around Veterans Day.”

The marine events listed in Table 1 to 33 CFR 100.1101 are listed as recurring over a particular time, during each month and each year. Exact dates are intentionally omitted since calendar dates for specific events change from year to year. Once dates for a marine event are known, the Coast Guard notifies the public it intends to enforce the special local regulation through various means including a notification

of enforcement published in the **Federal Register**, Local Notice of Mariners, and Broadcast Notice to Mariners.

IV. Regulatory Analyses

We developed this proposed 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.

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 NPRM has not been designated a “significant regulatory action,” under section 3(f) of Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size, location, and duration of the special local regulations. These areas are limited in size and duration, and typically have minimal impact to vessel traffic on the navigable waterway. In addition, the Coast Guard would provide advance notice of the regulated areas via Local Notice to Mariners and Broadcast Notice to Mariners. The rule would allow vessels to seek permission to enter the regulated area.

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 proposed rule would not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the special local regulations may be small entities, for the reasons stated in section IV.A above, this proposed rule would not have a significant economic impact on any vessel owner or operator.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it

qualifies and how and to what degree this rule would economically affect it.

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 proposed rule. If the proposed 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. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. Collection of Information

This proposed rule would 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 proposed 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 proposed rule does not have tribal implications under Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) because it would 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. If you believe this proposed rule has implications for federalism or Indian tribes, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

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 proposed rule would not result in such an expenditure, we do discuss the potential effects of this proposed rule elsewhere in this preamble.

F. Environment

We have analyzed this proposed 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 made a preliminary determination 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 proposed rule involves revising existing regulations for recurring marine events in the Sector San Diego AOR. Normally such actions are categorically excluded from further review under paragraph L61 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. For instructions on locating the docket, see the **ADDRESSES** section of this preamble. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

Submitting comments. We encourage you to submit comments through the Federal Decision-Making Portal at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG–2024–0899 in the search box and click “Search.” Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If you cannot submit

your material by using <https://www.regulations.gov>, call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this proposed rule for alternate instructions.

Viewing material in docket. To view documents mentioned in this proposed rule as being available in the docket, find the docket as described in the previous paragraph, and then select “Supporting & Related Material” in the Document Type column. Public comments will also be placed in our online docket and can be viewed by following instructions on the <https://www.regulations.gov> Frequently Asked Questions web page. Also, if you click on the Dockets tab and then the proposed rule, you should see a “Subscribe” option for email alerts. The option will notify you when comments are posted, or a final rule is published.

We review all comments received, but we will only post comments that address the topic of the proposed rule. We may choose not to post off-topic, inappropriate, or duplicate comments that we receive.

Personal information. We accept anonymous comments. Comments we post to <https://www.regulations.gov> will include any personal information you have provided. For more about privacy and submissions to the docket in response to this document, see DHS’s eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

List of Subjects in 33 CFR Part 100

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

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 33 CFR part 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

Authority: 46 U.S.C. 70041; 33 CFR 1.05–1.

■ 2. In § 100.1101, amend Table 1 to § 100.1101, by revising items 3, 7, and 17, to read as follows:

§ 100.1101 Southern California Annual Marine Events for the San Diego Captain of the Port Zone.

* * * * *

TABLE 1 TO § 100.1101

		*	*	*	*	*	
*	*	*		*	*	*	*
3. San Diego Crew Classic							
Sponsor	San Diego Crew Classic.						
Event Description	Competitive rowing race.						
Date	A weekend in March or April.						
Location	Mission Bay, San Diego, CA.						
Regulated Area	The waters of Mission Bay to include South Pacific Passage, Fiesta Bay, and the waters around Vacation Isle.						
*	*	*		*	*	*	*
7. San Diego Sharkfest Swim							
Sponsor	Enviro-Sports Productions Inc.						
Event Description	Swim race.						
Date	A weekend in September or October.						
Location	San Diego Bay, CA.						
Regulated Area	The waters of San Diego Bay, CA, from Seaport Village to Coronado Ferry Landing.						
*	*	*		*	*	*	*
17. San Diego Fleet Week Veterans Day Boat Parade							
Sponsor	San Diego Fleet Week Foundation.						
Event Description	SS Boat parade.						
Date	One day in November on or around Veterans Day.						
Location	San Diego Bay, CA.						
Regulated Area	All waters of San Diego Bay, from surface to bottom, beginning at Shelter Island, proceeding northeast to Harbor Island, proceeding southeast along the shoreline to Tenth Avenue Marine Terminal, crossing the Federal navigable channel prior to the Coronado Bridge, then northwest along the shoreline of Coronado Island to the Coronado Ferry Landing.						

P.C. Dill,

Captain, U.S. Coast Guard, Captain of the Port Sector San Diego.

[FR Doc. 2025-05865 Filed 4-3-25; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF EDUCATION

34 CFR Chapter VI

[Docket ID ED-2025-OPE-0016]

Intent To Receive Public Feedback for the Development of Proposed Regulations and Establish Negotiated Rulemaking Committee

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Intent to negotiate.

SUMMARY: We announce our intention to host public hearings and establish one or more negotiated rulemaking committees to prepare proposed regulations on various programs authorized under title IV of the Higher Education Act of 1965, as amended (HEA) (title IV, HEA programs). The Department invites public feedback, especially addressing topics which may include Public Service Loan Forgiveness (PSLF), Pay As You Earn (PAYE), Income-Contingent Repayment (ICR), or

other topics that would streamline current federal student financial assistance programs.

DATES:

Comments due: We must receive written comments on the topics suggested by the Department and additional topics that may be considered on or before May 5, 2025.

Hearing dates: The dates, times, and locations for the public hearings are listed under the **SUPPLEMENTARY INFORMATION** section of this document.

ADDRESSES: Comments must be submitted through the Federal eRulemaking Portal at *regulations.gov*. Information on using *Regulations.gov*, including instructions for submitting comments, is available on the site under “FAQ.” If you require an accommodation or cannot otherwise submit your comments via *Regulations.gov*, please contact *regulationshelpdesk@gsa.gov* or by phone at 1-866-498-2945. If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7-1-1.

The Department will not accept comments submitted by fax or by email or comments submitted after the comment period closes. To ensure that we do not receive duplicate copies,

please submit your comments only once. Additionally, please include the Docket ID at the top of your comments.

FOR FURTHER INFORMATION CONTACT: For information about negotiated rulemaking, see the Frequently Asked Questions Section of the Negotiated Rulemaking Process for title IV regulations website at: *https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/negotiated-rulemaking-process-title-iv-regulations-frequently-asked-questions*.

For information about the public hearings, or for additional information about negotiated rulemaking, *contact:* Tamy Abernathy, U.S. Department of Education, Office of Postsecondary Education, 400 Maryland Avenue SW, 5th Floor, Washington, DC 20202. *Telephone:* (202) 245-4595. *Email:* *NegRegNPRMHelp@ed.gov*.

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7-1-1.

SUPPLEMENTARY INFORMATION: Section 492 of the HEA (20 U.S.C. 1098a) requires that, before publishing any proposed regulations to implement programs authorized under title IV of the HEA, the Secretary must obtain public involvement in the development of the proposed regulations. After

obtaining advice and recommendations from the public, the Secretary conducts negotiated rulemaking to develop the proposed regulations. We announce our intent to develop proposed title IV regulations by following the negotiated rulemaking procedures in section 492 of the HEA (20 U.S.C. 1098a). These topics will focus on how title IV regulations have impacted institutions, States, and other partners and if their implementation may be inhibiting innovation and contributing to rising college costs. We believe any rulemaking effort should provide the opportunity to streamline or eliminate unnecessary regulatory processes that are not otherwise required by law. The feedback can be received during two public hearings, including one in-person hearing and one virtual hearing, at which interested parties may comment on the topics suggested by the Department and may suggest additional topics that should be considered for action. Additionally, the Department will accept written comments on the topics suggested by the Department and suggestions for additional topics that should be considered for action. Finally, any negotiating committees will include representatives of organizations or groups with interests that are significantly affected by the subject matter of the proposed regulations.

We intend to select negotiators from nominees of the organizations and groups that represent the interests significantly affected by the proposed regulations. To the extent possible, we will select individual negotiators from the nominees who reflect a wide variety of experts among program participants, in accordance with section 492(b)(1) of the HEA (20 U.S.C. 1098a).

Regulatory Issues

We intend to convene one or more negotiated rulemaking committees to develop proposed regulations pertaining to title IV regulations that have impacted institutions, States, and other partners and if their implementation may be inhibiting innovation and contributing to rising college costs. Some proposed topics for negotiation would include:

1. Refining definitions of a qualifying employer for the purposes of determining eligibility for the Public Service Loan Forgiveness program.
2. Pay As You Earn (PAYE) and Income Contingent Repayment (ICR) repayment plans.
3. Potential topics that would streamline current federal student financial assistance program regulations while maintaining or improving

program integrity and institutional quality.

We will publish a notice in the **Federal Register** announcing the topics of PSLF, PAYE, ICR, or other topics related to current federal student financial assistance programs. This notice will solicit nominations for individual negotiators who represent the communities of interest significantly affected by the proposed regulations. This notice will also be posted on the Department's website at: <https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/higher-education-policy/negotiated-rulemaking-for-higher-education-2025-2026>.

Public Hearings

For interested parties who want to discuss the rulemaking agenda, the Department will hold two public hearings, including one in-person hearing at the U.S. Department of Education located at 400 Maryland Ave. SW, Barnard Auditorium, Washington, DC 20202 and one virtual hearing. The in-person public hearing will be held on April 29, 2025, from 9:00 a.m. to 12:00 p.m. with a lunch break from 12:00 p.m. to 1:00 p.m., and from 1:00 p.m. to 4:00 p.m. Eastern Time. The virtual public hearing will be held from 9 a.m. to noon and 1 p.m. to 4 p.m., Eastern time, on May 1, 2025. Additional information on the public hearings is available at <https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/higher-education-policy/negotiated-rulemaking-for-higher-education-2025-2026>.

Individuals who would like to present comments at the public hearing must register by sending an email message to negreghearing@ed.gov no later than noon, Eastern time, on the business day prior to the public hearing. The message should include the name of the presenter, the general topic(s) the individual would like to address, and one or more dates and times during which the individual would be available to speak. We will attempt to accommodate each speaker's preference, but, if we are unable to do so, we will select speakers on a first-come, first-served basis, based on the date and time we received the message. We will limit each participant to three minutes. For those who need a reasonable modification in order to provide a live comment during the hearing, please see the "Reasonable Modifications" section below for information about how to make such a request.

The Department will notify registrants of the date and time slot reserved for them and, for the virtual hearing, will

provide information on how to log in to the hearing as a speaker. An individual may make only one presentation at the public hearings. If we receive more registrations than we are able to accommodate, the Department reserves the right to reject the registration of an entity or individual that is affiliated with an entity or individual that is already scheduled to present comments, and to select among registrants to ensure that a broad range of entities and individuals is allowed to present. We will accept registrations for any remaining time slots on a first-come, first-served basis, beginning at 8 a.m. on the day of the public hearing at the Department's on-site registration table (or at negreghearing@ed.gov for the virtual hearing).

Reasonable Modifications: The hearings will be accessible to individuals with disabilities. Information for contacting the Department to request auxiliary aids or services to provide a live comment will be included in the registration process for providing a live comment at the hearing. If you will need an auxiliary aid or service to provide your comment, please notify the person listed under **FOR FURTHER INFORMATION CONTACT** in this notice at least two weeks before the scheduled meeting date.

Registration is not required to observe the in-person public hearings; however, space may be limited. Registration is required to view the virtual public hearing. American Sign Language translation will be provided to all who attend the hearings, and closed captioning will be provided for the virtual public hearing. We will post links for attendees who wish to observe on our website at <https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/higher-education-policy/negotiated-rulemaking-for-higher-education-2025-2026>. The Department will also post transcripts of all hearings on that site.

The Department will accept written comments via the Federal eRulemaking portal through May 5, 2025. See the **ADDRESSES** section of this document for submission information.

Privacy Note: The Department's policy is to generally make comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at www.regulations.gov. Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available. Commenters should not include in their comments any information that identifies other individuals or that permits readers to

identify other individuals. The Department reserves the right to redact at any time any information in comments that identifies other individuals, includes information that would allow readers to identify other individuals, or includes threats of harm to another person. This may include comments where the commenter refers to a third-party individual without using their name if the Department determines that the comment provides enough detail that could allow one or more readers to link the information to the third-party individual. If your comment refers to a third-party individual, please refer to the third-party individual anonymously to reduce the chance that information in your comment could be linked to the third party. For example, “a former student with a graduate level degree” does not provide information that identifies a third-party individual as opposed to “my sister, Jane Doe, had this experience while attending University X,” which does provide enough information to identify a specific third-party individual. For privacy reasons, the Department reserves the right to not make available on *Regulations.gov* any information in comments that identifies other individuals, includes information that would allow readers to identify other individuals, or includes threats of harm to another person or to oneself.

Schedule for Negotiations

The dates and locations of negotiated rulemaking meetings will be published in a subsequent **Federal Register** document and posted online at: <https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/higher-education-policy/negotiated-rulemaking-for-higher-education-2025-2026>.

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at www.govinfo.gov. At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or portable document format (PDF).

To use PDF, you must have Adobe Acrobat Reader, which is available for free on the site. You may also access documents of the Department published in the **Federal Register** by using the article search feature at: www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Program Authority: 20 U.S.C. 1098a.

James P. Bergeron,

Acting Under Secretary.

[FR Doc. 2025–05825 Filed 4–3–25; 8:45 am]

BILLING CODE 4000–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 721

[EPA–HQ–OPPT–2024–0332; FRL–12563–01–OCSP]

RIN 2070–AB27

Significant New Use Rules on Certain Chemical Substances (24–4.5e)

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 certain chemical substances that were the subject of premanufacture notices (PMNs) and are also subject to an Order 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 rulemaking to notify EPA at least 90 days before commencing that activity. The required notification initiates EPA’s evaluation of the conditions of that use for that chemical substance. In addition, the manufacture or processing for the significant new use may not commence until EPA has conducted a review of the required notification, made an appropriate determination regarding that notification, and taken such actions as required by that determination.

DATES: Comments must be received on or before May 5, 2025.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPPT–2024–0332 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: Ira L. Lyons, New Chemicals Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 566–1481; email address: lyons.ira@epa.gov.

For general information on SNURs: 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 on TSCA: 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. Executive Summary

A. 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 factors in TSCA section 5(a)(2) (see also the discussion in Unit II.).

B. What action is the Agency taking?

EPA is proposing SNURs for the chemical substances discussed in Unit III. These SNURs, if finalized as proposed, would require persons who intend to manufacture or process any of these chemical substances for an activity that is designated as a significant new use to notify EPA at least 90 days before commencing that activity.

C. Does this action apply to me?

1. General Applicability

This action applies to you if you manufacture, process, or use the chemical substances identified in Unit III. 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.

2. Applicability to Importers and Exporters

This action may also apply to certain entities through pre-existing import certification and export notification requirements under TSCA (<https://www.epa.gov/tsc-import-export-requirements>).

Chemical importers are subject to TSCA section 13 (15 U.S.C. 2612), the requirements in 19 CFR 12.118 through 12.127 (e.g., 19 CFR 127.28) and 40 CFR part 707, subpart B). Importers of chemical substances in bulk form, as part of a mixture, or as part of an article (if required by rule) must certify that the shipment of the chemical substance complies with all applicable rules and orders under TSCA, including regulations issued under TSCA sections 5, 6, 7 and Title IV.

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 May 5, 2025 are subject to TSCA section 12(b) (15 U.S.C. 2611(b)) and must comply with the export notification requirements in 40 CFR part 707, subpart D.

D. What are the incremental economic impacts of this action?

EPA has evaluated the potential costs of establishing SNUN reporting requirements for potential manufacturers (including importers) and processors of the chemical substances subject to these proposed SNURs. This analysis, which is available in the docket, is briefly summarized here.

2. Estimated Costs for Export Notifications

EPA has also evaluated the potential costs associated with the export notification requirements under TSCA section 12(b) and the implementing regulations at 40 CFR part 707, subpart D. For persons exporting a substance that is the subject of a SNUR, a one-time notice to EPA must be provided for the first export or intended export to a particular country. The total costs of export notification will vary by chemical, depending on the number of required notifications (i.e., the number of countries to which the chemical is exported). While EPA is unable to make any estimate of the likely number of export notifications for the chemical substances covered by these SNURs, as

stated in the accompanying economic analysis, the estimated cost of the export notification requirement on a per unit basis is approximately \$106.

1. Estimated Costs for SNUN Submissions

If a SNUN is submitted, costs are an estimated \$45,000 per SNUN submission for large business submitters and \$14,500 for small business submitters. These estimates include the cost to prepare and submit the SNUN (including registration for EPA's Central Data Exchange (CDX)), and the payment of a user fee. Businesses that submit a SNUN would be subject to either a \$37,000 user fee required by 40 CFR 700.45(c)(2)(ii) and (d), or, if they are a small business as defined at 13 CFR 121.201, a reduced user fee of \$6,480 (40 CFR 700.45(c)(1)(ii) and (d)) per fiscal year 2022. The costs of submission for SNUNs will not be incurred by any company unless a company decides to pursue a significant new use as defined in these SNURs. Additionally, these estimates reflect the costs and fees as they are known at the time of this rulemaking.

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

1. Submitting CBI

Do not submit CBI to EPA through email or <https://www.regulations.gov>. If you wish to include CBI in your comment, please follow the applicable instructions at <https://www.epa.gov/dockets/commenting-epa-dockets#rules> and clearly mark the information that you claim to be CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR parts 2 and 703.

2. Tips for Preparing Your Comments

When preparing and submitting your comments, see the commenting tips at <https://www.epa.gov/epa-dockets>.

II. Background

This unit provides general information about SNURs. For additional information about EPA's new chemical program go to <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca>.

A. Significant New Use Determination Factors

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, and potential human exposures and environmental releases that may be associated with the substances, in the context of the four bulleted TSCA section 5(a)(2) factors listed in this unit and discussed in Unit III.

These proposed SNURs 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 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).

B. Rationale and Objectives of the SNURs

1. Rationale

Under TSCA, no person may manufacture a new chemical substance or manufacture or process a chemical substance for a significant new use until EPA makes a determination as described in TSCA section 5(a) and takes any required action. The issuance of a SNUR is not a risk determination itself, only a notification requirement for "significant new uses," so that the Agency has the opportunity to review the SNUN for the significant new use and make a TSCA section 5(a)(3) risk determination.

During review of the PMNs submitted 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. Based on these findings outlined in Unit III., 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.

2. Objectives

EPA is proposing these SNURs 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 submitter begins manufacturing or processing a listed chemical substance for the described significant new use.

- To be obligated to make a determination under TSCA section 5(a)(3) regarding the use described in the SNUN, under the conditions of use. The Agency will either determine under TSCA section 5(a)(3)(C) that the significant new use is not likely to present an unreasonable risk, including an unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant by the Administrator under the conditions of use, or make a determination under TSCA section 5(a)(3)(A) or (B) and take the required regulatory action associated with the determination, before manufacture or processing for the significant new use of the chemical substance can occur.

Issuance of a proposed 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 at <https://www.epa.gov/tsca-inventory>.

C. Significant New Uses Claimed as CBI

EPA is proposing to establish certain significant new uses which have been claimed as CBI subject to Agency confidentiality regulations at 40 CFR parts 2 and 703. Absent a final determination or other disposition of the confidentiality claim under these regulations, EPA is required to keep this information confidential. EPA promulgated a procedure at 40 CFR 721.11 to deal with the situation where a specific significant new use is CBI. Under these procedures, a manufacturer or processor may ask EPA to identify the

confidential significant new use subject to the SNUR. The manufacturer or processor must show that it has a *bona fide* intent to manufacture or process the chemical substance. If EPA concludes that the person has shown a *bona fide* intent to manufacture or process the chemical substance, EPA will identify the confidential significant new use to that person. Since most of the chemical identities of the chemical substances subject to these SNURs are also CBI, manufacturers and processors can combine the *bona fide* submission under the procedure in 40 CFR 721.11 into a single step.

D. Applicability of General Provisions

General provisions for SNURs appear in 40 CFR part 721, subpart A. These provisions describe persons subject to SNURs, recordkeeping requirements, exemptions to reporting requirements, and applicability of the rule to uses occurring before the effective date of the rule. Pursuant to 40 CFR 721.1(c), persons subject to SNURs must comply with the same requirements and EPA regulatory procedures as submitters of PMNs under TSCA section 5(a)(1)(A). In particular, 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), 5(h)(2), 5(h)(3), and 5(h)(5) and the regulations at 40 CFR part 720. In addition, provisions relating to user fees appear at 40 CFR part 700.

Once EPA receives a SNUN, EPA must either determine that the significant new 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 under TSCA section 5 before the manufacture (including import) or processing for the significant new use can commence. If EPA determines that the significant new use of the chemical substance 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.

As discussed in Unit I.C.2., persons who export or intend to export a chemical substance identified in a proposed or final SNUR are subject to the export notification provisions of TSCA section 12(b), and persons who import a chemical substance identified in a final SNUR are subject to the TSCA section 13 import certification requirements. See also <https://www.epa.gov/tsca-import-export-requirements>.

E. Applicability of the Proposed SNURs to Uses Occurring Before the Effective Date of the Final Rule

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 and received determinations under TSCA section 5(a)(3)(C). TSCA Orders have been issued for these chemical substances and the PMN submitters are required by the TSCA Orders to submit a SNUN before undertaking activities that would be designated as significant new uses in these SNURs. Additionally, the identities of many of the chemical substances subject to this proposed rule have been claimed as confidential per 40 CFR 720.85, further reducing the likelihood that another party would manufacture or process the substances for an activity that would be designated as a significant new use. Based on this, the Agency believes that it is highly unlikely that any of the significant new uses identified in Unit III. are ongoing.

When the chemical substances identified in Unit III. 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. Persons who begin manufacture or processing of the chemical substances for a significant new use identified on or after the designated cutoff date specified in Unit III.A. 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 EPA would have to take action under TSCA section 5 allowing manufacture or processing to proceed.

F. Important Information About SNUN Submissions

1. SNUN Submissions

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 and 721.25. E-PMN software is available electronically at <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca>.

2. Development and Submission of Information

EPA recognizes that TSCA section 5 does not require development of 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, 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, TSCA 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 to or reasonably ascertainable by them (see 40 CFR 720.50). However, upon review of PMNs and SNUNs, the Agency has the authority to require appropriate testing. To assist with EPA's analysis of the SNUN, submitters are encouraged, but not required, to provide the potentially useful information as identified for the chemical substance in Unit III.C.

EPA strongly encourages persons, before performing any testing, to consult with the Agency pertaining to protocol selection. Furthermore, pursuant to TSCA section 4(h), which pertains to reduction of testing in vertebrate animals, EPA encourages consultation 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>.

The potentially useful information described in Unit III. may not be the only means of providing information to evaluate the chemical substance associated with the significant new uses. However, submitting a SNUN without any test data may increase the likelihood that EPA will take action under TSCA sections 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 that provide detailed information about human exposure and environmental release that may result from the significant new use of the chemical substances.

III. Chemical Substances Subject to These Proposed SNURs

A. What is the designated cutoff date for ongoing uses?

EPA designates April 4, 2025 as the cutoff date for determining whether the new use is ongoing. This designation is explained in more detail in Unit II.E.

B. What information is provided for each chemical substance?

For each chemical substance identified in Unit III.C., EPA provides the following information:

- 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 Registry Number (CASRN) or Accession Number (if assigned for non-confidential chemical identities).
- Basis for the SNUR (e.g., effective date of and basis for the TSCA Order).
- Potentially useful information.

The regulatory text section of the proposed rule specifies the activities designated as significant new uses. Certain new uses, including production volume limits and other uses designated in the proposed rules, may be claimed as CBI.

These proposed SNURs 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). Those TSCA Orders require protective measures to limit exposures or otherwise mitigate the potential unreasonable risk. The proposed SNURs 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).

C. Which chemical substances are subject to these proposed SNURs?

The substances subject to the proposed SNURs in this document are as follows:

PMN Number: P-18-360 (40 CFR 721.12077)

Chemical Name: Oxirane, 2-methyl-, polymer with 2,4-diisocyanato-1-methylbenzene, 2-methyloxirane polymer with oxirane ether with 1,2,3-propanetriol (3:1), and oxirane, cashew nutshell liq.- and Pr alc. -blocked.

CASRN: 1227870-90-7.

Effective Date of TSCA Order: May 2, 2024.

Basis for TSCA Order: The PMN states that the use will be as a two-component

adhesive and protective coating for marine and infrastructure applications. Based on test data for the residual, EPA has identified concerns for skin sensitization, and skin, eye, and respiratory tract irritation for the feedstock residual. 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. To protect against these risks, the Order requires:

- No processing for use or use of the PMN substance in a consumer product;
- No use of the PMN substance other than as a two component adhesives and protective coating for marine and infrastructure applications;
- Use of a NIOSH-certified combination particulate and gas/vapor respirator with an APF of at least 10 where there is a potential for inhalation exposure;
- Use of personal protective equipment where there is a potential for dermal exposure; 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 sensitization, skin irritation, and eye 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-20-87 (40 CFR 721.12078)

Chemical Name: Alcohols, C8-10-iso-, C9-rich, ethoxylated.

CASRN: 2368929-19-3.

Effective Date of TSCA Order: March 21, 2024.

Basis for TSCA Order: The PMN states that the use will be as a component in hard surface cleaners and laundry detergent. Based on a structural alert and the category of use, EPA has identified concerns for lung effects (surfactancy) and irritation to the skin,

eyes, and respiratory tract. Based on comparison to analogous chemical substances, EPA has also identified concerns for acute toxicity (mortality), skin and eye irritation, systemic effects, and reproductive/developmental effects. Based on comparison to analogous nonionic surfactants, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 142 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 and the environment. To protect against these risks, the Order requires:

- No processing of the PMN substance to a concentration of 3% or greater in formulation for use in a consumer product;
- No use of the PMN substance other than as a surfactant in hard surface cleaners and laundry detergents;
- No release of the PMN substance, or any waste stream containing the PMN substance, in surface water concentrations that exceed 142 ppb;
- Use of a NIOSH-certified gas/vapor respirator with an APF of at least 1,000 where there is a potential for inhalation exposure;
- Use of personal protective equipment where there is a potential for dermal exposure; 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, reproductive toxicity, developmental toxicity, skin irritation, eye damage, 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–21–198 (40 CFR 721.12079)

Chemical Name: Reaction product of polyester with alpha.-hydro.-omega.-hydroxypoly (oxy-1,4- butanediyl) and 1,1’-methylenebis[isocyanatobenzene] (generic).

CASRN: 302217.

Effective Date of TSCA Order: February 23, 2024.

Basis for TSCA Order: The PMN states that the use will be as a hot melt moisture cure adhesive for the industrial floor and door industry. Based on comparison to analogous chemical substances for the residual, EPA has identified skin and respiratory sensitization, skin, eye, and respiratory tract irritation, acute toxicity, and pulmonary effects for the residual. 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. To protect against these risks, the Order requires:

- No manufacture, processing, or use of the PMN substance in any manner that results in inhalation exposure;
- No processing for use or use of the PMN substance in a consumer product;
- Use of personal protective equipment where there is a potential for dermal exposure; 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 sensitization, skin irritation, eye damage, 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–21–205 (40 CFR 721.12080)

Chemical Name: Benzene, [2-[(2-methyl-1-undecen-1-yl) oxy]ethyl]-.

CASRN: 2489743–82–8.

Effective Date of TSCA Order: February 29, 2024.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use will be as an additive in household consumer products. Based on submitted test data on the PMN substance, EPA has identified concerns for skin sensitization, systemic, and developmental 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. To protect against these risks, the Order requires:

- No processing for use or use of the PMN substance in consumer products where the concentration of the PMN substance exceeds 1% by weight;
- Use of personal protective equipment where there is a potential for dermal exposure; 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 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–21–213 (40 CFR 721.12081)

Chemical Name: Siloxanes and silicones, alkyl methyl, dimethyl (generic).

CASRN or Accession No.: Not available.

Effective Date of TSCA Order: April 26, 2024.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use will be as a textile finishing agent. Based on the use of the PMN substance and the structural alert for siloxanes, EPA has identified concerns for lung waterproofing. Based on the structural alert for siloxanes and information provided in the SDS, EPA has also identified concerns for acute toxicity,

skin irritation, and eye irritation. 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. To protect against these risks, the Order requires:

- No manufacture, processing, or use of the PMN substance in any manner that results in inhalation exposure;
- No processing for use or use of the PMN substance in consumer product formulations;
- Use of personal protective equipment where there is a potential for dermal exposure; 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 acute toxicity, specific target organ toxicity, pulmonary effects, 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 Number: P–22–19 (40 CFR 721.12082)

Chemical Name: Protein sodium complexes, polymers with aromatic acid chloride, ethylene diamine and amino acid (generic).

CASRN: 302206.

Effective Date of TSCA Order: December 12, 2023.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use will be as a film-forming polymer. Based on structure, EPA has identified concerns for lung overload. Based on physical/chemical properties and protein structure of the PMN substance and a feedstock residual, EPA has also identified concerns for lung surfactancy, 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. To protect against these risks, the Order requires:

- No manufacture, processing, or use of the PMN substance in any manner that results in inhalation exposure to workers;
- No processing of the PMN substance for use in a consumer product where the concentration of a confidential component of the New Chemical Substance listed in the Order in the consumer product exceeds 0.1% and to the extent that remaining unknown components do not exhibit sensitizing properties;
- No use of the PMN substance in consumer products where the concentration of the confidential component listed in the Order exceeds 0.1%;
- Use of personal protective equipment where there is a potential for dermal exposure; 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 sensitization, skin irritation, eye irritation, 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–22–22 (40 CFR 721.12083)

Chemical Name: Aryl-substituted-heterocyclic-polyamine, reaction products with polyethylene glycol alkyl-ether, and nitrogen and alkyl-substituted benzene (generic).

Accession No.: 302046.

Effective Date of TSCA Order: September 28, 2023.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use will be as a dispersing additive. Based on comparison to analogous chemical substances and the surfactant-like structure of the PMN substance, EPA

has identified concerns for lung effects. Based on the surfactant-like structure of the PMN substance, EPA has also identified concerns for irritation to the skin, eyes, and respiratory tract. 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. To protect against these risks, the Order requires:

- No processing for use or use of the PMN substance in a consumer product;
- No manufacture, processing, or use of the PMN substance in any manner that results in inhalation exposure;
- Use of personal protective equipment where there is a potential for dermal exposure; 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, eye damage, 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–22–59 (40 CFR 721.12084)

Chemical Name: Thermomycolin, Malbranchea cinnamomea origin, expressed in genetically modified *Trichoderma reesei*.

CASRN or Accession No.: Not available.

Effective Date of TSCA Order: May 16, 2024.

Basis for TSCA Order: The PMN states that the use will be as an enzyme in laundry and dishwashing detergents. Based on comparison to analogous chemical substances, EPA has identified concerns for irritation to the skin, eyes, and respiratory tract, respiratory sensitization and allergenic effects, and point-of-contact effects in the Gastrointestinal (GI) tract. Based on comparison to analogous chemical substances, EPA predicts toxicity to

aquatic organisms may occur at concentrations that exceed 2 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 and the environment. To protect against these risks, the Order requires:

- No manufacture of the PMN substance other than by import into the United States (*i.e.*, no domestic manufacture) in a liquid formulation;
- No processing for use or use of the PMN substance in consumer products unless the concentration of the PMN substance in the consumer product is less than 0.1% by weight;

- Use of personal protective equipment where there is a potential for dermal exposure;

- No release of the PMN substance, or any waste stream containing the PMN substance, into water during processing unless the PMN substance is deactivated before releasing to water. To deactivate the New Chemical Substance, adjust the pH to 2 or below and incubate for 30 minutes; 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 eye irritation, skin irritation, pulmonary effects, 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–22–83 (40 CFR 721.12085)

Chemical Name: Oils, sandalwood, santalene synthase-modified *Rhodobacter sphaeroides*-fermented, from D-Glucose, oxidized.

CASRN: 2576531–09–2.

Effective Date of TSCA Order: May 8, 2024.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use

will be as a perfume. Based on submitted test data on the PMN substance and information provided in the SDS, EPA has identified concerns for skin irritation and skin sensitization. Based on the hydrocarbon structure of the PMN substance, EPA has also identified concerns for solvent neurotoxicity. Based on comparison to analogous chemical substances and components of the PMN substance, EPA has also identified concerns for acute neurotoxicity, skin irritation, skin sensitization, and systemic effects. Based on comparison to analogous vinyl/allyl/propargyl alcohols, EPA predicts 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 and the environment. To protect against these risks, the Order requires:

- No processing for use or use of the PMN substance in consumer products where the concentration of the PMN substance exceeds 1% by weight;

- Use of a NIOSH-certified combination particulate and gas/vapor respirator with an APF of at least 10 where there is a potential for inhalation exposure;

- No release of the PMN substance, or any waste stream containing the PMN substance, in surface water concentrations that exceed 1 ppb;

- Use of personal protective equipment where there is a potential for dermal exposure; 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, 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–22–89 (40 CFR 721.12086)

Chemical Name: Carboxylic acid substituted carbomonocycles, polymer with dialkyl-alkanediol and alkanediol, hydroxy-alkyl-oxo-alkenyl) oxy]alkyl ester (generic).

CASRN or Accession No.: Not available.

Effective Date of TSCA Order: January 2, 2024.

Basis for TSCA Order: The PMN states that the use will be as a UV cured resin for dry toner printing. Based on comparison to analogous acrylates/methacrylates, EPA has identified concerns for skin, eye, and respiratory tract irritation 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. To protect against these risks, the Order requires:

- No processing for use or use of the PMN substance in consumer products;

- Use of a NIOSH-certified respirator with an APF of at least 10 where there is a potential for inhalation exposure;

- Use of personal protective equipment where there is a potential for dermal exposure; 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 eye irritation, pulmonary effects, skin sensitization, and specific target organ toxicity 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–22–90 (40 CFR 721.12087)

Chemical Name: 4,8,11-Dodecatrinal.

CASRN: 1000399–21–2.

Effective Date of TSCA Order: April 5, 2024.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use will be as a perfume. Based on submitted test data on the PMN substance, EPA has identified concerns for skin irritation and skin sensitization. Based on comparison to analogous chemical substances, EPA has also identified concerns for systemic effects. Based on submitted test data on the PMN substance, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 13 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 and the environment. To protect against these risks, the Order requires:

- Processing of the PMN substance for use in consumer products only where the concentration of the PMN substance is less than 1% concentration by weight;
- Use of the PMN substance only where the concentration of the PMN substance in the product is less than 1% concentration by weight;
- Use of the PMN substance only for the confidential use listed in the Order;
- No release of the PMN substance, or any waste stream containing the PMN substance, in surface water concentrations that exceed 13 ppb;
- Use of personal protective equipment where there is a potential for dermal exposure; 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, toxicokinetics, and chronic 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-22-91 (40 CFR 721.12088)

Chemical Name: Alkanol, polymer with isocyanato-(isocyanatoalkyl)-trialkylcarbomonocycle, alkylene glycol monoacrylate-blocked (generic).

CASRN or Accession No.: Not available.

Effective Date of TSCA Order: March 18, 2024.

Basis for TSCA Order: The PMN states that the use will be as a UV cured resin for dry toner printing. Based on comparison to analogous acrylates/methacrylates, EPA has identified concerns for skin, eye, and respiratory tract irritation and skin sensitization. Based on comparison to analogous acrylates/methacrylates, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 2 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 and the environment. To protect against these risks, the Order requires:

- No processing for use or use of the PMN substance in a consumer product;
- No release of the PMN substance, or any waste stream containing the PMN substance, in surface water concentrations that exceed 3 ppb;
- Use of a NIOSH-certified respirator with an APF of at least 10 where there is a potential for inhalation exposure;
- Use of personal protective equipment where there is a potential for dermal exposure; 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 eye irritation, skin irritation, skin sensitization, pulmonary effects, 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-22-93 (40 CFR 721.12089)

Chemical Name: Alkenoic acid, alkyl-substituted alkyl ester, polymer with (polyalkylamino)alkyl alkylalkenoate, alkyl-substituted alkylalkenoate, .alpha.-(alkyl-oxo-alkenyl)-.omega.-alkoxypoly(oxy-1,2-ethanediyl), [(alkoxy-alkyl-alkenyl)oxy]polyalkylsilane-initiated, compds. with polyethylene glycol phosphoric acid-based alkyl ether (generic).

Accession No.: 302499.

Effective Date of TSCA Order: April 11, 2024.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use will be as an additive used for pigment stabilization. Based on comparison to analogous chemical substances, EPA has identified concerns for lung effects (surfactancy) and eye irritation. Based on comparison to analogous cationic polymers and the standard toxicity profile for phosphate, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 18 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 and the environment. The requirements of this section do not apply to quantities of the substance after they have been incorporated into an article. To protect against these risks, the Order requires:

- No processing for use or use of the PMN substance in a consumer product;
- No manufacture, processing, or use of the PMN substance in any manner that results in inhalation exposure to the PMN substance;
- No release of the PMN substance, or any waste stream containing the PMN substance, in surface water concentrations that exceed 18 ppb;
- Use of personal protective equipment where there is a potential for dermal exposure; 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 pulmonary effects, eye irritation, 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 Numbers: P-22-130 (40 CFR 721.12090), P-22-131 (40 CFR 721.12091), P-22-132 (40 CFR 721.12092), P-22-133 (40 CFR 721.12093), P-22-134 (40 CFR 721.12094), and P-22-135 (40 CFR 721.12095)

Chemical Names: Maltodextrin, octanoate (P-22-130), Maltodextrin, hexadecanoate (P-22-131), Maltodextrin, decanoate (P-22-132), Maltodextrin, octadecanoate (P-22-133), Maltodextrin, dodecanoate (P-22-134), and Maltodextrin, tetradecanoate (P-22-135).

CASRN: 2736503-99-2 (P-22-130), 1516876-50-8 (P-22-131), 1516876-47-3 (P-22-132), 1159570-68-9 (P-22-133), 512180-33-5 (P-22-134), and 2736504-00-8 (P-22-135).

Effective Date of TSCA Order: April 9, 2024.

Basis for TSCA Order: The PMNs state that the uses will be as surface tension reducing agents for use in production enhancement in oil wells, surfactants for use in the manufacture of industrial products, consumer, and household products, wetting agents in agriculture, wetting agents/emulsifiers in personal care products, and as emulsifiers/surface reduction in household and industrial products. Based on intended use and structure, EPA has identified concerns for lung toxicity (surfactant effects). Based on comparison to analogous chemical substances, EPA has also identified concerns for serious eye damage for P-22-130, P-22-132, and P-22-134. 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. To protect against these risks, the Order requires:

- Use of a NIOSH-certified particulate respirator with an APF of at least 1000 where there is a potential for inhalation exposure;
- Manufacture, processing, or use of the PMN substances only in aqueous dispersions;

- No processing for use or use of the PMN substances in consumer products that are spray applied;

- No processing for use or use of the PMN substances in consumer products if the concentration of the PMN substances is equal to or exceeds 3% by weight in the consumer product;

- No use of the PMN substances as agricultural wetting agents;

- Use of personal protective equipment where there is a potential for dermal exposure; 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 pulmonary effects, eye irritation, and toxicokinetics testing may be potentially useful to characterize the health 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-22-139 (40 CFR 721.12096)

Chemical Name:

Dialkylhydroxylamine (generic).

Accession No.: 302353.

Effective Date of TSCA Order: March 11, 2024.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use will be as an antioxidant/process stabilizer. Based on comparison to analogous chemical substances, EPA has identified concerns for skin sensitization 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. To protect against these risks, the Order requires:

- Manufacture of the PMN substance only when using local exhaust ventilation (LEV) and particulate filters with at least 90% efficiency to control dust released to air;

- The form giving process may be conducted on the PMN substance only when using LEV and HEPA dust filters

with at least 99% efficiency to control dust released to air during transfer;

- The form giving process may be conducted on the PMN substance only when using an enclosed system with HEPA dust filters with at least 99% efficiency to control dust released to air during all processing steps other than transfer;

- No use of the PMN substance other than as an antioxidant process stabilizer;

- Use of a NIOSH-certified particulate respirator with an APF of at least 10 where there is a potential for inhalation exposure;

- Use of personal protective equipment where there is a potential for dermal exposure; 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 sensitization and specific target organ toxicity 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-22-154 (40 CFR 721.12097)

Chemical Name: Acetyl, alkyl, alkenoic acid, ethyl ester (generic).

CASRN or Accession No.: Not available.

Effective Date of TSCA Order: November 29, 2023.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use will be as a fragrance ingredient for use in laundry applications. Based on submitted test data on the PMN substance, EPA has identified concerns for acute toxicity, skin sensitization, systemic effects, and developmental effects. Based on comparison to analogous esters, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 2 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 and the environment. To protect against these risks, the Order requires:

- No processing for use or use of the PMN substance in consumer products where the concentration of the PMN substance exceeds 1%;
- No manufacture or processing of the PMN substance in any manner that results in inhalation exposure;
- Use of personal protective equipment where there is a potential for dermal exposure.
- No release of the PMN substance, or any waste stream containing the PMN substance, in surface water concentrations that exceed 2 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 pulmonary effects, developmental effects, 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–22–155 (40 CFR 721.12098)

Chemical Name: 2-Alkyl-1,2-heteropolycycle-3-one (generic).

CASRN or Accession No.: Not available.

Effective Date of TSCA Order: April 11, 2024.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use will be as a physical property modifier for polyurethanes and as a modifier for polyurethane blends. Based on submitted test data on the PMN substance, EPA has identified concerns for skin corrosion and portal-of-entry (oral) effects. Based on comparison to analogous chemical substances, EPA has also identified concerns for acute toxicity, eye corrosion, skin sensitization, portal-of-entry (oral and inhalation) effects, and systemic effects.

Based on comparison to analogous chemical substances, EPA predicts 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 and the environment. To protect against these risks, the Order requires:

- Processing or use of the PMN substance only in the form of a liquid;
- Manufacture of the PMN substance only by import into the United States (*i.e.*, no domestic manufacture) in the form of a liquid;
- No processing for use or use of the PMN substance in a consumer product formulation;
- No release of the PMN substance, or any waste stream containing the PMN substance, in surface water concentrations that exceed 1 ppb;
- Use of a NIOSH-certified particulate respirator with an APF of at least 50 where there is a potential for inhalation exposure;
- Use of personal protective equipment where there is a potential for dermal exposure; 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 neurotoxicity, skin irritation/corrosion, eye irritation/corrosion, skin sensitization, pulmonary effects, 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–22–157 (40 CFR 721.12099)

Chemical Name: 1,2-Ethanediamine, N1, N2-dimethyl-N1-(1-methylethyl)-N2-[2-[methyl(1-methylethyl)amino]ethyl]-.

CASRN: 1042950–30–0.

Effective Date of TSCA Order: May 9, 2024.

Basis for TSCA Order: The PMN states that the use will be as a polyurethane catalyst. Based on submitted test data on the PMN substance, EPA has identified concerns for acute toxicity, skin corrosion, and systemic and developmental effects. Based on comparison to analogous chemical substances, EPA has also identified concerns for eye and respiratory tract corrosion and skin sensitization. Based on submitted test data on the PMN substance and comparison to analogous aliphatic amines, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 650 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, or any waste stream containing the PMN substance, in surface water concentrations that exceed 650 ppb;
- Use of a NIOSH-certified respirator with an APF of at least 1,000 during manufacturing and processing (a respirator with an APF of at least 50 may be used if a minimum ventilation airflow of 3,500 standard cubic feet per minute is maintained in the work area) and a respirator with an APF of at least 50 during use where there is a potential for inhalation exposure;
- No processing for use or use of the PMN substance in a consumer product;
- Use of the PMN substance only as a polyurethane catalyst;
- No processing for use or use of the PMN substance at a concentration > 3% by weight;
- Use of personal protective equipment where there is a potential for dermal exposure; 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 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-22-167 (40 CFR 721.12100)

Chemical Name: 1,2-Cycloalkanedicarboxylic acid, 1,2-bis(2-oxiranyllalkyl) ester, reaction products with unsaturated carboxylic acid (generic).

CASRN or Accession No.: Not available.

Effective Date of TSCA Order: March 29, 2024.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use will be in photolithography. Based on comparison to analogous acrylates/methacrylates, EPA has identified concerns for skin, eyes, and respiratory irritation and skin and respiratory tract sensitization. Based on submitted test data on the PMN substance and comparison to analogous acrylates/methacrylates and esters, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 460 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 and the environment. To protect against these risks, the Order requires:

- No manufacture, processing, or use of the PMN substance in any manner that results in inhalation exposure;
- No processing for use or use of the PMN substance in a consumer product;
- No release of the PMN substance, or any waste stream containing the PMN substance, in surface water concentrations that exceed 460 ppb;
- Use of personal protective equipment where there is a potential for dermal exposure; 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 eye irritation/corrosion, skin irritation, skin sensitization, pulmonary effects, 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-22-192 (40 CFR 721.12101)

Chemical Name: Sulfonium, tricarboxylic-, polyfluoro-heteroatom-substituted polycarboxycycloalkanesulfonate (1:1) (generic).

CASRN: 302579.

Effective Date of TSCA Order: April 26, 2024.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use of the PMN substance will be for photolithography. Based on the physical/chemical properties of the PMN substance (as described in the New Chemical Program's PBT category at 64 FR 60194; November 1999) and test data on structurally similar substances, the PMN substance is a potentially persistent, bioaccumulative, and toxic (PBT) chemical. EPA estimates that the anion, the incineration product, the cation, and the cation photodegradation product of the PMN substance will persist in the environment for more than six months, estimates a bioaccumulation factor for the cation photodegradation product of the PMN substance of greater than or equal to 1,000, and estimates an unknown bioaccumulation factor for the cation and anion of the PMN substance. Based on sulfonium compounds, EPA has identified concerns for acute toxicity, irritation to the skin, eyes, and respiratory tract, eye corrosion, ocular lethality, neurological effects, and systemic effects for the sulfonium cation of the PMN substance. Based on the photo reactivity of the PMN substance, EPA has also identified concerns for photosensitization for the sulfonium cation of the PMN substance. Based on the reactivity of the PMN substance, EPA has also identified concerns for irritation to the skin, eyes, and respiratory tract for the sulfonium cation of the PMN substance. Based on comparison to analogous chemical substances, EPA has also identified concerns for mutagenicity for the sulfonium cation of the PMN substance. Based on comparison to analogous chemical substances for the perfluoro anion, EPA has also identified concerns

for acute toxicity, skin irritation, eye corrosion, GI tract irritation, and systemic, reproductive, and developmental effects for the anion. Based on a potential incineration by-product, EPA has also identified concerns for local, neurotoxic, and systemic effects. EPA was unable to estimate the environmental hazard of 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:

- No manufacture of the PMN substance beyond the time limits specified in the Order without submittal to EPA the results of certain testing described in the Testing section of the Order;
- 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 modification of the processing or use of the PMN substance in any way that generates a vapor, dust, mist, or aerosol in a non-enclosed process;
- Use of the PMN substance only for the confidential use listed in the Order;
- No domestic manufacture of the PMN substance (*i.e.*, import only);
- Import of the PMN substance only in solution, unless in sealed containers weighing 5 kilograms or less; and
- No exceedance of the confidential annual importation volume listed the Order.

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 about the physical/chemical properties, fate, bioaccumulation, environmental hazard, and human health effects of the PMN substance 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. The submitter has agreed not to exceed the time limits specified in the Order without performing the required Tier I and Tier II testing outlined in the Testing section of the Order.

PMN Number: P-23-38 (40 CFR 721.12102)

Chemical Name: Formaldehyde, polymer with phenol, carboxyalkyl ethers, alkali salts, compds. with (dialkylamino)alkanol (generic).

CASRN or Accession No.: Not available.

Effective Date of TSCA Order: January 2, 2024.

Basis for TSCA Order: The PMN states that the use will be as a crosslinker (hardener) for various water dilutable backbone binders to obtain high chemical resistant protective layers for heat curing metal application. Based on test data for the cation of the PMN substance, EPA has identified concerns for acute toxicity, portal-of-entry (inhalation) effects, skin corrosion, eye corrosion, skin sensitization, neurotoxicity, systemic effects, and reproductive/developmental effects for the cation of the PMN substance. Based on comparison to analogous phenols and to the physical/chemical properties of the PMN substance, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 120 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 and the environment. To protect against these risks, the Order requires:

- No manufacture, processing, or use of the PMN substance for commercial use;
- No manufacture or processing of the PMN substance in any manner that results in the generation of a vapor, mist, dust, or aerosol;
- No processing for use or use of the PMN substance as a consumer product;
- Use of the PMN substance only in an enclosed process;
- No release of the PMN substance, or any waste stream containing the PMN substance, in surface water concentrations that exceed 120 ppb;
- Use of personal protective equipment where there is a potential for dermal exposure; 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 acute toxicity, developmental toxicity, eye irritation/corrosion, neurotoxicity, pulmonary effects, reproductive toxicity, skin corrosion, skin sensitization, 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-23-42 (40 CFR 721.12103)

Chemical Name: Oxirane, alkyl-, polymer with oxirane, monoethers with polyethylene glycol alkenyl ether (generic).

CASRN or Accession No.: Not available.

Effective Date of TSCA Order: April 29, 2024.

Basis for TSCA Order: The PMN states that the use will be as an intermediate to produce polymers. Based on submitted test data on the PMN substance, EPA has identified concerns for skin corrosion. Based on comparison to analogous chemical substances, EPA has also identified concerns for systemic and developmental effects. Based on the structure of the PMN substance, EPA has also identified concerns for lung effects. Based on comparison to analogous nonionic surfactants and on submitted test data on the PMN substance, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 982 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 and the environment. To protect against these risks, the Order requires:

- No processing for use or use of the PMN substance in a consumer product;
- No manufacture, processing, or use of the PMN substance in any manner that results in inhalation exposure to the PMN substance;
- Use of the PMN substance only as an intermediate for use in producing polymers;
- Use of personal protective equipment where there is a potential for dermal exposure; 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, developmental toxicity, pulmonary effects, 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-23-43 (40 CFR 721.12104)

Chemical Name: Oxirane, alkyl-, polymer with oxirane, sulfate, ethers with polyethylene glycol alkenyl ether, salt (generic).

CASRN or Accession No.: Not available.

Effective Date of TSCA Order: April 29, 2024.

Basis for TSCA Order: The PMN states that the use will be as an intermediate to produce polymers. Based on structure and submitted test data on the PMN substance, EPA has identified concerns for lung effects (surfactancy). Based on submitted test data on the PMN substance, EPA has also identified concerns for skin irritation. Based on comparison to analogous chemical substances, EPA has also identified concerns for clinical signs and portal-of-entry (oral) effects. Based on comparison to analogous anionic surfactants and on comparison to analogous chemical substances, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 1,000 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 and the environment. To protect against these risks, the Order requires:

- No processing for use or use of the PMN substance in a consumer product;
- No manufacture, processing, or use of the PMN substance in any manner that results in inhalation exposure to the PMN substance;

- Use of the PMN substance only as an intermediate for use in producing polymers;

- Use of personal protective equipment where there is a potential for dermal exposure; 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, 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–23–61 (40 CFR 721.12105)

Chemical Name: Alkanoic acid, substituted, polymer with substituted alkanolic acid, from fermentation of fermentable sugars (generic).

CASRN: 302397.

Effective Date of TSCA Order: March 22, 2024.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use will be as a plastic resin. Based on comparison to analogous chemical substances, EPA has identified concerns for skin irritation, eye irritation, 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. To protect against these risks, the Order requires:

- No processing for use or use of the PMN substance in a consumer product;
- Use of personal protective equipment where there is a potential for dermal exposure; 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 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–23–74 (40 CFR 721.12106)

Chemical Name: 2-Propenoic acid, 2-methyl-, C13–15-branched and linear alkyl esters.

CASRN: 90552–04–8.

Effective Date of TSCA Order: April 8, 2024.

Basis for TSCA Order: The PMN states that the use will be as a monomer used in the production of polymers. Based on submitted test data on the PMN substance and comparison to analogous methacrylates, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 0.13 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 the environment. To protect against these risks, the Order requires:

- No release of the PMN substance, or any waste stream containing the PMN substance, into waters of the United States; and
- Establishment of a hazard communication program, including 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–23–126 (40 CFR 721.12107)

Chemical Name: Alken-1-ol (generic). **CASRN:** 302580.

Effective Date of TSCA Order: May 21, 2024.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use will be as a chemical raw material used in pheromone production. Based on submitted test data on the PMN substance, EPA has identified concerns for irritation/corrosion to skin, respiratory tract, and eyes. Based on submitted test data on the PMN substance and comparison to analogous neutral organics, EPA predicts toxicity to aquatic organisms may occur at concentrations that exceed 238 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 processing for use or use of the PMN substance in a consumer product;
- Use of a NIOSH-certified gas/vapor respirator with an APF of at least 50 where there is a potential for inhalation exposure;
- Use of personal protective equipment where there is a potential for dermal exposure;
- No release of the PMN substance, or any waste stream containing the PMN substance, into waters of the United States; 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 eye irritation, pulmonary effects, and chronic 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 Numbers: P-23-176 (40 CFR 721.12108) and P-23-179 (40 CFR 721.12109)

Chemical Names: Sulfonium, bis(dihalo carbomonocycle) carbomonocycle-, salt with dihalo-sulfoalkyl trisubstituted benzoate (generic) (P-23-176) and Sulfonium, bis(dihalo carbomonocycle) carbomonocycle-, salt with substituted-dihalo benzoate (generic) (P-23-179).

CASRN: 302386 (P-23-176), not available (P-23-179).

Effective Date of TSCA Order: March 6, 2024.

Basis for TSCA Order: The PMNs state that the generic (non-confidential) use of the PMN substances will be as ingredients used in the manufacture of photoresist. Based on the physical/chemical properties of the PMN substances (as described in the New Chemical Program's PBT category at 64 FR 60194; November 1999) and test data on structurally similar substances, the PMN substance are potentially persistent, bioaccumulative, and toxic (PBT) chemicals EPA estimates that the PMN substances will persist in the environment for more than six months and estimates a bioaccumulation factor of greater than or equal to 1,000. Based on sulfonium compounds, EPA has identified concerns for acute toxicity, irritation to the skin, eyes, and respiratory tract, eye corrosion, neurological effects, and systemic effects for the sulfonium cation of the PMN substances. Based on comparison to analogous chemical substances, EPA has also identified concerns for genetic toxicity. Based on the photo reactivity of the PMN substances, EPA has also identified concerns for photosensitization. Based on comparison to analogous chemical substances, EPA has also identified concerns for systemic and developmental effects for the anion component of the PMN substances. Based on a potential incineration product, EPA has also identified concerns for local and systemic effects via inhalation exposure. Based on OECD Toolbox results, EPA also identified concerns for skin sensitization (P-23-176) for the anion. Based on DEREK prediction for the anion, EPA has also identified systemic (thyroid) toxicity (P-23-179) for the anion. 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 manufacture of the PMN substances beyond the time limits specified in the Order without submittal to EPA the results of certain testing described in the Testing section of the Order;
- 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 processing of the PMN substances in any way that generates a vapor, dust, mist, or aerosol in a non-enclosed process;
- Use of the PMN substances only for the confidential uses listed in the Order;
- No domestic manufacture of the PMN substances (*i.e.*, import only);
- Import of the PMN substances only in solution, unless in sealed containers weighing 5 kilograms or less; and
- No exceedance of the confidential annual importation volumes listed the Order.

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 about the physical/chemical properties, fate, bioaccumulation, environmental hazard, and human health effects of the PMN substances 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. The submitter has agreed not to exceed the time limits specified in the Order without performing the required Tier I and Tier II testing outlined in the Testing section of the Order.

PMN Number: P-24-42 (40 CFR 721.12110)

Chemical Name: Sulfonium, bis(dihalo carbomonocycle) carbomonocycle-, salt with (dihalo-sulfoalkyl) (halo-substituted carbomonocycle) carbopolycycle (generic).

CASRN or Accession No.: Not available.

Effective Date of TSCA Order: March 6, 2024.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use of the PMN substance will be as an ingredient used in the manufacture of photoresist. Based on the physical/

chemical properties of the PMN substance (as described in the New Chemical Program's PBT category at 64 FR 60194; November 1999) and test data on structurally similar substances, the PMN substance is a potentially persistent, bioaccumulative, and toxic (PBT) chemical. EPA estimates that the anion, the cation, the incineration product, and the cation photodegradation product of the PMN substance will persist in the environment for more than six months. EPA estimates that the anion and the cation have unknown bioaccumulation potential, that the incineration product may accumulate in organisms by mechanisms other than lipophilic partitioning, and that the cation photodegradation product has a bioaccumulation factor of greater than or equal to 1,000. Based on sulfonium compounds, EPA has identified concerns for acute toxicity, irritation to the skin and respiratory tract, eye corrosion, neurological effects, and systemic effects for the sulfonium cation of the PMN substance. Based on comparison to analogous chemical substances, EPA has also identified concerns for genetic toxicity for the sulfonium cation of the PMN substance. Based on the photo reactivity of the PMN substance, EPA has also identified concerns for photosensitization for the sulfonium cation of the PMN substance. Based on OECD QSAR Toolbox results, EPA has also identified concerns for skin and respiratory tract sensitization for the anion. Based on an incineration product, EPA has identified concerns for local, neurological, developmental, and systemic effects via inhalation exposure. 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 manufacture of the PMN substance beyond the time limits specified in the Order without submittal to EPA the results of certain testing described in the Testing section of the Order;
- 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 processing of the PMN substance in any way that generates a vapor, dust, mist, or aerosol in a non-enclosed process;

- Use of the PMN substance only for the confidential use listed in the Order;
- No domestic manufacture of the PMN substance (*i.e.*, import only);
- Import of the PMN substance only in solution, unless in sealed containers weighing 5 kilograms or less; and
- No exceedance of the confidential annual importation volume listed in the Order.

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 about the physical/chemical properties, fate, bioaccumulation, environmental hazard, and human health effects of the PMN substance 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. The submitter has agreed not to exceed the time limits specified in the Order without performing the required Tier I and Tier II testing outlined in the Testing section of the Order.

PMN Number: P-24-97 (40 CFR 721.12111)

Chemical Name: Sulfonium, tris(4-fluorophenyl)-, (substitutedphenoxy)alkyl substitutedbenzoate (1:1) (generic).

CASRN or Accession No.: Not available.

Effective Date of TSCA Order: May 13, 2024.

Basis for TSCA Order: The PMN states that the generic (non-confidential) use of the PMN substance will be for contained use for microlithography for electronic device manufacturing. Based on the physical/chemical properties of the PMN substance (as described in the New Chemical Program’s PBT category at 64 FR 60194; November 1999) and test data on structurally similar substances, the PMN substance is a potentially persistent, bioaccumulative, and toxic (PBT) chemical. EPA estimates that the anion, cation, incineration product, and cation photodegradation product of the PMN substance will persist in the environment for more than six months. EPA estimates that the anion and the cation have unknown bioaccumulation potential, that the incineration product may accumulate in organisms by mechanisms other than lipophilic partitioning, and that the cation photodegradation product has a bioaccumulation factor of greater than or equal to 1,000. Based on sulfonium compounds, EPA has identified

concerns for acute toxicity, irritation to the skin and respiratory tract, eye corrosion, genetic toxicity, and neurological and systemic effects for the sulfonium cation of the PMN substance. Based on the photoreactivity of the PMN substance, EPA has also identified concerns for photosensitization for the sulfonium cation of the PMN substance. Based on OECD Toolbox results, EPA has also identified concerns for skin sensitization for the anion. 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 manufacture of the PMN substance beyond the time limits specified in the Order without submittal to EPA the results of certain testing described in the Testing section of the Order;
- 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 processing of the PMN substance in any way that generates a vapor, dust, mist, or aerosol in a non-enclosed process;
- Use of the PMN substance only for the confidential use listed in the Order;
- No domestic manufacture of the PMN substance (*i.e.*, import only);
- Import of the PMN substance only in solution, unless in sealed containers weighing 5 kilograms or less; and
- No exceedance of the confidential annual importation volume listed in the Order.

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 about the physical/chemical properties, fate, bioaccumulation, environmental hazard, and human health effects of the PMN substance 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. The submitter has agreed not to exceed the time limits specified in the Order without performing the required Tier I and Tier II testing outlined in the Testing section of the Order.

IV. 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 Order 12866: Regulatory Planning and Review

This action proposes to establish SNURs for 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 Order 12866 (58 FR 51735, October 4, 1993).

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 requirements related to SNURs have already been approved by OMB pursuant to PRA under OMB control number 2070-0038 (EPA ICR No. 1188). This action does not impose 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 submission. 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.

EPA always welcomes your feedback on the burden estimates. Send any comments about the accuracy of the burden estimate, and any suggested methods for improving the collection instruments or instruction or minimizing respondent burden, including using automated collection techniques.

C. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA (5 U.S.C. 601 *et seq.*). 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, EPA has concluded 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. Although some small entities may decide to pursue a significant new use in the future, EPA cannot presently determine how many, if any, there may be. However, 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 7 in Federal fiscal year (FY) 2020, 13 in FY2021, 11 in FY2022, and 15 in FY2023, and only a fraction of these submissions were from small businesses.

In addition, the Agency currently offers relief to qualifying small businesses by reducing the SNUN submission fee from \$37,000 to \$6,480. This lower fee reduces the total reporting and recordkeeping cost of submitting a SNUN to about \$14,500 per SNUN submission for qualifying small firms. Therefore, the potential economic impacts of complying with these proposed SNURs 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 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)

This action does not contain an unfunded mandate of \$100 million or more (in 1995 dollars) in any one year as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. Based on EPA’s experience with proposing and finalizing SNURs, State, local, and Tribal governments have not been impacted by SNURs, and EPA does not have any reasons to believe that any State, local, or Tribal government will be impacted by these SNURs. In addition, the estimated costs of this action to the private sector do not exceed \$183 million or more in any one year (the 1995 dollars are adjusted to 2023 dollars for inflation using the GDP implicit price deflator). The estimated

costs for this action are discussed in Unit I.D.

E. Executive Order 13132: Federalism

This action will not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it is not expected to 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. Accordingly, the requirements of Executive Order 13132 do not apply to this action.

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action will 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, significantly or uniquely affect the communities of Indian Tribal governments and does not involve or impose any requirements that affect Indian Tribes. Accordingly, the requirements of Executive Order 13175 do not apply to this action.

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 it does not concern an environmental health or safety risk. Since this action does not concern a human health risk, EPA’s 2021 Policy on Children’s Health also does not apply. Although the establishment of these SNURs do not address an existing children’s environmental health concern because the chemical uses involved are not ongoing uses, SNURs require that persons notify EPA at least 90 days before commencing manufacture (defined by statute to include import) or processing of the identified chemical substances for an activity that is designated as a significant new use by the SNUR. This notification allows EPA to assess the intended uses to identify potential risks and take appropriate actions before the activities commence.

H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not a “significant energy action” as defined in Executive Order 13211 (66 FR 28355, May 22, 2001), because it is not likely to have a

significant adverse effect on the supply, distribution, or use of energy.

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).

List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: March 26, 2025.

Mary Elissa Reaves,

Director, Office of Pollution Prevention and Toxics.

Therefore, for the reasons stated in the preamble, EPA proposes to amend 40 CFR chapter I 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 §§ 721.12077 through 721.12111 to Subpart E to read as follows:

Subpart E—Significant New Uses for Specific Chemical Substances

Sec.

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| * | * | * | * | * |
| 721.12077 | Oxirane, 2-methyl-, polymer with 2,4-diisocyanato-1-methylbenzene, 2-methyloxirane polymer with oxirane ether with 1,2,3-propanetriol (3:1), and oxirane, cashew nutshell liq.- and Pr alc.-blocked. | | | |
| 721.12078 | Alcohols, C8-10-iso-, C9-rich, ethoxylated. | | | |
| 721.12079 | Reaction product of polyester with alpha.-hydro.-omega.-hydroxypoly (oxy-1,4- butanediyl) and 1,1'-methylenebis[isocyanatobenzene] (generic). | | | |
| 721.12080 | Benzene, [2-[(2-methyl-1-undecen-1-yl) oxy]ethyl]-. | | | |
| 721.12081 | Siloxanes and Silicones, alkyl methyl, dimethyl (generic). | | | |
| 721.12082 | Protein sodium complexes, polymers with aromatic acid chloride, ethylene diamine and amino acid (generic). | | | |
| 721.12083 | Aryl-substituted-heterocyclic-polyamine, reaction products with polyethylene glycol alkyl-ether, and nitrogen and alkyl-substituted benzene (generic). | | | |
| 721.12084 | Thermomycolin, Malbranchea cinnamomea origin, expressed in genetically modified Trichoderma reesei. | | | |
| 721.12085 | Oils, sandalwood, santalene synthase-modified Rhodobacter sphaeroides-fermented, from D-Glucose, oxidized. | | | |
| 721.12086 | Carboxylic acid substituted carbomonocycles, polymer with dialkyl- | | | |

- alkanediol and alkanediol, hydroxy-alkyl-oxo-alkenyl) oxy]alkyl ester (generic).
- 721.12087 4,8,11-Dodecatrienal.
- 721.12088 Alkanol, polymer with isocyanato-(isocyanatoalkyl)-trialkylcarbomonocycle, alkylene glycol monoacrylate-blocked (generic).
- 721.12089 Alkenoic acid, alkyl-substituted alkyl ester, polymer with (polyalkylamino)alkyl alkylalkenoate, alkyl-substituted alkylalkenoate, .alpha.-(alkyl-oxo-alkenyl)-.omega.-alkoxypoly(oxy-1,2-ethanediyl), [(alkoxy-alkyl-alkenyl)oxy]polyalkylsilane-initiated, compds. with polyethylene glycol phosphoric acid-based alkyl ether (generic).
- 721.12090 Maltodextrin, octanoate.
- 721.12091 Maltodextrin, hexadecanoate.
- 721.12092 Maltodextrin, decanoate.
- 721.12093 Maltodextrin, octadecanoate.
- 721.12094 Maltodextrin, dodecanoate.
- 721.12095 Maltodextrin, tetradecanoate.
- 721.12096 Dialkylhydroxylamine (generic).
- 721.12097 Acetyl, alkyl, alkenoic acid, ethyl ester (generic).
- 721.12098 2-Alkyl-1,2-heteropolycycle-3-one (generic).
- 721.12099 1,2-Ethanediamine, N1, N2-dimethyl-N1-(1-methylethyl)-N2-[2-[methyl(1-methylethyl)amino]ethyl]-.
- 721.12100 1,2-Cycloalkanedicarboxylic acid, 1,2-bis(2-oxiranylalkyl) ester, reaction products with unsaturated carboxylic acid (generic).
- 721.12101 Sulfonium, tricarboxylic-, polyfluoro-heteroatom-substituted polycarbocyclicalkanesulfonate (1:1) (generic).
- 721.12102 Formaldehyde, polymer with phenol, carboxyalkyl ethers, alkali salts, compds. with (dialkylamino)alkanol (generic).
- 721.12103 Oxirane, alkyl-, polymer with oxirane, monoethers with polyethylene glycol alkenyl ether (generic).
- 721.12104 Oxirane, alkyl-, polymer with oxirane, sulfate, ethers with polyethylene glycol alkenyl ether, salt (generic).
- 721.12105 Alkenoic acid, substituted, polymer with substituted Alkenoic acid, from fermentation of fermentable sugars (generic).
- 721.12106 2-Propenoic acid, 2-methyl-, C13-15-branched and linear alkyl esters.
- 721.12107 Alken-1-ol (generic).
- 721.12108 Sulfonium, bis (dihalo carbomonocycle) carbomonocycle-, salt with dihalo-sulfoalkyl trisubstituted benzoate (generic).
- 721.12109 Sulfonium, bis(dihalocarbomonocycle) carbomonocycle-, salt with substituted-dihalobenzoate (generic).
- 721.12110 Sulfonium, bis(dihalocarbomonocycle) carbomonocycle-, salt with (dihalo-sulfoalkyl) (halo-substituted carbomonocycle) carbopolycycle (generic).
- 721.12111 Sulfonium, tris(4-fluorophenyl)-, (substitutedphenoxy)alkyl substitutedbenzoate (1:1) (generic).

§ 721.12077 Oxirane, 2-methyl-, polymer with 2,4-diisocyanato-1-methylbenzene, 2-methyloxirane polymer with oxirane ether with 1,2,3-propanetriol (3:1), and oxirane, cashew nutshell liq.- and Pr alc. -blocked.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as oxirane, 2-methyl-, polymer with 2,4-diisocyanato-1-methylbenzene, 2-methyloxirane polymer with oxirane ether with 1,2,3-propanetriol (3:1), and oxirane, cashew nutshell liq.- and Pr alc. -blocked (PMN P-18-360; CASRN 1227870-90-7) 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.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (3) through (5), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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 (d), (f), and (g)(1) and (5). For purposes of § 721.72(g)(1), this substance may cause: skin irritation, eye irritation, skin sensitization, and 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 as a two component adhesives and protective coating for marine and infrastructure 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.

§ 721.12078 Alcohols, C8-10-iso-, C9-rich, ethoxylated.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as alcohols, C8-10-iso-, C9-rich, ethoxylated (PMN P-20-87; CASRN 2368929-19-3) 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)(1), (3) through (5), (b), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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 1.0%.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (f), and (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: acute toxicity, skin irritation, serious eye damage, reproductive toxicity, and 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 process the substance to a concentration of 3% or greater in formulation for use in a consumer product. It is a significant new use to use the substance other than as a surfactant in hard surface cleaners and laundry detergents.

(iv) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4), where N=142.

(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.

§ 721.12079 Reaction product of polyester with alpha.-hydro.-omega.-hydroxypoly (oxy-1,4- butanediyl) and 1,1'-methylenebis[isocyanatobenzene] (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as reaction product of polyester with alpha.-hydro.-omega.-hydroxypoly (oxy-1,4- butanediyl) and 1,1'-methylenebis[isocyanatobenzene] (PMN P-21-198; Accession No. 302217) 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.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (3), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (d), (f), and (g)(1) and (5). For purposes of § 721.72(g)(1), this substance may cause: acute toxicity, skin irritation, eye irritation, respiratory sensitization, skin sensitization, and 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 manufacture, 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.

§ 721.12080 Benzene, [2-[(2-methyl-1-undecen-1-yl) oxy]ethyl]-.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as benzene, [2-[(2-methyl-1-undecen-1-yl) oxy]ethyl]- (PMN P-21-205; CASRN 2489743-82-8) 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)(1), (3), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (d), (f), and (g)(1) and (5). For purposes of § 721.72(g)(1), this substance may cause: skin sensitization, specific target organ toxicity, and reproductive 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 process the substance for use in consumer products where the concentration of the substance exceeds 1% by weight. It is a significant new use to use the substance in consumer products where the concentration of the substance exceeds 1% by weight.

(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.

§ 721.12081 Siloxanes and Silicones, alkyl methyl, dimethyl (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as siloxanes and silicones, alkyl methyl, dimethyl (PMN P-21-213) 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)(1) and (3), (b), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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), and (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: acute toxicity, skin irritation, eye irritation, and 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 manufacture, 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.

§ 721.12082 Protein sodium complexes, polymers with aromatic acid chloride, ethylene diamine and amino acid (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as protein sodium complexes, polymers with aromatic acid

chloride, ethylene diamine and amino acid (PMN P-22-19; Accession No. 302206) 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)(1) and (3), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (d), (f), and (g)(1) and (5). For purposes of § 721.72(g)(1), this substance may cause: skin irritation, eye irritation, respiratory sensitization, skin sensitization, and 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 results in inhalation exposure to workers. It is a significant new use to process the substance for use in consumer products where the concentration of the confidential component of the substance listed in the Order in the consumer product exceeds 0.1%. It is a significant new use to use the substance in consumer products where the concentration of the confidential component listed in the Order exceeds 0.1%.

(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) 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.

§ 721.12083 Aryl-substituted-heterocyclic-polyamine, reaction products with polyethylene glycol alkyl-ether, and nitrogen and alkyl-substituted benzene (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as aryl-substituted-heterocyclic-polyamine, reaction products with polyethylene glycol alkyl-ether, and nitrogen and alkyl-substituted benzene (PMN P-22-22; Accession No. 302046) 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 entrained in completely reacted or cured ink.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1) and (3), (b), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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), and (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, and 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 manufacture, 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.

§ 721.12084 Thermomycolin, Malbranchea cinnamomea origin, expressed in genetically modified Trichoderma reesei.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as thermomycolin, Malbranchea cinnamomea origin, expressed in genetically modified Trichoderma reesei (PMN P-22-59) 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 when in a formulation at a concentration of 0.1% or less.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1) and (3), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (d), (f), and (g)(1), (3)(iii) and (5). For purposes of § 721.72(g)(1), this substance may cause: skin irritation, eye irritation, respiratory sensitization, and 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 the substance other than by import into the United States (i.e., no domestic manufacture) in a liquid formulation. It is a significant new use to process for use or use the substance in consumer products unless the concentration of the substance in the consumer products is less than 0.1% by weight.

(iv) *Release to water.* It is a significant new use to release the substance, or any waste stream containing the substance, into water during processing unless the substance is deactivated before releasing to water. To deactivate the New Chemical Substance, adjust the pH to 2 or below and incubate for 30 minutes.

(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.

§ 721.12085 Oils, sandalwood, santalene synthase-modified Rhodobacter sphaeroides-fermented, from D-Glucose, oxidized.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified as oils, sandalwood, santalene synthase-modified Rhodobacter sphaeroides-fermented, from D-Glucose, oxidized (PMN P-22-83; CASRN 2576531-09-2) 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)(1) and (3) through (5), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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 (d), (f), and (g)(1), (3)(iii) and (5). For purposes of § 721.72(g)(1), this substance may cause: skin irritation, skin sensitization, and 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 process for use or use the substance in consumer products where the concentration of the substance exceeds 1% by weight.

(iv) *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 (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.

§ 721.12086 Carboxylic acid substituted carbomonocycles, polymer with dialkyl-alkanediol and alkanediol, hydroxy-alkyl-oxo-alkenyl) oxy]alkyl ester (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as carboxylic acid substituted carbomonocycles, polymer with dialkyl-alkanediol and alkanediol, hydroxy-alkyl-oxo-alkenyl) oxy]alkyl ester (PMN P-22-89) 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.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(1) and (3) through (5), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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 (d), (f), and (g)(1) and (5). For purposes of § 721.72(g)(1), this substance may cause: skin irritation, eye irritation, skin sensitization, and 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).

(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.

§ 721.12087 4,8,11-Dodecatrienal.

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified as 4,8,11-dodecatrienal (PMN P-22-90; CASRN 1000399-21-2) 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)(1) and (3), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (d), (f), and (g)(1), (3)(iii) and (5). For purposes of § 721.72(g)(1), this substance may cause: skin irritation, skin sensitization, and 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(k). It is a significant new use to process the substance for use in a consumer product unless the concentration of the substance is less than 1% concentration by weight. It is a significant new use to use the substance unless the concentration of the substance in the product is less than 1% concentration by weight.

(iv) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4), where N=13.

(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.

§ 721.12088 Alkanol, polymer with isocyanato-(isocyanatoalkyl)-trialkylcarbomonocycle, alkylene glycol monoacrylate-blocked (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as alkanol, polymer with isocyanato-(isocyanatoalkyl)-trialkylcarbomonocycle, alkylene glycol monoacrylate-blocked (PMN P-22-91) 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.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(1), (3) through (5), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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 (d), (f), and (g)(1), (3)(iii) and (5). For purposes of § 721.72(g)(1), this substance may cause: skin irritation, eye irritation, skin sensitization, and 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).

(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.

§ 721.12089 Alkenoic acid, alkyl-substituted alkyl ester, polymer with (polyalkylamino)alkyl alkylalkenoate, alkyl-substituted alkylalkenoate, .alpha.-(alkyl-oxo-alkenyl)-.omega.-alkoxypoly(oxy-1,2-ethanediyl), [(alkoxy-alkyl-alkenyl)oxy]polyalkylsilane-initiated, compds. with polyethylene glycol phosphoric acid-based alkyl ether (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as alkenoic acid, alkyl-substituted alkyl ester, polymer with (polyalkylamino)alkyl alkylalkenoate, alkyl-substituted alkylalkenoate, .alpha.-(alkyl-oxo-alkenyl)-.omega.-alkoxypoly(oxy-1,2-ethanediyl), [(alkoxy-alkyl-alkenyl)oxy]polyalkylsilane-initiated, compds. with polyethylene glycol phosphoric acid-based alkyl ether (PMN P-22-93; Accession No. 302499) 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)(1) and (3), (b), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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), and (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: eye irritation and 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 manufacture, process, or use the substance in any manner that results in inhalation exposure to the substance.

(iv) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4), where N=18.

(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.

§ 721.12090 Maltodextrin, octanoate.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as maltodextrin, octanoate (PMN P-22-130; CASRN 2736503-99-2) 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)(1) and (3) through (5), (b), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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 1.0%.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (f), and (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: serious eye damage and 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 unless in aqueous dispersions. It is a significant new use to process for use or use the substance in consumer products that are spray applied. It is a significant new use to process for use or use the substance in consumer products if the concentration of the substance is equal to or exceeds 3% by weight. It is a significant new use to use the substance as an agricultural wetting agent.

(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.

§ 721.12091 Maltodextrin, hexadecanoate.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as maltodextrin, hexadecanoate (PMN P-22-131; CASRN 1516876-50-8) 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)(1) and (3) through (5), (b), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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 1.0%.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (f), and (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: serious eye damage and 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 unless in aqueous dispersions. It is a significant new use to process for use or use the substance in consumer products that are spray applied. It is a significant new use to process for use or use the substance in consumer products if the concentration of the substance is equal to or exceeds 3% by weight. It is a significant new use to use the substance as an agricultural wetting agent.

(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.

§ 721.12092 Maltodextrin, decanoate.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as maltodextrin, decanoate (PMN P-22-132; CASRN 1516876-47-3) 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)(1) and (3) through (5), (b), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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 1.0%.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (f), and (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: serious eye damage and 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 unless in aqueous dispersions. It is a significant new use to process for use or use the substance in consumer products that are spray applied. It is a significant new use to process for use or use the substance in consumer products if the concentration of the substance is equal to or exceeds 3% by weight. It is a significant new use

to use the substance as an agricultural wetting agent.

(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.

§ 721.12093 Maltodextrin, octadecanoate.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as maltodextrin, octadecanoate (PMN P-22-133; CASRN 1159570-68-9) 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)(1) and (3) through (5), (b), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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 1.0%.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (f), and (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: serious eye damage and 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 unless in aqueous dispersions. It is a significant new use to process for use or use the substance in consumer products that are spray applied. It is a significant new use to process for use or use the substance in consumer products if the concentration

of the substance is equal to or exceeds 3% by weight. It is a significant new use to use the substance as an agricultural wetting agent.

(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.

§ 721.12094 Maltodextrin, dodecanoate.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as maltodextrin, dodecanoate (PMN P-22-134; CASRN 512180-33-5) 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)(1) and (3) through (5), (b), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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 1.0%.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (f), and (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: serious eye damage and 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 unless in aqueous dispersions. It is a significant new use to process for use or use the substance in consumer products that are spray applied. It is a significant new use to

process for use or use the substance in consumer products if the concentration of the substance is equal to or exceeds 3% by weight. It is a significant new use to use the substance as an agricultural wetting agent.

(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.

§ 721.12095 Maltodextrin, tetradecanoate.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as maltodextrin, tetradecanoate (PMN P-22-135; CASRN 2736504-00-8) 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)(1) and (3) through (5), (b), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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 1.0%.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (f), and (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: serious eye damage and 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 unless in aqueous dispersions. It is a significant new use to process for use or use the substance

in consumer products that are spray applied. It is a significant new use to process for use or use the substance in consumer products if the concentration of the substance is equal to or exceeds 3% by weight. It is a significant new use to use the substance as an agricultural wetting agent.

(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.

§ 721.12096 Dialkylhydroxylamine (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as Dialkylhydroxylamine (PMN P-22-139; Accession No. 302353) 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 entrained in an article.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1) and (3) through (5), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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 (d), (f), and (g)(1) and (5). For purposes of § 721.72(g)(1), this substance may cause: skin sensitization and 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 the substance without using local exhaust ventilation

(LEV) and particulate filters with at least 90% efficiency to control dust released to air. It is a significant new use to conduct the form giving process on the substance without using LEV and HEPA dust filters with at least 99% efficiency to control dust released to air during transfer. It is a significant new use to conduct the form giving process on the substance without using an enclosed system with HEPA dust filters with at least 99% efficiency to control dust released to air during all processing steps other than transfer. It is a significant new use to use the substance other than as an antioxidant process stabilizer.

(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.

§ 721.12097 Acetyl, alkyl, alkenoic acid, ethyl ester (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as acetyl, alkyl, alkenoic acid, ethyl ester (PMN P-22-154) 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)(1) and (3), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (d), (f), and (g)(1), (3)(iii) and (5). For purposes of § 721.72(g)(1), this substance may cause: acute toxicity, skin sensitization, and 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 in any manner that results in inhalation exposure. It is a significant new use to process for use or use the substance in consumer products where the concentration of the substance exceeds 1%.

(iv) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4), where N=2.

(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.

§ 721.12098 2-Alkyl-1,2-heteropolycycle-3-one (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as 2-alkyl-1,2-heteropolycycle-3-one (PMN P-22-155) 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)(1) and (3) through (5), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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), and (g)(1), (3) and (5). For purposes of § 721.72(g)(1), this substance may cause: acute toxicity, skin corrosion, serious eye damage, skin sensitization, and specific target organ toxicity. For purposes of § 721.72(g)(3), this substance may be: toxic to aquatic life. 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), (o), (v)(1), (2) and (4), (w)(1), (2) and (4), and (x)(1), (2) and (4).

(iv) *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 (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.

§ 721.12099 1,2-Ethanediamine, N1, N2-dimethyl-N1-(1-methylethyl)-N2-[2-[methyl(1-methylethyl)amino]ethyl]-.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as 1,2-ethanediamine, N1, N2-dimethyl-N1-(1-methylethyl)-N2-[2-[methyl(1-methylethyl)amino]ethyl]- (PMN P-22-157; CASRN 1042950-30-0) 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)(1) and (3) through (5), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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 during manufacturing and processing (a respirator with an APF of at least 50 may be used if a minimum ventilation airflow of 3,500 standard cubic feet per minute is maintained in the work area), and a respirator with an APF of at least 50 during use.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (d), (f), and (g)(1), (3) and (5). For purposes of § 721.72(g)(1), this substance may cause: acute toxicity, skin corrosion, serious eye damage,

reproductive toxicity, specific target organ toxicity, and skin sensitization. For the purposes of § 721.72(g)(3), this substance may be: toxic to aquatic life. 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 as a polyurethane catalyst. It is a significant new use to process for use or use the substance at a concentration >3% by weight.

(iv) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4), where N=650.

(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.

§ 721.12100 1,2-Cycloalkanedicarboxylic acid, 1,2-bis(2-oxiranyllalkyl) ester, reaction products with unsaturated carboxylic acid (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as 1,2-cycloalkanedicarboxylic acid, 1,2-bis(2-oxiranyllalkyl) ester, reaction products with unsaturated carboxylic acid (PMN P-22-167) are 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)(1) and (3), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (d), (f), and (g)(1), (3)(iii) and (5). For purposes of § 721.72(g)(1), this substance may cause: skin irritation, eye irritation, respiratory sensitization, skin

sensitization, and 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 manufacture, process, or use the substance in any manner that results in inhalation exposure.

(iv) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4), where N=460.

(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.

§ 721.12101 Sulfonium, tricarboxylic-, polyfluoro-heteroatom-substituted polycarbocyclicalcanesulfonate (1:1) (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as sulfonium, tricarboxylic-, polyfluoro-heteroatom-substituted polycarbocyclicalcanesulfonate (1:1) (PMN P-22-192; Accession No. 302579) 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 adhered (during photolithographic processes) onto a semiconductor wafer surface or similar manufactured article used in the production of semiconductor technologies.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (2)(i) and (iii), and (3), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a)

through (f), and (g)(1), (2)(i) through (iii) and (v), (3)(i) and (ii) 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: acute toxicity, skin irritation, serious eye damage, skin sensitization, genetic toxicity, reproductive toxicity, and 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), (k), and (t). It is a significant new use to import the substance other than in solution, unless in sealed containers weighing 5 kilograms or less. It is a significant new use to process the substance in any way that generates a dust, mist, or aerosol in a non-enclosed process. It is a significant new use to manufacture the substance longer than 9 months.

(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.

§ 721.12102 Formaldehyde, polymer with phenol, carboxyalkyl ethers, alkali salts, compds. with (dialkylamino)alkanol (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as formaldehyde, polymer with phenol, carboxyalkyl ethers, alkali salts, compds. with (dialkylamino)alkanol (PMN P-23-38) 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.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1) and (3), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace

policies and procedures) shall be considered and implemented to prevent exposure, where feasible.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (d), (f), and (g)(1), (3)(iii) and (5). For purposes of § 721.72(g)(1), this substance may cause: acute toxicity, skin corrosion, serious eye damage, skin sensitization, reproductive toxicity, and 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(a), (m), and (o). It is a significant new use to manufacture or process the substance in any manner that results in the generation of a vapor, mist, dust, or aerosol. It is a significant new use to manufacture, process, or use the substance for commercial use. It is a significant new use to process the substance for use by a consumer as a consumer product.

(iv) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4), where N=120.

(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.

§ 721.12103 Oxirane, alkyl-, polymer with oxirane, monoethers with polyethylene glycol alkenyl ether (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as oxirane, alkyl-, polymer with oxirane, monoethers with polyethylene glycol alkenyl ether (PMN P-23-42) 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.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1) and (3), (b), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or

confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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), and (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, reproductive toxicity, and 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 manufacture, process, or use the substance in any manner that results in inhalation exposure to the substance. It is a significant new use to use the substance other than as an intermediate for use in producing polymers.

(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.

§ 721.12104 Oxirane, alkyl-, polymer with oxirane, sulfate, ethers with polyethylene glycol alkenyl ether, salt (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as oxirane, alkyl-, polymer with oxirane, sulfate, ethers with polyethylene glycol alkenyl ether, salt (PMN P-23-43) 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.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1) and (3), (b), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or

confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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), and (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 and 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 manufacture, process, or use the substance in any manner that results in inhalation exposure to the substance. It is a significant new use to use the substance other than as an intermediate for use in producing polymers.

(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.

§ 721.12105 Alkanoic acid, substituted, polymer with substituted Alkanoic acid, from fermentation of fermentable sugars (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as alkanoic acid, substituted, polymer with substituted Alkanoic acid, from fermentation of fermentable sugars (PMN P-23-61; Accession No. 302397) 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 reacted or cured or when incorporated into an article.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1) and (3), and (c). When determining which persons are reasonably likely to be exposed as

required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (d), (f), and (g)(1) and (5). For purposes of § 721.72(g)(1), this substance may cause: skin irritation, skin sensitization, and 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(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.

§ 721.12106 2-Propenoic acid, 2-methyl-, C13–15-branched and linear alkyl esters.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as 2-propenoic acid, 2-methyl-, C13–15-branched and linear alkyl esters (PMN P–23–74; CASRN 90552–04–8) 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 reacted such that less than 1 percent of the substance remains.

(2) The significant new uses are:

(i) *Hazard communication.*

Requirements as specified in § 721.72(a) through (f), and (g)(3)(iii) 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.

(ii) *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), (f) 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.

§ 721.12107 Alken-1-ol (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as alken-1-ol (PMN P–23–126; Accession No. 302580) 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)(1) and (3) through (5), (b), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1) and (4), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible. 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), and (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, skin irritation, serious eye damage, eye irritation, and 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).

(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.

§ 721.12108 Sulfonium, bis (dihalo carbomonocycle) carbomonocycle-, salt with dihalo-sulfoalkyl trisubstituted benzoate (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as sulfonium, bis (dihalo carbomonocycle) carbomonocycle-, salt with dihalo-sulfoalkyl trisubstituted benzoate (PMN P–23–176; Accession No. 302386) 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 adhered (during photolithographic processes) onto a semiconductor wafer surface or similar manufactured article used in the production of semiconductor technologies.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (2)(i) and (iii) and (3), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (f), and (g)(1), (2)(i) through (iii) and (v), (3)(i) and (ii) 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: acute toxicity, skin irritation, serious eye damage, skin sensitization, genetic toxicity, reproductive toxicity, and 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), (k), and (t). It is a significant new use to import the substance other than in solution, unless in sealed containers weighing 5 kilograms or less. It is a significant new use to process the substance in any way that generates a dust, mist, or aerosol in

a non-enclosed process. It is a significant new use to manufacture the substance longer than 18 months.

(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.

§ 721.12109 Sulfonium, bis(dihalocarbomonocycle) carbomonocycle-, salt with substituted-dihalobenzoate (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as sulfonium, bis(dihalocarbomonocycle) carbomonocycle-, salt with substituted-dihalobenzoate (PMN P-23-179) 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 adhered (during photolithographic processes) onto a semiconductor wafer surface or similar manufactured article used in the production of semiconductor technologies.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (2)(i) and (iii) and (3), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (f), and (g)(1), (2)(i) through (iii) and (v), (3)(i) and (ii) 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: acute toxicity, skin irritation, serious eye damage, skin sensitization, genetic toxicity, and 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), (k), and (t). It is a significant new use to import the substance other than in solution, unless in sealed containers weighing 5 kilograms or less. It is a significant new use to process the substance in any way that generates a dust, mist, or aerosol in a non-enclosed process. It is a significant new use to manufacture the substance longer than 18 months.

(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.

§ 721.12110 Sulfonium, bis(dihalocarbomonocycle) carbomonocycle-, salt with (dihalo-sulfoalkyl) (halo-substituted carbomonocycle) carbopolycycle (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as sulfonium, bis(dihalocarbomonocycle) carbomonocycle-, salt with (dihalo-sulfoalkyl) (halo-substituted carbomonocycle) carbopolycycle (PMN P-24-42) 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 adhered (during photolithographic processes) onto a semiconductor wafer surface or similar manufactured article used in the production of semiconductor technologies.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (2)(i) and (iii) and (3), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (f), and (g)(1), (2)(i) through (iii) and (v), (3)(i) and (ii) 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: acute toxicity, skin irritation, serious eye damage, skin sensitization, genetic toxicity, reproductive toxicity, and 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), (k), and (t). It is a significant new use to import the substance other than in solution, unless in sealed containers weighing 5 kilograms or less. It is a significant new use to process the substance in any way that generates a dust, mist, or aerosol in a non-enclosed process. It is a significant new use to manufacture the substance longer than 18 months.

(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.

§ 721.12111 Sulfonium, tris(4-fluorophenyl)-, (substitutedphenoxy)alkyl substitutedbenzoate (1:1) (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as sulfonium, tris(4-fluorophenyl)-, (substitutedphenoxy)alkyl substitutedbenzoate (1:1) (PMN P-24-97) 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 adhered (during photolithographic processes) onto a semiconductor wafer surface or similar manufactured article used in the production of semiconductor technologies.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63(a)(1), (2)(i) and (iii) and (3), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g., enclosure or confinement of the operation, general

and local ventilation) or administrative control measures (e.g., workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible.

(ii) *Hazard communication.*

Requirements as specified in § 721.72(a) through (f), and (g)(1), (2)(i) through (iii) and (v), (3)(i) and (ii), 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: acute toxicity, skin irritation, serious eye damage, skin sensitization, genetic toxicity, and 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), (k), and (t). It is a significant new use to import the substance other than in solution, unless in sealed containers weighing 5 kilograms or less. It is a significant new use to process the substance in any way that generates dust, mist, or aerosol in a non-enclosed process. It is a significant new use to manufacture the substance longer than 9 months.

(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.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 250331–0057; RTID 0648–XE507]

Fisheries of the Exclusive Economic Zone off Alaska; Cook Inlet; Proposed 2025 Harvest Specifications for Salmon

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

ACTION: Proposed rule; harvest specifications and request for comments.

SUMMARY: NMFS proposes 2025 harvest specifications for the salmon fishery of the Cook Inlet exclusive economic zone (EEZ) Area. This action is necessary to establish harvest limits for salmon during the 2025 fishing year and to accomplish the goals and objectives of the Fishery Management Plan for Salmon Fisheries in the EEZ off Alaska (Salmon FMP). The intended effect of this action is to conserve and manage the salmon resources in Cook Inlet EEZ Area in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

DATES: Comments must be received by May 5, 2025.

ADDRESSES: A plain language summary of this proposed rule is available at <https://www.regulations.gov/docket/NOAA-NMFS-2025-0017>. You may submit comments on this document, identified by NOAA–NMFS–2025–0017, by any of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Visit <https://www.regulations.gov> and type NOAA–NMFS–2025–0017 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments.

- *Mail:* Submit written comments to Gretchen Harrington, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS. Mail comments to P.O. Box 21668, Juneau, AK 99802–1668.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on <https://www.regulations.gov> without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

Electronic copies of the draft Environmental Assessment for the Harvest Specifications of the Cook Inlet Salmon Fisheries in the EEZ Off Alaska (EA); and the draft Finding of No Significant Impact prepared for this action are available from <https://www.regulations.gov>. The

Environmental Assessment (EA)/Regulatory Impact Review for amendment 16 (A16 EA/RIR) to the Salmon FMP are available from the NMFS Alaska Region website at <https://www.fisheries.noaa.gov/action/amendment-16-fmp-salmon-fisheries-alaska>. A preliminary version of the Stock Assessment and Fishery Evaluation (SAFE) was presented at the February 2025 North Pacific Fishery Management Council (Council) and NMFS incorporated the recommendations of the Council’s Scientific and Statistical Committee (SSC) and posted the final SAFE at <https://www.fisheries.noaa.gov/alaska/population-assessments/alaska-stock-assessments>.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION: NMFS prepared the Salmon FMP under the authority of the Magnuson-Stevens Act (16 U.S.C. 1801 *et seq.*). Regulations governing U.S. fisheries and implementing the Salmon FMP appear at 50 CFR parts 600 and 679.

The proposed harvest specifications include catch limits that NMFS could implement—subject to further consideration after public comment. Regulations at 50 CFR 679.118(b) require that NMFS consider public comment on the proposed harvest specifications and publish the final harvest specifications in the **Federal Register**. The final harvest specifications will take effect only after publication of a final rule for the instant action. NMFS would publish the final 2025 harvest specifications after: (1) considering comments received within the comment period (see **DATES**); (2) considering information presented in the draft EA (see **ADDRESSES**); and (3) considering information presented in the final 2025 SAFE report prepared for the 2025 Cook Inlet EEZ Area salmon fisheries. See 50 CFR 679.118(b)(2) for additional considerations regarding the final harvest specifications.

Proposed 2025 Overfishing Limit (OFL), Acceptable Biological Catch (ABC), and Total Allowable Catch (TAC) Specifications

NMFS compiled and presented the preliminary 2025 SAFE report for the Cook Inlet EEZ Area salmon stocks and stock complexes, dated January 2025 (see **ADDRESSES**) at the February Council meeting. The SAFE report contains a review of the latest scientific analyses and estimates of biological parameters for seven stocks of Pacific salmon and provides recommendations to the SSC

regarding the appropriate tiers for each stock, the status determination criteria (SDC) that will be used to evaluate overfishing (including OFL), and the appropriate ABC, which acts as a ceiling when NMFS specifies TACs.

The Salmon FMP specifies methods to calculate OFLs and ABCs for each stock's tier in the Cook Inlet EEZ salmon fishery, with annual tier recommendations provided in the SAFE report. The tiers applicable to a particular stock or stock complex are determined by the level of reliable information available. Tier 1 stocks have the highest level of information quality available, while Tier 3 stocks have the lowest level of information quality available. NMFS uses this tier structure to calculate OFLs and ABCs for each salmon stock or stock complex (a stock complex is an aggregate of multiple stocks of a species) according to the methods specified in the Salmon FMP.

For Tier 1 stocks, as defined in the Salmon FMP, the SAFE report relies on forecasts of the coming year's salmon runs as the basis for the recommended OFLs and ABCs, which are included in the 2025 SAFE report. For Tier 1 stocks, SDC and harvest specifications are calculated in terms of potential yield for the Cook Inlet EEZ Area. The potential yield is the total forecasted run size minus the number of salmon required to achieve spawning escapement targets and the estimated mortality from other sources including in other fisheries.

For 2025, no stocks were recommended to be Tier 2.
For Tier 3 stocks, as defined in the Salmon FMP, NMFS used fishery catch estimates from prior years to inform the 2025 harvest specifications.

The SSC and Council reviewed NMFS's preliminary 2025 SAFE report for the Cook Inlet EEZ Area salmon fishery in February 2025. From these data and analyses, the SSC recommended an OFL and ABC for each salmon stock and stock complex. After considering the SSC's recommendations, the Council unanimously took action to recommend TACs for the Cook Inlet EEZ Area salmon fishery. Through this action, NMFS is proposing to implement the OFLs and ABCs recommended by the SSC and TACs consistent with the Council's recommendations.

Following the February Council meeting, NMFS updated the 2025 SAFE report to incorporate SSC recommendations (see **ADDRESSES**). The proposed specifications are based on SSC recommendations contained in the final 2025 SAFE report, which represents the best scientific information available on the biological condition of salmon stocks in Cook Inlet and other social and economic considerations.

NMFS is required to publish and solicit public comment on proposed annual specifications as soon as practicable after consultation with the Council (see 50 CFR 679.118(b)(1)) and

the proposed harvest specifications in table 1 of this rulemaking satisfy these requirements. The recommended specifications of OFL, ABC, and TAC are consistent with the harvest strategy outlined in the Salmon FMP, the biological condition of salmon as described in the 2025 SAFE report, SSC and Council recommendations, and the Magnuson-Stevens Act, including the National Standards. The recommended ABCs would be less than the OFLs for each stock or stock complex and the TACs would be set equal to the aggregate ABCs for each species (table 1). Because it is not practicable to differentiate among stocks of the same species during the fishing season, NMFS will rely on its experience managing the fishery in 2024 and its inseason management tools to ensure ABC is not exceeded for any stock or stock complex.

The proposed 2025 OFLs, ABCs, and TACs are based on the best scientific information available—primarily the 2025 SAFE report. The SAFE report was subject to peer review by the SSC, which recommended the ABCs that NMFS proposes in table 1, consistent with 50 CFR 600.310(f)(3) and 600.315(c) through (d). The proposed TACs are set equal to the proposed ABCs and are less than the OFLs for all salmon stocks or stock complexes. These proposed OFLs, ABCs, and TACs are subject to change pending consideration of public comment.

TABLE 1—PROPOSED 2025 COOK INLET EEZ AREA SALMON OFLs, ABCs, AND TACs IN NUMBERS OF FISH

Stock or stock complex ¹	OFL	ABC	TAC
Kenai River Late-Run sockeye salmon	514,761	360,332	800,126
Kasilof River sockeye salmon	664,294	285,646	
Aggregate Other sockeye salmon	181,351	154,148	
Aggregate Chinook salmon	373	261	261
Aggregate coho salmon	67,013	16,753	16,753
Aggregate chum salmon	97,508	78,006	78,006
Aggregate pink salmon	58,174	52,357	52,357

¹ The TAC for sockeye salmon is combined for Kenai River Late-Run, Kasilof River, and Aggregate Other sockeye salmon because it is not possible to differentiate among stocks of sockeye at the time they are caught.

Directed Fishing Closures and Inseason Adjustments

In accordance with 50 CFR 679.118(c)(1)(i), NMFS will prohibit fishing for salmon in the Cook Inlet EEZ Area if NMFS determines that any salmon TAC has been or may be reached for any salmon species or stock. NMFS may also make adjustments to a TAC for any salmon species or stock, or open or close a season, in the Cook Inlet EEZ Area, if necessary to prevent overfishing among other reasons, consistent with 50 CFR 679.25. Changes to the salmon

fisheries in the Cook Inlet EEZ Area will be posted at the following website under the Alaska filter for Management Areas: <https://www.fisheries.noaa.gov/news-and-announcements/bulletins>.

Classification

NMFS is issuing this proposed rule pursuant to section 305(d) of the Magnuson-Stevens Act. Through previous actions, the Salmon FMP and regulations are designed to authorize NMFS to take this action (see 50 CFR 679.118). The NMFS Assistant Administrator has determined that this

proposed rule is consistent with the Magnuson-Stevens Act, the Salmon FMP, and other applicable laws, subject to further consideration after public comment.

This action is exempt from review under Executive Order 12866 because it only implements annual catch limits for the Cook Inlet EEZ Area salmon fishery.

NMFS prepared the draft EA for the 2025 harvest specifications of the Cook Inlet EEZ Area salmon fishery, which incorporates by reference the EA/RIR for amendment 16 to the Salmon FMP (see **ADDRESSES**). These analyses evaluate the

potential environmental and socioeconomic impacts of three alternative catch limits for the Cook Inlet EEZ Area salmon fishery, as is consistent with the National Environmental Policy Act.

Initial Regulatory Flexibility Analysis

This Initial Regulatory Flexibility Analysis (IRFA) was prepared for this proposed rule, as required by section 603 of the Regulatory Flexibility Act (RFA) (5 U.S.C. 603), to describe the economic impact that this proposed rule, if adopted, would have on small entities.

The IRFA: (1) describes the action; (2) the reasons why this proposed rule is proposed; (3) the objectives and legal basis for this proposed rule; (4) the estimated number and description of directly regulated small entities to which this proposed rule would apply; (5) the recordkeeping, reporting, and other compliance requirements of this proposed rule; and (6) the relevant Federal rules that may duplicate, overlap, or conflict with this proposed rule. The IRFA also describes significant alternatives to this proposed rule that would accomplish the stated objectives of the Magnuson-Stevens Act, and any other applicable statutes, and that would minimize any significant economic impact of this proposed rule on small entities. The description of the proposed action, its purpose, and the legal basis are explained earlier in the preamble and are not repeated here.

For RFA purposes only, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see 50 CFR 200.2). A business primarily engaged in commercial fishing (North American Industry Classification System (NAICS) code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual gross receipts not in excess of 11 million dollars for all its affiliated operations worldwide. In addition, the Small Business Administration has established a small business size standard applicable to charter fishing vessels (NAICS code 713990) of 9 million dollars.

Number and Description of Small Entities Regulated by This Proposed Rule

This proposed rule directly regulates commercial salmon fishing vessels that operate in the Cook Inlet EEZ Area, and charter guides and charter businesses fishing for salmon in the Cook Inlet EEZ

Area. Because NMFS expects the State of Alaska to maintain current requirements for commercial salmon fishing vessels landing any salmon in upper Cook Inlet to hold a Commercial Fisheries Entry Commission (CFEC) drift gillnet (S03H) permit, NMFS does not expect participation from non-S03H permit holders in the federally-managed salmon fishery in the Cook Inlet EEZ Area. Therefore, the number of S03H permit holders represents the maximum number of directly regulated entities for the commercial salmon fishery in the Cook Inlet EEZ Area. From 2019 to 2023, there was an average of 552 S03H permits in circulation, with an average of 311 active permit holders, all of which are considered small entities based on the 11 million dollar threshold. The evaluation of the number of directly regulated small entities and their revenue was conducted via custom query by staff of the Alaska Fish Information Network utilizing both ADF&G and Fish Ticket revenue data and the CFEC permits database. Similarly, the draft EA provides the most recent tabulation of commercial charter vessels that could potentially fish for salmon within the Cook Inlet EEZ Area (see **ADDRESSES**).

The commercial fishing entities directly regulated by the salmon harvest specifications are the entities operating vessels with Salmon Federal Fisheries Permits (SFFPs) catching salmon in Federal waters. For purposes of this analysis, NMFS assumes that the number of small entities with SFFPs that are directly regulated by the salmon harvest specifications is the average number of S03H permits in circulation (*i.e.*, 552 permits). This may be an overstatement of the number of directly-regulated small entities since some entities may hold more than one permit.

The commercial charter fishing entities directly regulated by the salmon harvest specifications are the entities that hold commercial charter licenses and that choose to fish for salmon in the Cook Inlet EEZ Area where these harvest specifications will apply. Salmon charter operators are required to register with the State of Alaska annually and the numbers of registered charter operators in the Cook Inlet area varies. Available data indicates that, from 2017 to 2022, the total number of directly regulated charter vessel small entities that have participated in the Cook Inlet EEZ Area has been as high as 377. However, from 2019 to 2022, there was an average of 94 charter guides that fished for salmon at least once in the Cook Inlet EEZ Area. All of these entities, if they choose to fish in the Cook Inlet EEZ Area, are directly

regulated by this action and all are considered small entities based on the 9 million dollar threshold.

Description of Significant Alternatives That Minimize Adverse Impacts on Small Entities

The action under consideration is the proposed 2025 harvest specifications for the Cook Inlet EEZ Area salmon fishery. This action is necessary to establish harvest limits for Cook Inlet salmon harvested within the EEZ during the 2025 fishing years and is taken in accordance with the Salmon FMP and pursuant to the Magnuson-Stevens Act. The establishment of the harvest specifications is governed by the process for determining harvest levels for salmon in the Cook Inlet EEZ Area in the Salmon FMP and regulations. Under this process, harvest specifications typically will be made annually for specifying the OFL, ABC, and TAC for each salmon stock or stock complex. This includes identifying the stocks and stock complexes for which specifications are made. Salmon stocks or stock complexes may be split or combined for purposes of establishing a new harvest specification unit if such action is desirable based on the commercial importance of a stock or stock complex, or if sufficient biological information is available to manage a stock or stock complex as a single unit. Those stocks and stock complexes are separated into three tiers based on the level of information available for each stock and stock complex, and the corresponding tier is used to calculate OFL and ABC.

For each stock and stock complex, NMFS establishes harvest specifications prior to the commercial salmon fishing season. To inform the harvest specifications, NMFS prepares the annual SAFE report, based on the best scientific information available at the time it is prepared, for review by the SSC and the Council. The SAFE report provides information needed for: (1) determining annual harvest specifications; (2) documenting significant trends or changes in the stocks, marine ecosystem, and fisheries over time; and (3) assessing the performance of existing State of Alaska and Federal fishery management programs. The SAFE report provides a summary of the most recent biological condition of the salmon stocks.

For the proposed 2025 harvest specifications, NMFS prepared the preliminary 2025 SAFE report and consulted with the Council consistent with the Salmon FMP and implementing regulations. The proposed TACs recommended by the

Council are based on the preliminary SAFE report, which represents the best scientific information available at that time for the stock and stock complexes identified by NMFS. In February 2025, the SSC reviewed the preliminary 2025 SAFE report and recommended changing the buffers that reduce ABCs from the OFLs for the Kenai and Kasilof sockeye stocks. Ultimately, the Council recommended the harvest specifications without any additional buffers to reduce TACs from the ABCs. The proposed TACs are consistent with the Salmon FMP process for determining harvest levels for salmon in the Cook Inlet EEZ Area. In light of the manner in which the fishery will operate—including the limited number of openers—and NMFS's ability to monitor the TAC for each salmon species and implement closures in-season, as well as NMFS's success last year in managing the fishery to ensure no ABC was exceeded, NMFS has determined that these TACs will prevent exceeding the ABC (and therefore ACL) for any stock or stock complex. Furthermore, the proposed TACs will prevent overfishing while, for combined sockeye salmon, being above the recent 10-year average estimated EEZ harvest.

Under this action, the proposed ABCs reflect harvest amounts that are less than the specified OFLs and the TACs do not exceed the biological reference points (*i.e.*, the ABCs and OFLs) recommended by the SSC. The Salmon FMP specifies that annual TAC determinations would be made based on

social and economic considerations, including the need to promote efficiency in the utilization of fishery resources (*e.g.*, minimizing costs); the desire to conserve, protect, and rebuild depleted salmon stocks; the importance of a salmon fishery to harvesters, processors, local communities, and other salmon users in Cook Inlet; and the need to promote utilization of certain species (see 50 CFR 679.118(a)(2)(ii)). The proposed TACs are set equal to ABCs and account for these considerations. TACs cannot be set higher than the ABCs.

This action is economically beneficial to entities operating in the Cook Inlet EEZ Area salmon fishery, including small entities. The action proposes TACs for commercially-valuable salmon stocks that allow for the prosecution of the salmon fishery in the Cook Inlet EEZ Area, thereby creating the opportunity for fishery revenue. The TACs proposed for each commercially-valuable salmon stock or stock complex, except for aggregate coho, are higher than the recent ten-year average catch estimated to have been harvested in the Cook Inlet EEZ Area, which may help to reduce foregone yield and allow for additional harvest opportunity.

Based upon the best scientific information available and in consideration of the objectives for this proposed action, it appears that there are no significant alternatives to this proposed rule for salmon harvest specifications that have the potential to comply with the Salmon FMP,

accomplish the stated objectives of the Magnuson-Stevens Act or any other statutes, and minimize any significant adverse economic impact of the action on small entities while preventing overfishing. After a public process during which the Council and NMFS solicited input from stakeholders and after consultation with the Council, NMFS has determined that the proposed TACs recommended by the Council would best accomplish the stated objectives articulated in the preamble for this proposed rule, and in applicable statutes, and would minimize to the extent practicable adverse economic impacts on the universe of directly regulated small entities.

This action does not modify recordkeeping or reporting requirements or duplicate, overlap, or conflict with any Federal rules.

This proposed rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

Authority: 16 U.S.C. 773 *et seq.*; 16 U.S.C. 1540(f); 16 U.S.C. 1801 *et seq.*; 16 U.S.C. 3631 *et seq.*; Pub. L. 105–277; Pub. L. 106–31; Pub. L. 106–554; Pub. L. 108–199; Pub. L. 108–447; Pub. L. 109–241; Pub. L. 109–479.

Dated: March 31, 2025.

Samuel D. Rauch III,
*Deputy Assistant Administrator for
Regulatory Programs, National Marine
Fisheries Service.*

[FR Doc. 2025–05764 Filed 4–3–25; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register

Vol. 90, No. 64

Friday, April 4, 2025

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.

DEPARTMENT OF AGRICULTURE

[Docket No. FR-6271-N-04]

Final Determination: Adoption of Energy Efficiency Standards for New Construction of HUD- and USDA-Financed Housing; Extension of USDA Compliance Dates

AGENCY: Department of Agriculture.

ACTION: Notice; extension of compliance dates.

SUMMARY: On April 26, 2024, the Department of Housing and Urban Development (HUD) and the Department of Agriculture (USDA) published the “Final Determination: Adoption of Energy Efficiency Standards for New Construction of HUD- and USDA-Financed Housing” notice (Final Determination) in the

Federal Register. The Final Determination provides compliance dates for HUD and USDA programs covered by the Final Determination. This notice delays compliance dates by six months over the published compliance dates for covered projects in the following USDA programs: Section 502 (Guaranteed Loans, Direct Loans) and Section 523 (Self Help Loans).

DATES: Applicable April 4, 2025.

FOR FURTHER INFORMATION CONTACT:

Meghan Walsh, Rural Housing Service, Department of Agriculture, 1400 Independence Avenue SW, Room 6900–S, Washington, DC 20250; telephone number 202–205–9590 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Background

On April 26, 2024, HUD and USDA published the Final Determination (89 FR 33112) which adopted the 2021 edition of the International Energy Conservation Code (IECC) and the 2019 edition of ANSI/ASHRAE/IES Standard 90.1: Energy Standard for Buildings, Except Low-Rise Residential Buildings (ASHRAE 90.1) as the minimum energy standards for new construction of buildings in programs covered by section 109 of the Cranston-Gonzalez

National Affordable Housing Act of 1990 (42 U.S.C. 12709), as amended by the Energy Independence and Security Act of 2007 (EISA) (Pub. L. 110–140) (89 FR 33112).

In Section VI of the Final Determination, the Departments provided Table 32, which lists compliance dates for the updated energy efficiency standards, also available with further guidance for programs at <https://www.hudexchange.info/programs/minimum-energy-standards/>.

II. Delay of Compliance Dates

USDA is delaying by six months the compliance dates for the Final Determination that have not yet passed. The compliance dates for the following programs are extended: Section 502 (Guaranteed Loans, Direct Loans) and Section 523 (Self Help Loans).

The delay will provide additional time for program participants to conform with the requirements of the Final Notice and for USDA to develop further technical assistance. See <https://www.hudexchange.info/programs/minimum-energy-standards/> for more information.

The updated compliance dates for USDA programs are as follows:

Program	Initiation event	Updated compliance date
USDA Section 502 Guaranteed Housing Loans	Building Permit Application	24 months after effective date: May 28, 2026.
USDA Section 502 Direct	Application Selected for Processing	24 months after effective date: May 28, 2026.
USDA Section 523 Mutual Self Help Loans	Application Selected for Processing	24 months after effective date: May 28, 2026.
All programs, persistent poverty rural areas	Based on program-specific event, above	24 months after effective date: May 28, 2026.

III. Findings and Certifications

Environmental Impact

This notice provides updated compliance deadlines for the Final Determination. A Finding of No Significant Impact was prepared on the preliminary determination that preceded the Final Determination and remained applicable to the Final Determination. Accordingly, under 24 CFR 50.19(c)(4) this notice is categorically excluded from environmental review under the

National Environmental Policy Act of 1969 (42 U.S.C. 4321).

Jacqueline Ponti-Lazaruk,

Acting Deputy Under Secretary, Rural Development, U.S. Department of Agriculture.

[FR Doc. 2025–05864 Filed 4–3–25; 8:45 am]

BILLING CODE 3410–XV–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the New Jersey Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of virtual business meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the New Jersey Advisory Committee (Committee) to the U.S. Commission on Civil Rights will a public meeting via Zoom. The purpose is for the committee to meet as a newly appointed committee.

DATES: Thursday, April 24, 2025, from 3 p.m. Eastern Time.

ADDRESSES:

Registration Link (Audio/Visual): <https://tinyurl.com/ms5nvtzt>.

Join by Phone (Audio Only): 1–833–435–1820 USA Toll Free; Webinar ID: 161 192 6410 #.

FOR FURTHER INFORMATION CONTACT: Victoria Moreno, Designated Federal Officer, at vmoreno@usccr.gov or 1-434-515-0204.

SUPPLEMENTARY INFORMATION:

Committee meetings are available to the public through a registration link (above). Any interested members of the public may attend committee meetings. An open comment period will be provided to allow members of the public to make oral statements as time allows. Pursuant to the Federal Advisory Committee Act, public minutes of each meeting will include a list of persons who are present. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning is available by selecting "CC" in the meeting platform. To request additional accommodations, please email ebohor@usccr.gov at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the scheduled meeting. Written comments may be emailed to Evelyn Bohor at ebohor@usccr.gov. Persons who desire additional information may contact the Regional Programs Coordination Unit at 1-202-656-8937.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via the file sharing website, <https://tinyurl.com/3ev8d9n9>. Persons interested in the work of this Committee are directed to the Commission's website, <http://www.usccr.gov>, or may contact the Regional Programs Coordination Unit at ebohor@usccr.gov.

Agenda

- I. Welcome & Roll Call
- II. Chair's Comments
- III. Introductions
- IV. Committee Discussion
- V. Next Steps
- VI. Public Comment
- VII. Other Business
- VIII. Adjourn

Dated: March 31, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025-05760 Filed 4-3-25; 8:45 am]

BILLING CODE 6335-01-P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Michigan Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of public meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Michigan Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a public business meeting via Zoom at 12 p.m. ET on Wednesday, May 7, 2025.

DATES: Wednesday, May 7, 2025, from 12 p.m.–1 p.m. Eastern Time.

ADDRESSES: The meeting will be held via Zoom Webinar.

Registration Link (Audio/Visual):

https://www.zoomgov.com/webinar/register/WN_HSoTm4rJRV2L9uoyGriBeA

Join by Phone (Audio Only): (833) 435-1820 USA Toll-Free; Meeting ID: 160 444 3308

FOR FURTHER INFORMATION CONTACT:

Melissa Wojnaroski, Designated Federal Officer, at mwojnaroski@usccr.gov or (202) 618-4158.

SUPPLEMENTARY INFORMATION: This committee meeting is available to the public through the registration link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. Per the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning will be available for individuals who are deaf, hard of hearing, or who have certain cognitive or learning impairments. To request additional accommodations, please email Liliana Schiller, Support Services Specialist, at lschiller@usccr.gov at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be

emailed to Melissa Wojnaroski at mwojnaroski@usccr.gov. Persons who desire additional information may contact the Regional Programs Coordination Unit at (202) 618-4158.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via the file sharing website, www.box.com. Persons interested in the work of this Committee are directed to the Commission's website, <http://www.usccr.gov>, or may contact the Regional Programs Coordination Unit at the above phone number.

Agenda

- I. Welcome & Roll Call
- II. Civil Rights Discussion
- III. Public Comment
- IV. Next Steps
- V. Adjournment

Dated: March 31, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025-05762 Filed 4-3-25; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Rhode Island Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of virtual business meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Rhode Island Advisory Committee (Committee) to the U.S. Commission on Civil Rights will a public meeting via Zoom. The purpose is for the committee to meet as a newly appointed committee.

DATES: Thursday, April 24, 2025, from 3 p.m. Eastern Time.

ADDRESSES:

Registration Link (Audio/Visual):

<https://tinyurl.com/5dytb3nj>

Join by Phone (Audio Only): 1-833-435-1820 USA Toll Free; Webinar ID: 161 825 4835 #

FOR FURTHER INFORMATION CONTACT:

Victoria Moreno, Designated Federal Officer, at vmoreno@usccr.gov or 1-434-515-0204.

SUPPLEMENTARY INFORMATION:

Committee meetings are available to the

public through a registration link (above). Any interested members of the public may attend committee meetings. An open comment period will be provided to allow members of the public to make oral statements as time allows. Pursuant to the Federal Advisory Committee Act, public minutes of each meeting will include a list of persons who are present. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning is available by selecting "CC" in the meeting platform. To request additional accommodations, please email ebohor@usccr.gov at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the scheduled meeting. Written comments may be emailed to Evelyn Bohor at ebohor@usccr.gov. Persons who desire additional information may contact the Regional Programs Coordination Unit at 1-202-656-8937.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via the file sharing website, <https://tinyurl.com/248n7rdj>. Persons interested in the work of this Committee are directed to the Commission's website, <http://www.usccr.gov>, or may contact the Regional Programs Coordination Unit at ebohor@usccr.gov.

Agenda

- I. Welcome & Roll Call
- II. Chair's Comments
- III. Introductions
- IV. Committee Discussion
- V. Next Steps
- VI. Public Comment
- VII. Other Business
- VIII. Adjourn

Dated: March 31, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025-05761 Filed 4-3-25; 8:45 am]

BILLING CODE 6335-01-P

DEPARTMENT OF COMMERCE

Census Bureau

[Docket Number: 250326-0053; RTID 0607-XC082]

Current Mandatory Business Surveys

AGENCY: Census Bureau, Department of Commerce.

ACTION: Notice of determination.

SUMMARY: The Bureau of the Census (Census Bureau) will conduct the following current four mandatory business surveys in 2025: Annual Integrated Economic Survey; Annual Business Survey; Business and Professional Classification Report; and Business Enterprise Research and Development Survey. We have determined that data collected from these surveys are needed to aid the efficient performance of essential governmental functions and have significant application to the needs of the public and industry. The data derived from these surveys, most of which have been conducted for many years, are not publicly available from nongovernmental or other governmental sources.

DATES: The Annual Integrated Economic Survey is typically mailed starting in February each year. The Annual Business Survey is typically mailed starting in July each year. The Business and Professional Classification Report is typically mailed out at the beginning of each calendar quarter. The Business Enterprise Research and Development Survey is typically mailed starting in February each year.

ADDRESSES: The Census Bureau will make available the reporting instructions to the organizations included in the surveys. Respondent information for the Annual Integrated Economic Survey can be found at: <https://www.census.gov/programs-surveys/aies/information.html>. Respondent information for the Annual Business Survey can be found at: <https://www.census.gov/programs-surveys/abs/information.html>. Respondent information for the Business and Professional Classification Report can be found at: <https://www.census.gov/programs-surveys/sq-class/information.html>. Respondent information for the Business Enterprise Research and Development Survey can be found at: <https://www.census.gov/programs-surveys/brds/information.html>. Additional copies are available upon written request to the Director, 4600 Silver Hill Road, U.S. Census Bureau, Washington, DC 20233-0101.

FOR FURTHER INFORMATION CONTACT: Nick Orsini, Associate Director for Economic Programs, Telephone: 301-763-1858; Email: Nick.Orsini@census.gov.

SUPPLEMENTARY INFORMATION: The following four surveys described herein are authorized by 13 U.S.C. 131 and 182 and are necessary to furnish current data on the subjects covered by the major censuses: (1) Annual Integrated Economic Survey (AIES); (2) Annual Business Survey (ABS); (3) Business and Professional Classification Report; and (4) Business Enterprise Research and Development Survey (BERD). These surveys are made mandatory under the provisions of 13 U.S.C. 224-225. These surveys will provide continuing and timely national statistical data for the period between economic censuses. The data collected in the surveys will be within the general scope and nature of those inquiries covered in the economic census. The most recent economic census was conducted in 2023 for the reference year 2022. The next economic census will occur in 2028 for the reference year 2027.

Notice of specific reporting requirements for each survey, including who is to report, the information to be reported, the manner of reporting, and the time and place of filing reports, will be provided by mail or by email only to those required to complete these surveys.

Annual Integrated Economic Survey (AIES)

The AIES collects data on key economic measures including: employment; revenue (e.g., sales, shipments, and receipts); taxes, contributions, gifts, and grants); products; e-commerce activity; operating expenses (e.g., payroll, benefits, and purchased services); and rental payments, utilities, interest, equipment, materials, and supplies. Additionally, AIES captures information on business assets, covering capital expenditures, inventories, depreciable assets, and robotics. The survey's sample is drawn from a frame of approximately 5.4 million businesses, built using the Census Bureau's Business Register (BR), which is the Census Bureau's master business list.

The AIES delivers timely and continuous national and subnational economic statistics, serving as a valuable resource for government program officials, industry leaders, economists, business owners, and researchers across academia, business, and government.

More information regarding the AIES can be found in the Information Collection Request (ICR) approved by

the Office of Management and Budget (OMB) on January 15, 2025, at the following link: https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202411-0607-003.

Annual Business Survey (ABS)

The ABS provides information on selected economic and demographic characteristics for businesses and business owners by sex, ethnicity, race, and veteran status. Further, the survey measures research and development for microbusinesses, new business topics such as innovation and technology, as well as other business characteristics such as types of customers, number and types of employees, and sales and revenues. The ABS includes all nonfarm employer businesses filing Internal Revenue Service (IRS) tax forms as individual proprietorships, partnerships, or any other type of corporation, with receipts of \$1,000 or more. The ABS is co-sponsored by the National Center for Science and Engineering Statistics (NCSES) within the National Science Foundation (NSF) and conducted by the Census Bureau.

More information regarding the ABS can be found in the ICR approved by OMB on May 15, 2024, at: https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202401-0607-002.

Business and Professional Classification Report

The Business and Professional Classification Report collects one-time data on a firm's type of business activity from a sample of businesses that were recently assigned Federal Employer Identification Numbers or recently added to the scope of the Census Bureau's current business surveys. The data are used to update the sampling frames for our current business surveys. Additionally, the business classification data will help ensure businesses are directed to complete the correct report in the economic census.

More information regarding the Business and Professional Classification Report can be found in the ICR approved by OMB on August 15, 2024, at: https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202405-0607-003.

Business Enterprise Research and Development Survey (BERD)

The BERD collects annual data on spending for research and development activities by businesses. The BERD collects foreign as well as domestic spending information, more detailed information about the R&D workforce, and information regarding intellectual property from U.S. businesses. The Census Bureau collects and compiles

this information in accordance with a joint project agreement between the NSF and the Census Bureau. The NSF posts the BERD information results on their website.

More information regarding the BERD can be found in the ICR approved by OMB on December 6, 2024, at: https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202409-0607-004.

Paperwork Reduction Act

Notwithstanding any other provision of law, no person is required to respond to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*) unless that collection of information displays a currently valid OMB control number. In accordance with the PRA OMB approved the surveys described in this notice under the following OMB control numbers: AIES, 0607–1024; ABS, 0607–1004; Business and Professional Classification Report, 0607–0189; and BERD, 0607–0912.

Based upon the foregoing, I have directed that the current mandatory business surveys be conducted in 2025 for the purpose of collecting these data.

Ron Jarmin, Acting Director, Census Bureau, approved the publication of this notice in the **Federal Register**.

Dated: March 31, 2025.

Shannon Wink,

*Program Analyst, Policy Coordination Office,
U.S. Census Bureau.*

[FR Doc. 2025–05843 Filed 4–3–25; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Census Bureau

[Docket Number: 250325–0048; RTID 0607–XC081]

Geographically Updated Population Certification Program

AGENCY: Census Bureau, Department of Commerce.

ACTION: Notice.

SUMMARY: The Census Bureau will modify the Geographically Updated Population Certification Program (GUPCP) by removing the expedited processing option for certified decennial census population and housing counts associated with updated government boundaries. The GUPCP is a fee-based service that was reinstated on January 1, 2024. The service provides the requesting government a new certification of 2020 Census population

and housing counts based on boundary updates that became legally effective after the 2020 Census. Government boundaries effective on or before January 1, 2020, were used for 2020 Census population and housing tabulation.

DATES: This modification shall become effective April 4, 2025.

FOR FURTHER INFORMATION CONTACT: Lindsay Spell, Population Division, U.S. Census Bureau, by email at pop.lgemp@census.gov or telephone at 301–763–2461.

SUPPLEMENTARY INFORMATION:

Background

Following the 1970 decennial census and after every subsequent decennial census, the Census Bureau provided the opportunity for tribal, state, and local governments to obtain certified population and housing counts for areas where the boundaries have changed from those used to tabulate the results of the immediately preceding decennial census. These changes occur due to newly incorporated governments, the merger of two or more existing governments, the addition or annexation of land by a government, or other circumstances. The certification process is available to governments established by law for the purpose of implementing specified general-purpose or special-purpose government functions. Most governments have legally established boundaries and names and have officials (usually elected) who have the power to carry out legally prescribed functions, provide services for residents, and raise revenues. These are commonly referred to as general-purpose governments and typically include federally recognized American Indian reservations and off-reservation trust land, counties and county equivalents, boroughs, cities, towns, villages, and townships. Special-purpose governments, such as school districts, typically are limited to one function.

This service is a permanent process, but one that is suspended in advance of future decennial censuses. Typically, the Census Bureau will suspend this service and direct its resources to the decennial census for approximately five years. This includes the two years preceding the decennial census, the decennial census year, and the two years following it. The Census Bureau issues notices in the **Federal Register** announcing when it suspends and, in turn, resumes the service.

The Census Bureau first began to make updated decennial census count determinations to reflect geographic boundary changes in 1972 in response

to the requests of local governments to establish eligibility for participation in the General Revenue Sharing Program, authorized under Public Law 92–512. At that time, the Census Bureau established a fee-based service enabling governments with annexations to obtain updated decennial census population counts that reflected the population living in the annexed areas. The Census Bureau also received funding from the U.S. Department of the Treasury to make those determinations for larger annexations that met prescribed criteria, and for new incorporations. The General Revenue Sharing Program ended on September 30, 1986, but the certification program continued into 1988 with support from the Census Bureau. The program was suspended to accommodate the taking of the 1990 decennial census and resumed in 1992. The Census Bureau supported the program through fiscal year 1995 for cities with large annexations and through fiscal year 1996 for newly incorporated places. The program was continued as a fee-based service until June 1, 1998, at which time it was suspended for the 2000 decennial census (63 FR 27706, May 20, 1998).

In 2002, the program resumed and has since been referred to as the Geographically Updated Population Certification Program or GUPCP (67 FR 72095, December 4, 2002). GUPCP was suspended again in 2008 to accommodate the taking of the 2010 Census (72 FR 46602, August 21, 2007), as well as in 2019 to accommodate the taking of the 2020 Census (83 FR 53029, October 19, 2018).

Following each decennial census, published census data adhere to disclosure avoidance standards designed to protect confidentiality. Prior to 2020, governments were able to request an expedited GUPCP certificate to receive decennial census population and housing unit counts that incorporate a change in boundaries outside of the regular annual update schedule. Within the disclosure avoidance system, it was possible to generate these data as needed to satisfy expedited requests.

This decade, the modernized disclosure avoidance standards limit the application of geographic updates to the 2020 Census data to once each year. As a result, the Census Bureau can only produce updated population and housing unit counts on the annual update schedule for new incorporations or annexations. Accordingly, there is only one fee option associated with an annual processing option.

Although there is no legal requirement that the Census Bureau

provide this service, there is a demand from governments for 2020 Census population and housing counts to be certified to reflect boundary updates or the formation of new governments dated after January 1, 2020, the legal effective date for boundaries used in tabulating the 2020 Census. Title 13, section 8 of the United States Code allows the Census Bureau to conduct this program by providing certain statistical materials upon payment of costs for the service. The Census Bureau is the sole provider of this service, which is based on processing 2020 Census enumeration records protected by the confidentiality restrictions at 13 U.S.C. 8 and 9.

A geographically updated population certification from the Census Bureau confirms that an official population and housing count is an accurate retabulating of the 2020 Census population and housing as configured for the updated government boundaries. A population certification may be needed for many reasons. For example, general-purpose governments may be required by state law to produce a Census Bureau population and housing certification for funds disbursement from their respective state, or federally sponsored programs may require or honor a Census Bureau population and housing certification for program eligibility. Special-purpose governments may also need official certification of census population and housing counts for other purposes.

Governments requesting certification must complete Form BC–1869(EF), Geographically Updated Population Certification Program (GUPCP) Request. Program details, and this form, are available online at: <https://www.census.gov/programs-surveys/gupcp.html>. Tribal, state, and local governments should submit requests for certifications on Form BC–1869(EF) by email to the Census Bureau at pop.lgemp@census.gov. Communication requesting the service without Form BC–1869(EF) will be accepted only if it contains the information necessary to complete the form.

Paperwork Reduction Act: Notwithstanding any other provision of law, no person is required to respond to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), unless that collection of information displays a current Office of Management and Budget control number. This notice does not represent a collection of information and is not subject to the PRA's requirements. The form reference in the notice, Form BC–

1869(EF), will collect only information necessary to process a certification request. As such, it is not subject to the PRA's requirements.

Ron Jarmin, Acting Director, Census Bureau, approved the publication of this notice in the **Federal Register**.

Dated: March 31, 2025.

Shannon Wink,

*Program Analyst, Policy Coordination Office,
U.S. Census Bureau.*

[FR Doc. 2025–05804 Filed 4–3–25; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–20–2025]

Foreign-Trade Zone (FTZ) 29, Notification of Proposed Production Activity; Logitech; (Audio, Visual, and Gaming Equipment); Shepherdsville, Kentucky

On behalf of Logitech, Arvato USA, LLC submitted a notification of proposed production activity to the FTZ Board (the Board) for its facility in Shepherdsville, Kentucky within FTZ 29. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on March 27, 2025.

Pursuant to 15 CFR 400.14(b), FTZ production activity would be limited to the specific foreign-status material(s)/ component(s) and specific finished product(s) described in the submitted notification (summarized below) and subsequently authorized by the Board. The benefits that may stem from conducting production activity under FTZ procedures are explained in the background section of the Board's website—accessible via www.trade.gov/ftz.

The proposed finished products include peripherals (audio, computer, sim racing), content creation equipment, and video conference devices (duty rates are duty-free).

The proposed foreign-status materials/components include: microphones (streaming; video conference); speakers (Bluetooth with single driver; Bluetooth with multiple drivers; personal computer; personal computer with single driver); headsets (wired; wireless); virtual reality pens; remotes (gaming; presentation); conferencing displays; desktop streaming LED lights; sim racing components (wheels; pedals); flight simulators; adaptive gaming controllers; webcams; conference webcams; video conferencing components (systems;

cameras; table mounts; wall brackets; scheduler touch screen devices); USB receivers; pads (wireless charging; mouse); keyboards (wired; wireless); mice (wired; wireless); palm rests (duty rate ranges from duty-free to 2.0%). The request indicates that certain materials/components are subject to duties under section 1702(a)(1)(B) of the International Emergency Economic Powers Act (section 1702), and section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable section 1702 and section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: ftz@trade.gov. The closing period for their receipt is May 14, 2025.

A copy of the notification will be available for public inspection in the "Online FTZ Information System" section of the Board's website.

For further information, contact Juanita Chen at juanita.chen@trade.gov.

Dated: March 31, 2025.

Elizabeth Whiteman,
Executive Secretary.

[FR Doc. 2025-05794 Filed 4-3-25; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Order Renewing Temporary Denial of Export Privileges; Aviastar—TU, 5 b. 7 Leningradsky Prospect, g. Moskva, 125040, Moscow, Russia

Pursuant to section 766.24 of the Export Administration Regulations, 15 CFR parts 730–774 ("EAR" or "the Regulations"),¹ I hereby grant the request of the Office of Export Enforcement ("OEE") to renew the temporary denial order ("TDO") issued in this matter on April 2, 2024. I find that renewal of this Order is necessary in the public interest to prevent an imminent violation of the Regulations and that renewal for an extended period is appropriate because Aviastar—TU ("Aviastar") has engaged in a pattern of

repeated, ongoing, and/or continuous apparent violations of the EAR.

I. Procedural History

On April 21, 2022, then Assistant Secretary Matthew S. Axelrod signed an Order denying Aviastar export privileges for a period of 180 days on the ground that issuance of the Order was necessary in the public interest to prevent an imminent violation of the Regulations. The Order was issued *ex parte* pursuant to section 766.24(a) of the Regulations and was effective upon issuance.² The TDO was subsequently renewed on October 17, 2022,³ April 14, 2023,⁴ October 6, 2023,⁵ and April 2, 2024⁶ in accordance with section 766.24(d) of the Regulations.

On March 5, 2025, BIS, through OEE, submitted a written request for a fifth renewal of the TDO. The written request was made more than 20 days before the TDO's scheduled expiration and, given the temporary suspension of international mail service to Russia, OEE has attempted to deliver a copy of the renewal request to Aviastar by alternative means in accordance with sections 766.5 and 766.24(d) of the Regulations. No opposition to the renewal of the TDO has been received.

II. Renewal of the TDO

A. Legal Standard

Pursuant to section 766.24, BIS may issue an order temporarily denying a respondent's export privileges upon a showing that the order is necessary in the public interest to prevent an "imminent violation" of the Regulations, or any order, license or authorization issued thereunder. 15 CFR 766.24(b)(1) and 766.24(d). "A violation may be 'imminent' either in time or degree of likelihood." 15 CFR 766.24(b)(3). BIS may show "either that a violation is about to occur, or that the

general circumstances of the matter under investigation or case under criminal or administrative charges demonstrate a likelihood of future violations." *Id.* As to the likelihood of future violations, BIS may show that the violation under investigation or charge "is significant, deliberate, covert and/or likely to occur again, rather than technical or negligent[.]" *Id.* A "lack of information establishing the precise time a violation may occur does not preclude a finding that a violation is imminent, so long as there is sufficient reason to believe the likelihood of a violation." *Id.*

If BIS believes that renewal of a denial order is necessary in the public interest to prevent an imminent violation, it may file a written request for renewal, with any modifications if appropriate. 15 CFR 766.24(d)(1). The written request, which must be filed no later than 20 days prior to the TDO's expiration, should set forth the basis for BIS's belief that renewal is necessary, including any additional or changed circumstances. *Id.* "In cases demonstrating a pattern of repeated, ongoing and/or continuous apparent violations, BIS may request the renewal of a temporary denial order for an additional period not exceeding one year." ⁷ *Id.*

B. The TDO and BIS's Request for Renewal

The U.S. Commerce Department, through BIS, responded to the Russian Federation's ("Russia's") further invasion of Ukraine by implementing a sweeping series of stringent export controls that severely restrict Russia's access to technologies and other items that it needs to sustain its aggressive military capabilities. These controls primarily target Russia's defense, aerospace, and maritime sectors and are intended to cut off Russia's access to vital technological inputs, atrophy key sectors of its industrial base, and undercut Russia's strategic ambitions to exert influence on the world stage. Effective February 24, 2022, BIS imposed expansive controls on aviation-related (*e.g.*, Commerce Control List Categories 7 and 9) items to Russia, including a license requirement for the export, reexport or transfer (in-country) to Russia of any aircraft or aircraft parts specified in Export Control Classification Number ("ECCN") 9A991 (section 746.8(a)(1) of the EAR).⁸ BIS

¹ On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which includes the Export Control Reform Act of 2018, 50 U.S.C. 4801–4852 ("ECRA"). Section 1761(a)(5) of ECRA authorizes the issuance of temporary denial orders. 50 U.S.C. 4820(a)(5).

² The TDO was published in the **Federal Register** on April 26, 2022 (87 FR 24514).

³ The October 17, 2022 Renewal Order, which was effective upon issuance, was published in the **Federal Register** on October 20, 2022 (87 FR 63760).

⁴ The April 14, 2023 Renewal Order, which was also effective upon issuance, was published in the **Federal Register** on April 19, 2023 (88 FR 24162).

⁵ The October 6, 2023 Renewal Order, which was also effective upon issuance, was published in the **Federal Register** on October 13, 2023 (88 FR 70928).

⁶ The April 2, 2024 Renewal Order, which was also effective upon issuance, was published in the **Federal Register** on April 5, 2024 (89 FR 23967). This April 2024 Renewal Order was issued for a period of one year, pursuant to an August 2023 amendment to Section 766.24(d)(1) of the EAR allowing for extended TDO renewals up to one year in cases demonstrating a pattern of repeated, ongoing and/or continuous apparent violations (88 FR 59791).

⁷ 88 FR 59791 (Aug. 30, 2023).

⁸ 87 FR 12226 (Mar. 3, 2022). Additionally, BIS published a final rule effective April 8, 2022 which imposed licensing requirements on items controlled on the Commerce Control List ("CCL") under Categories 0–2 that are destined for Russia or Belarus. Accordingly, now all CCL items require

will review any export or reexport license applications for such items under a policy of denial. *See* section 746.8(b). Effective March 2, 2022, BIS excluded any aircraft registered in, owned, or controlled by, or under charter or lease by Russia or a national of Russia from being eligible for license exception Aircraft, Vessels, and Spacecraft (“AVS”) (Section 740.15 of the EAR).⁹ Accordingly, any U.S.-origin aircraft or foreign aircraft that includes more than 25% controlled U.S.-origin content, and that is registered in, owned, or controlled by, or under charter or lease by Russia or a national of Russia, is subject to a license requirement before it can travel to Russia.

OEE’s request for renewal for a period of one year is based upon the facts underlying the issuance of the TDO and the Renewal Orders subsequently issued in this matter on October 17, 2022, April 14, 2023, October 6, 2023, and April 2, 2024, as well as other evidence developed during this investigation. This evidence demonstrates that Aviastar has continued to act in blatant

disregard for U.S. export controls and the terms of previously issued TDOs. Specifically, the initial TDO, issued on April 21, 2022, was based on evidence that Aviastar engaged in conduct prohibited by the Regulations by operating multiple aircraft subject to the EAR and classified under ECCN 9A991.b on flights into Russia after March 2, 2022, from destinations including, but not limited to, Hangzhou, China; Shenzhen, China; and Zhengzhou, China from/to Novosibirsk, Russia and Abakan, Russia, without the required BIS authorization.¹⁰ Further evidence indicated that Aviastar also operated aircraft subject to the EAR on domestic flights within Russia, potentially in violation of section 736.2(b)(10) of the Regulations.

As discussed in the prior renewal orders, BIS presented evidence indicating that, after the initial April 21, 2022 TDO issued, Aviastar continued to operate aircraft subject to the EAR and classified under ECCN 9A991.b on flights both into and within Russia, in violation of the Regulations and the TDO itself.¹¹ The October 17, 2022

Order identified flights into and out of Russia from/to Hangzhou, China and Zhengzhou, China.¹² The April 14, 2023 and October 6, 2023 Orders identified domestic flights within Russia.¹³ The April 2, 2024 Order identified flights from Hangzhou, China to Russia and domestic flights within Russia.¹⁴

Since April 2024, Aviastar continues to engage in conduct prohibited by the TDO and Regulations. In its March 5, 2025 request for TDO renewal, BIS submitted evidence that Aviastar continues to operate aircraft subject to the EAR and classified under ECCN 9A991.b, both on flights into and within Russia, in violation of the April 2, 2024 Renewal Order and/or the Regulations. Specifically, BIS’s evidence and related investigation demonstrates that Aviastar continues to operate aircraft subject to the EAR, including, but not limited to, on flights into and out of Russia from/to Mumbai, India, as well as domestically within Russia. Information about those flights includes, but is not limited to, the following:

Tail No.	Serial No.	Aircraft type	Departure/arrival cities	Dates
RA-73351	25696	757-223 (PCF) (B752)	Norilsk, RU/Moscow, RU	January 25, 2025.
RA-73351	25696	757-223 (PCF) (B752)	Vladivostok, RU/Krasnoyarsk, RU	January 6, 2025.
RA-73351	25696	757-223 (PCF) (B752)	Mumbai, IN/Irkutsk, RU	August 16, 2024.
RA-73351	25696	757-223 (PCF) (B752)	Irkutsk, RU/Mumbai, IN	August 15, 2024.
RA-73354	27053	757-223 (PCF) (B752)	Sabetta, RU/Novy Urengoy, RU	March 14, 2025.
RA-73354	27053	757-223 (PCF) (B752)	Novy Urengoy, RU/Sabetta, RU	March 13, 2025.
RA-73354	27053	757-223 (PCF) (B752)	Krasnoyarsk, RU/Norilsk, RU	September 27, 2024.
RA-73352	25731	757-223 (PCF) (B752)	Novosibirsk, RU/Mirny, RU	March 13, 2025.
RA-73352	25731	757-223 (PCF) (B752)	Moscow, RU/Norilsk, RU	March 11, 2025.
RA-73352	25731	757-223 (PCF) (B752)	Moscow, RU/Novosibirsk, RU	February 20, 2025.
RA-73352	25731	757-223 (PCF) (B752)	Moscow, RU/Mirny, RU	February 11, 2025.
RA-73352	25731	757-223 (PCF) (B752)	Norilsk, Russia/Moscow, RU	February 4, 2025.
RA-73355	27054	757-223 (PCF) (B752)	Krasnoyarsk, RU/Yuzhno-Sakhalinsk	March 12, 2025.
RA-73355	27054	757-223 (PCF) (B752)	Moscow, RU/Novosibirsk, RU	March 7, 2025.
RA-73355	27054	757-223 (PCF) (B752)	Naberezhnye Chelny, RU/Moscow, RU	February 20, 2025.
RA-73352	27054	757-223 (PCF) (B752)	Moscow, RU/Krasnoyarsk, RU	January 29, 2025.
RA-73352	27054	757-223 (PCF) (B752)	Norilsk, RU/Moscow, RU	January 19, 2025.

III. Findings

Under the applicable standard set forth in section 766.24 of the Regulations and my review of the entire record, I find that the evidence presented by BIS convincingly demonstrates that Aviastar has acted in

violation of the Regulations and the TDO; that such violations have been significant and deliberate; and that given the foregoing and the nature of the matters under investigation, there is a likelihood of imminent violations. Moreover, I find that renewal for an

extended period is appropriate because Aviastar has engaged in a pattern of repeated, ongoing, and/or continuous apparent violations of the EAR. Therefore, renewal of the TDO for one year is necessary in the public interest to prevent imminent violation of the

export, reexport, and transfer (in-country) licenses if destined for or within Russia or Belarus. 87 FR 22130 (Apr. 14, 2022).

⁹ 87 FR 13048 (Mar. 8, 2022).

¹⁰ Publicly available flight tracking information shows that on April 10, 2022, serial number (SN) 27054 flew from Hangzhou, China to Novosibirsk, Russia, and on April 12, 2022, SN 27054 flew from Zhengzhou, China to Abakan, Russia. In addition, on April 12, 2022, SN 27053 flew from Shenzhen, China to Abakan, Russia.

¹¹ Engaging in conduct prohibited by a denial order violates the Regulations. 15 CFR 764.2(a) and (k).

¹² Publicly available flight tracking information shows that on May 22, 2022, SN 27054 flew from Zhengzhou, China to Novosibirsk, Russia, and on May 25, 2022, SN 27053 flew from Hangzhou, China to Novosibirsk, Russia. In addition, on September 22, 2022, SN 25731 flew from Irkutsk, Russia to Moscow, Russia.

¹³ Publicly available flight tracking information shows that on February 24, 2023, SN 27053 flew from Novosibirsk, Russia to Mirny, Russia. On

March 7, 2023, SN 25696 flew from Novosibirsk, Russia to Moscow, Russia. On September 26, 2023 SN 25731 flew from Ulan-Ude, Russia to Moscow, Russia. In addition, on SN 27054 flew from Norilsk, Russia to Moscow, Russia.

¹⁴ Publicly available flight tracking information shows that on February 12, 2024, SN 25696 flew from Nizhnevartovsk, Russia to Yakutsk, Russia and, on March 3, 2024, flew from Hangzhou, China to Novosibirsk, Russia. In addition, on March 6, 2024, SN 27053 flew from Novosibirsk, Russia to Moscow, Russia and, on March 18, 2024, flew from Norilsk, Russia to Moscow, Russia.

Regulations and to give notice to companies and individuals in the United States and abroad that they should avoid dealing with Aviastar, in connection with export and reexport transactions involving items subject to the Regulations and in connection with any other activity subject to the Regulations.

IV. Order

It is therefore ordered:

First, Aviastar—TU, 5 b. 7

Leningradsky prospekt, g. Moskva, 125040, Moscow, Russia, when acting for or on their behalf, any successors or assigns, agents, or employees may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the EAR, or in any other activity subject to the EAR including, but not limited to:

A. Applying for, obtaining, or using any license (except directly related to safety of flight), license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations, or engaging in any other activity subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the EAR, or from any other activity subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations.

Second, that no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of Aviastar any item subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by Aviastar of the ownership, possession, or control of any item subject to the EAR that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby Aviastar acquires

or attempts to acquire such ownership, possession, or control except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from Aviastar of any item subject to the EAR that has been exported from the United States except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations;

D. Obtain from Aviastar in the United States any item subject to the EAR with knowledge or reason to know that the item will be, or is intended to be, exported from the United States except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations; or

E. Engage in any transaction to service any item subject to the EAR that has been or will be exported from the United States and which is owned, possessed, or controlled by Aviastar, or service any item, of whatever origin, that is owned, possessed, or controlled by Aviastar if such service involves the use of any item subject to the EAR that has been or will be exported from the United States except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations. For purposes of this paragraph, servicing means installation, maintenance, repair, modification, or testing.

Third, that, after notice and opportunity for comment as provided in section 766.23 of the EAR, any other person, firm, corporation, or business organization related to Aviastar by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order.

In accordance with the provisions of sections 766.24(e) of the EAR, Aviastar may, at any time, appeal this Order by filing a full written statement in support of the appeal with the Office of the Administrative Law Judge, U.S. Coast Guard ALJ Docketing Center, 40 South Gay Street, Baltimore, Maryland 21202–4022.

In accordance with the provisions of section 766.24(d) of the EAR, BIS may seek renewal of this Order by filing a written request not later than 20 days before the expiration date. A renewal request may be opposed by Aviastar as provided in section 766.24(d), by filing a written submission with the Assistant Secretary of Commerce for Export Enforcement, which must be received not later than seven days before the expiration date of the Order.

A copy of this Order shall be provided to Aviastar, and shall be published in the **Federal Register**.

This Order is effective immediately and shall remain in effect for one year.

Dated: March 31, 2025.

John Sonderman,

Performing the non-exclusive functions and duties of the Assistant Secretary of Commerce for Export Enforcement.

[FR Doc. 2025–05800 Filed 4–3–25; 8:45 am]

BILLING CODE 3510–DT–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Information Systems Technical Advisory Committee

AGENCY: Bureau of Industry and Security, U.S. Department of Commerce.

ACTION: Notice of partially closed meeting.

SUMMARY: The Information Systems Technical Advisory Committee (ISTAC) advises and assists the Secretary of Commerce and other Federal officials on matters related to export control policies; the ISTAC will meet to review and discuss these matters. The meeting will be partially closed to the public pursuant to the exemptions under the Federal Advisory Committee Act (FACA) and the Government in the Sunshine Act.

DATES: The meeting will be held on April 23, 2025, from 9 a.m. to 4 p.m. eastern time (all times are eastern time) and April 24, 2025, from 9 a.m. to 12 p.m. The open session will be held on April 23, 2025, only and will start at 9 a.m. and end at approximately 10 a.m. The closed session on April 23, 2025, will start at approximately 10 a.m. and end no later than 4 p.m. The closed session on April 24, 2025, will start at approximately 9 a.m. and end no later than 12 p.m. Individuals requiring special accommodations to access the open session should contact TAC@bis.doc.gov no later than 11:59 p.m. on April 16, 2025, so that appropriate arrangements can be made. Individuals interested in participating virtually should contact TAC@bis.doc.gov no later than 11:59 p.m. on April 18, 2025.

ADDRESSES: The meeting will be held in Room 3884 of the Herbert C. Hoover Building, 1401 Constitution Avenue NW, Washington, DC (enter through the Main Entrance on 14th Street between Constitution and Pennsylvania Avenues). The open session will be accessible via teleconference.

FOR FURTHER INFORMATION CONTACT: Kevin Coyne, Committee Liaison

Officer, Bureau of Industry and Security, U.S. Department of Commerce, TAC@bis.doc.gov, (202) 482-4933.

SUPPLEMENTARY INFORMATION:

Background

The Information Systems Technical Advisory Committee (ISTAC) advises and assists the Secretary of Commerce (Secretary) and other Federal officials and agencies with respect to actions designed to carry out the policy set forth in section 1752 of the Export Control Reform Act. The purpose of the meeting is to have the ISTAC members and U.S. Government representatives mutually review the updated technical data and policy-driving information that has been gathered.

Agenda

The open session will include working group reports, open business discussions, and industry presentations. The closed session will include discussion of matters determined to be exempt from the open meeting and public participation requirements found in sections 1009(a)(1) and 1009(a)(3) of the Federal Advisory Committee Act (FACA) (5 U.S.C. 1001-1014).

Open Session Attendance

The open session will be accessible via teleconference. Registration in advance is required to receive the meeting invite for virtual attendance. Individuals interested in participating virtually should contact TAC@bis.doc.gov no later than 11:59 p.m. eastern time on April 18, 2025. A limited number of seats will be available for members of the public to attend the open session in person on a first-come basis. Reservations to attend in person are not accepted. Registration in advance is not required for in-person attendance, but you will be asked to sign an attendance log when you arrive.

Special Accommodations

Individuals requiring special accommodations to access the open session should contact TAC@bis.doc.gov no later than 11:59 p.m. eastern time on April 16, 2025, so that appropriate arrangements can be made.

Public Participation

To the extent that time permits during the open session, members of the public may present oral statements to the ISTAC. The public may submit written statements at any time before or after the meeting. However, to facilitate distribution of materials to the ISTAC members, the ISTAC suggests that members of the public forward their materials prior to the meeting via email

to TAC@bis.doc.gov. Material submitted by the public will be made public; therefore, submissions should not contain confidential information. Meeting materials from the open session will be accessible via the Technical Advisory Committee (TAC) website at: <https://tac.bis.doc.gov>, within 30 days after the meeting.

Closure Determination

A Senior Advisor, performing the Non-Exclusive Functions and Duties of the Chief Financial Officer and Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined, pursuant to 5 U.S.C. 1009(d), that the portion of the meeting dealing with pre-decisional changes to the Commerce Control List and the U.S. export control policies shall be exempt from the provisions relating to public meetings found in 5 U.S.C. 1009(a)(1) and 1009(a)(3). The remaining portions of the meeting will be open to the public. The exemption is authorized by section 1009(d) of the FACA, which permits the closure of advisory committee meetings, or portions thereof, if the head of the agency to which the advisory committee reports determines such meetings may be closed to the public in accordance with subsection (c) of the Government in the Sunshine Act (5 U.S.C. 552b(c)). In this case, the applicable provisions of 5 U.S.C. 552b(c) are subsection 552b(c)(4), which permits closure to protect trade secrets and commercial or financial information that is privileged or confidential, and subsection 552b(c)(9)(B), which permits closure to protect information that would be likely to disclose information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action. The closed session of the meeting will involve committee discussions and guidance regarding U.S. Government strategies and policies.

Meeting Cancellation

If the meeting is cancelled, a cancellation notice will be posted on the TAC website at: <https://tac.bis.doc.gov>.

Kevin Coyne,

Committee Liaison Officer.

[FR Doc. 2025-05871 Filed 4-3-25; 8:45 am]

BILLING CODE 3510-JT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Order Temporarily Denying Export Privileges

ExHigh Air Space Ltd., Wilson Airport, United Complex, Third Floor Suite 1, Nairobi, Kenya

Geoffrey Chune Omariba, Wilson Airport, United Complex, Third Floor Suite 1, Nairobi, Kenya

Nader Ali Saboori Haghighi, Dalmatinska 65, Belgrade, Serbia

Pursuant to section 766.24 of the Export Administration Regulations, 15 CFR parts 730-774 ("EAR" or "the Regulations"),¹ the Bureau of Industry and Security ("BIS"), U.S. Department of Commerce, through its Office of Export Enforcement ("OEE"), has requested the issuance of an Order temporarily denying, for a period of 180 days, the export privileges under the Regulations of: *ExHigh Air Space Ltd.* ("ExHigh"), *Geoffrey Chune Omariba* ("Chune"), and *Nader Ali Saboori Haghighi* ("Haghighi"), (collectively, the "Respondents"). OEE's request and related information indicate that these parties are located in Nairobi, Kenya, and Belgrade, Serbia, at the respective addresses listed on the caption page of this order. OEE's request and related information further indicates that the Respondents have obtained, and continue to engage in attempts to obtain, controlled aircraft parts from the United States in order to divert those items to Russia contrary to the requirements of the Regulations.

¹ The Regulations, currently codified at 15 CFR parts 730-774 (2025), were originally issued pursuant to the Export Administration Act (50 U.S.C. 4601-4623 (Supp. III 2015) ("EAA"), which lapsed on August 21, 2001. The President, through Executive Order 13222 of August 17, 2001 (3 CFR, 2001 Comp. 783 (2002)), as extended by successive Presidential Notices, continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2012)) ("IEEPA"). On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which includes the Export Control Reform Act of 2018, 50 U.S.C. 4801-4852 ("ECRA"). While section 1766 of ECRA repeals the provisions of the EAA (except for three sections which are inapplicable here), section 1768 of ECRA provides, in pertinent part, that all orders, rules, regulations, and other forms of administrative action that were made or issued under the EAA, including as continued in effect pursuant to IEEPA, and were in effect as of ECRA's date of enactment (August 13, 2018), shall continue in effect according to their terms until modified, superseded, set aside, or revoked through action undertaken pursuant to the authority provided under ECRA. Moreover, section 1761(a)(5) of ECRA authorizes the issuance of temporary denial orders.

I. Legal Standard

Pursuant to section 766.24, BIS may issue an order temporarily denying a respondent's export privileges upon a showing that the order is necessary in the public interest to prevent an "imminent violation" of the Regulations. 15 CFR 766.24(b)(1), 766.24(d). "A violation may be 'imminent' either in time or degree of likelihood." 15 CFR 766.24(b)(3). BIS may show "either that a violation is about to occur, or that the general circumstances of the matter under investigation or case under criminal or administrative charges demonstrate a likelihood of future violations." *Id.* As to the likelihood of future violations, BIS may show that the violation under investigation or charge "is significant, deliberate, covert and/or likely to occur again, rather than technical or negligent[.]" *Id.* A "[l]ack of information establishing the precise time a violation may occur does not preclude a finding that a violation is imminent, so long as there is sufficient reason to believe the likelihood of a violation." *Id.*

II. OEE's Request for a Temporary Denial Order ("TDO")

The U.S. Commerce Department, through BIS, responded to the Russian Federation's ("Russia's") further invasion of Ukraine by implementing a sweeping series of stringent export controls that severely restrict Russia's access to technologies and other items that it needs to sustain its aggressive military capabilities. These controls primarily target Russia's defense, aerospace, and maritime sectors and are intended to cut off Russia's access to vital technological inputs, atrophy key sectors of its industrial base, and undercut Russia's strategic ambitions to exert influence on the world stage.

Effective February 24, 2022, BIS imposed expansive controls on aviation-related (e.g., Commerce Control List Categories 7 and 9) items to Russia, including a license requirement for the export, reexport or transfer (in-country) to or within Russia of any aircraft or aircraft parts specified in Export Control Classification Number ("ECCN") 9A991 (Section 746.8(a)(1) of the EAR).² BIS will review any export or reexport license applications for such items under a policy of denial. *See* section

746.8(b). Effective March 2, 2022, BIS excluded any aircraft registered in, owned, or controlled by, or under charter or lease by Russia or a national of Russia from being eligible for license exception Aircraft, Vessels, and Spacecraft ("AVS"). 15 CFR 746.8(c)(2)(v), 740.15(a)–(b).³

OEE sought a TDO based on evidence indicating that the Respondents seek to procure various U.S.-origin commodities, including certain aircraft parts classified as ECCN 9A991 and those controlled for Missile Technology reasons classified as 7A103, and transship them to Russia without seeking the required authorization from BIS, contrary to the requirements in the Regulations. Respondents' transactions involved Denied Persons on the BIS Denied Persons List ("DPL"), which are parties prohibited from participating in exports from the United States, among other activities subject to the Regulations.

A. ExHigh, Chune, and Haghighi

Following the Russian invasion of Ukraine, and the resultant imposition of BIS export controls affecting the Russian aviation industry, Respondents engaged in a scheme to export, reexport, and transfer (in-country) aircraft parts to or within Russia, including to persons on the DPL, in circumvention of BIS export controls. In or around July 2022, ExHigh began submitting license applications to BIS for the export of Inertial Reference Units ("IRUs"),⁴ classified under ECCN 7A103, to ultimate consignees located in Kenya. However, IRUs exported under the authority of ExHigh's BIS licenses were instead exported to parties in Belgrade, Serbia, and ultimately diverted to Russia. In order to effectuate these exports, Respondents caused the submission of false and misleading Electronic Export Information ("EEI"), including EEI based on false information which Respondents submitted to U.S. freight forwarders.

Chune is the General Director of ExHigh and is listed on BIS export licenses as the point of contact for ExHigh. Haghighi is an owner of ExHigh and an Iranian national believed to currently reside in Belgrade, Serbia. Exhigh, through Chune and Haghighi, coordinated with an employee from JSC Ural Airlines ("Ural") to transship items from the United States to Ural, located in Russia. Ural has been subject to a BIS TDO since October 2022, and accordingly, no person may export,

reexport or transfer (in-country) any item subject to the EAR to or on behalf of Ural except as authorized by BIS.⁵ Specifically, correspondence between ExHigh and the Ural employee indicated that an IRU, supposedly destined for an aviation company based in Kenya, was in fact destined to Ural in Russia. Additional correspondence between ExHigh and a Ural employee detailed the diversion of several IRUs to Ural that Exhigh had ordered or sent for repair on behalf of Ural.

On or about July 31, 2023, additional correspondence from ExHigh to Ural indicated that ExHigh conducted deliveries of IRUs sourced from the United States to Ural at Domodedovo Airport in Moscow, Russia. OEE's investigation determined that one of Ural's aircraft line maintenance stations is located at Domodedovo Airport. These communications confirm ExHigh's delivery of a BIS export-controlled IRU to Ural in Russia, which was not the end-user reflected in the filed export paperwork for this IRU.

B. ExHigh, Chune, and Haghighi Send Items to the United States for Repair

The Respondents' scheme also included several attempts to send items, on behalf of Ural, to the United States for repair and return to Ural. Such actions are in violation of the terms of the TDO issued against Ural, and furthermore, are in violation of sections 764.2(e) and/or 764.2(k) of the Regulations.

On or about July 26, 2023, OEE's investigation revealed information regarding a suspicious transaction between U.S. Company 1 and ExHigh. U.S. Company 1 received an Engine Control Unit ("ECU") from ExHigh along with letters from Chune which stated that the ECU was owned by Airline 1. U.S. Company 1 transferred the ECU to the Original Equipment Manufacturer ("OEM") for repair. After tracing the ECU, the OEM determined that the ECU was originally sold to Ural and installed on an Airbus A321 NEO aircraft with a tail number matching an Ural aircraft. The OEM also noted that the ECU is classified under ECCN 9A991. Airline 1 confirmed that the ECU did not belong to them, and that the letters provided by Chune were fraudulent. On or about October 27, 2023, OEE seized the ECU pursuant to a court order.

² 87 FR 12226 (Mar. 3, 2022). Additionally, BIS published a final rule effective April 8, 2022, which imposed licensing requirements on items controlled on the Commerce Control List ("CCL") under Categories 0–2 that are destined for Russia or Belarus. Accordingly, now all CCL items require export, reexport, and transfer (in-country) licenses if destined for or within Russia or Belarus. 87 FR 22130 (Apr. 14, 2022).

³ 87 FR 13048 (Mar. 8, 2022).

⁴ An IRU is a component of an aircraft's navigational system that provides critical data such as position, attitude, and velocity of the aircraft.

⁵ The order was signed on October 13, 2022, and was effective on that date. A copy was published in the **Federal Register** on October 19, 2022. 87 FR 63477 (October 19, 2022). The order has been renewed three times. 89 FR 81881 (October 9, 2024); 88 FR 70925 (October 13, 2023); 88 FR 22406 (April 13, 2023).

On or about August 29, 2023, OEE determined that ExHigh had shipped an IRU, classified under ECCN 7A103, to U.S. Company 2 for replacement due to apparent mechanical failure. According to the failure report, the IRU purportedly belonged to Airline 2, an airline located in Kenya. OEE researched the relevant BIS license for this IRU and found no EEI for its export, indicating that the IRU had been previously smuggled out of the United States. When U.S. Company 2 confronted ExHigh regarding this discrepancy, Chune provided another failure report purportedly belonging to a Kenyan airline. OEE determined that this failure report was falsified by Haghighi and was in fact printed and modified from a Russian database belonging to Ural. OEE assesses that the IRU was used by Ural and that the Respondents took steps to conceal this fact from U.S. Company 2 and evade detection by U.S. law enforcement.

On or about October 30, 2023, ExHigh returned another ECU to the United States for repair on behalf of Ural in violation of the terms of its TDO. The U.S. manufacturer of the ECU traced the serial number of the item and determined that it belonged to a Ural aircraft. Pursuant to a court-authorized seizure warrant issued in the Southern District of Florida, FBI and OEE agents seized the ECU.

C. Ongoing and Pending Exports

As detailed in OEE's request and related information, the Respondents continue to engage in prohibited conduct. ExHigh continues to place orders for the export of controlled items, including IRUs, with companies located throughout the United States. Some of these U.S. companies have been in contact with OEE regarding the red flags that have arisen in their proposed transactions with ExHigh. Specifically, on or about August 6, 2024, ExHigh attempted to purchase IRUs classified under ECCN 7A103 from a U.S. company located in Texas. OEE believes it is likely that this item would be diverted to Russia, contrary to the Regulations.

Furthermore, on or about January 9, 2025, ExHigh was the ultimate consignee for the export of an IRU from a company located in Iowa. Upon further investigation, OEE determined that the exported item was falsely declared as ECCN 9A991 and declared as not requiring a license for export. The correct classification of the item, according to the U.S. exporter, was ECCN 7A103.

By underreporting the values of exports, falsely reporting exports as not

requiring licenses, and falsely reporting the final destination of the exports, Respondents have repeatedly provided falsified documents to U.S. freight forwarders to avoid the EEI filing requirement or otherwise cause a false or misleading EEI filing for their export transactions. Respondents have thus demonstrated a willingness to openly deceive U.S. businesses and OEE investigators through the provision of false or misleading information on BIS export license applications and in routed export transactions. Even after repeated contacts and multiple seizures from OEE conducted with the assistance of other federal law enforcement, Respondents' behavior has continued. The issuance of a TDO will assist in preventing an imminent violation of the Regulations relating to Respondents' continued attempts to procure and divert controlled items from U.S. companies and evade the requirements of the Regulations.

III. Findings

Under the applicable standard set forth in section 766.24 of the Regulations and my review of the entire record, I find that the evidence presented by BIS convincingly demonstrates that the Respondents have acted in violation of the Regulations; that such violations have been significant and deliberate; and that given the foregoing and the nature of the matters under investigation, there is a likelihood of imminent violations. Therefore, the TDO is necessary in the public interest to prevent imminent violation of the Regulations and to give notice to companies and individuals in the United States and abroad that they should avoid dealing with the Respondents, in connection with export and reexport transactions involving items subject to the Regulations and in connection with any other activity subject to the Regulations.

IV. Order

It is therefore ordered:

First, ExHigh Air Space Ltd., Wilson Airport, United Complex, Third Floor Suite 1, Nairobi, Kenya; Geoffrey Chune Omariba, Wilson Airport, United Complex, Third Floor Suite 1, Nairobi, Kenya; and Nader Ali Saboori Haghighi, Dalmatinska 65, Belgrade, Serbia, when acting for or on their behalf, any successors or assigns, agents, or employees (each a "Denied Person" and collectively the "Denied Persons") may not, directly or indirectly, participate in any way in any transaction involving any commodity, software, or technology (hereinafter collectively referred to as "item") exported or to be exported from

the United States that is subject to the EAR, or in any other activity subject to the EAR including, but not limited to:

A. Applying for, obtaining, or using any license (except directly related to safety of flight), license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations, or engaging in any other activity subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the EAR, or from any other activity subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations.

Second, that no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of a Denied Person any item subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by a Denied Person of the ownership, possession, or control of any item subject to the EAR that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby a Denied Person acquires or attempts to acquire such ownership, possession or control except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from a Denied Person of any item subject to the EAR that has been exported from the United States except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations;

D. Obtain from a Denied Person in the United States any item subject to the EAR with knowledge or reason to know that the item will be, or is intended to be, exported from the United States except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations; or

E. Engage in any transaction to service any item subject to the EAR that has been or will be exported from the United States and which is owned, possessed or controlled by a Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by a Denied Person if such service involves the use of any item subject to the EAR that has been or will be exported from the United States except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations. For purposes of this paragraph, servicing means installation, maintenance, repair, modification, or testing.

Third, that, after notice and opportunity for comment as provided in section 766.23 of the EAR, any other person, firm, corporation, or business organization related to ExHigh Air Space Ltd., Geoffrey Chune Omariba, or Nader Ali Saboori Haghighi by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order.

In accordance with the provisions of section 766.24(e) of the EAR, ExHigh Air Space Ltd., Geoffrey Chune Omariba, and/or Nader Ali Saboori Haghighi may, at any time, appeal this Order by filing a full written statement in support of the appeal with the Office of the Administrative Law Judge, U.S. Coast Guard ALJ Docketing Center, 40 South Gay Street, Baltimore, Maryland 21202-4022.

In accordance with the provisions of section 766.24(d) of the EAR, BIS may seek renewal of this Order by filing a written request not later than 20 days before the expiration date. A renewal request may be opposed by ExHigh Air Space Ltd., Geoffrey Chune Omariba, and/or Nader Ali Saboori Haghighi as provided in section 766.24(d), by filing a written submission with the Assistant Secretary of Commerce for Export Enforcement, which must be received not later than seven days before the expiration date of the Order.

A copy of this Order shall be provided to ExHigh Air Space Ltd., Geoffrey Chune Omariba, and Nader Ali Saboori Haghighi and shall be published in the **Federal Register**.

This Order is effective immediately and shall remain in effect for 180 days.

Dated: March 31, 2025.

John Sonderman,

Performing the Non-Exclusive Functions and Duties of the Assistant Secretary for Export Enforcement.

[FR Doc. 2025-05803 Filed 4-3-25; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

[Docket No. 250331-0058]

XRIN 0694-XC118

Implementation of Duties on Aluminum Derivatives Beer and Empty Aluminum Cans Pursuant to Proclamation 10895 Adjusting Imports of Aluminum Into the United States

AGENCY: Bureau of Industry and Security, Department of Commerce.

ACTION: Notice.

SUMMARY: The President issued Proclamation 10895, “Adjusting Imports of Aluminum into the United States” (Aluminum Presidential Proclamation), on February 10, 2025, imposing specified rates of duty on imports of aluminum. In Proclamation 10895, the President authorized and directed the Secretary of Commerce to publish modifications to the Harmonized Tariff Schedule of the United States (HTSUS) so that it conforms to the amendments and effective dates in the proclamation. The Bureau of Industry and Security (BIS) published the notice, *Implementation of Duties on Aluminum Pursuant to Proclamation 10895 Adjusting Imports of Aluminum Into the United States*, on behalf of the Secretary of Commerce on March 5, 2025, that fulfilled this directive. The revised HTSUS was set out in Annex 1 to the March 5 notice. BIS, in this notice, revises Annex 1 to add two additional aluminum derivative products: beer and empty aluminum cans.

DATES: *Aluminum derivatives added to the annex in this notice:* The duties set out in the annex for these additional aluminum derivatives are effective with respect to certain products that are entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. Eastern Time on April 4, 2025.

SUPPLEMENTARY INFORMATION:

Background

On February 10, 2025, the President issued the Aluminum Presidential Proclamation adjusting imports of aluminum into the United States (Proclamation 10895 of February 10,

2025) (90 FR 9807). The Aluminum Presidential Proclamation instructed the United States International Trade Commission, in consultation with the Secretary of Commerce, the Commissioner of United States Customs and Border Protection (CBP) within the Department of Homeland Security, and the heads of other relevant executive departments and agencies, to revise the HTSUS so that it conforms to the amendments and effective dates directed in the Aluminum Presidential Proclamation within ten days of the issuance of the Proclamation. The Proclamation directed and authorized the Secretary of Commerce to publish any such modifications to the HTSUS in the **Federal Register**. BIS published such modifications in Annex 1 to the notice, *Implementation of Duties on Aluminum Pursuant to Proclamation 10895 Adjusting Imports of Aluminum Into the United States*, on behalf of the Secretary of Commerce on March 5, 2025 (90 FR 11251).

BIS in this notice revises Annex 1 to add the following two additional aluminum derivative products in Annex 1:

- (1) beer; and
- (2) empty aluminum cans.

All other tariff codes for aluminum and aluminum derivative products in Annex 1 remain unchanged.

Note that importers are required to report to U.S. Customs and Border Protection (CBP) the primary country of smelt, secondary country of smelt, and country of cast on imports of all aluminum articles subject to the aluminum and aluminum derivatives section 232 measures. Monitor CBP’s Cargo Systems Messaging Service for guidance on entry filing requirements.

Eric Longnecker,

Deputy Assistant Secretary for Technology Security.

Annex 1

A. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on April 4, 2025, subchapter III of chapter 99 is modified:

a. By amending note 19(j) by inserting “7612.90.10” to the list of HTSUS provisions in numerical order.

b. By amending note 19(k) by inserting “2203.00.00” to the list of HTSUS provisions in numerical order.

[FR Doc. 2025-05884 Filed 4-2-25; 11:15 am]

BILLING CODE 3510-33-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[RTID 0648–XE814]

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

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

ACTION: Notice; issuance of letter of authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA), as amended, its implementing regulations, and NMFS' MMPA regulations for taking marine mammals incidental to geophysical surveys related to oil and gas activities in the Gulf of America, originally published as "Taking Marine Mammals Incidental to Geophysical Surveys Related to Oil and Gas Activities in the Gulf of Mexico," notification is hereby given that NMFS has modified the Letter of Authorization (LOA) issued to TGS for the take of marine mammals incidental to geophysical survey activity in the Gulf of America (GOA).

DATES: The LOA is effective through December 31, 2025.

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

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

SUPPLEMENTARY INFORMATION:**Background**

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed

authorization is provided to the public for review.

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

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

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

The regulations at 50 CFR 217.180 *et seq.* allow for the issuance of LOAs to industry operators for the incidental take of marine mammals during geophysical survey activities and prescribe the permissible methods of taking and other means of effecting the least practicable adverse impact on

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

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

The 2024 final rule made no changes to the specified activities or the specified geographical region in which those activities would be conducted, nor to the original 5-year period of effectiveness. In consideration of the new information, the 2024 rule presented new analyses supporting affirmance of the negligible impact determinations for all species, and affirmed that the existing regulations, which contain mitigation, monitoring, and reporting requirements, are consistent with the "least practicable adverse impact" standard of the MMPA.

NMFS issued a LOA to TGS on March 17, 2025, for the take of marine mammals incidental to a three-dimensional (3D) ocean bottom node (OBN) survey over 240 lease blocks in the Garden Banks, Keathley Canyon, and Sigsbee Escarpment areas, effective March 17, 2025 through December 31, 2025. Please see the **Federal Register** notice of issuance (90 FR 13346, March 21, 2025) for additional detail regarding the LOA and the survey activity.

On March 21, 2025, TGS informed NMFS that its planned survey area had shifted and, accordingly, they have requested a modification to the LOA to reflect the new survey area. No survey activity has begun. The original survey plan included a total of 64 days of sound source operation, with 38 days in Zone 5, 15 days in Zone 6, and 11 days in Zone 7. The updated survey plan decreased to 62 total days of sound source operation, with the distribution shifted to include 43 days in Zone 5, 15 days in Zone 6, and 4 days in Zone 7. The monthly distribution of survey days is not known in advance, though we assume that the planned 62 days of source operation would occur

¹ Pursuant to Executive Order 14172, "Restoring Names That Honor American Greatness," and Department of the Interior Secretarial Order 3423, "The Gulf of America," the body of water formerly known as the Gulf of Mexico is now called the Gulf of America. Accordingly, this **Federal Register** Notice hereafter refers to the Gulf of America.

contiguously. Take estimates for each species are based on the time period that produces the greatest value and have been updated based on the revised survey plan. There are no other changes to the planned survey.

Based on the results of our analysis, NMFS has determined that the level of taking expected for this survey and authorized through the LOA is consistent with the findings made for the total taking allowable under the regulations. See table 1 in this notice and table 6 of the rule (89 FR 31488, April 24, 2024).

Small Numbers Determination

Under the rule, NMFS may not authorize incidental take of marine mammals in an LOA if it will exceed “small numbers.” In short, when an acceptable estimate of the individual marine mammals taken is available, if the estimated number of individual

animals taken is up to, but not greater than, one-third of the best available abundance estimate, NMFS will determine that the numbers of marine mammals taken of a species or stock are small (see 89 FR 31535, May 24, 2024). For more information please see NMFS’ discussion of small numbers in the 2021 final rule (86 FR 5438, January 19, 2021).

The take numbers for authorization are determined as described in the **Federal Register** notice of issuance (90 FR 13346, March 21, 2025). Subsequently, the total incidents of harassment for each species are multiplied by scalar ratios to produce a derived product that better reflects the number of individuals likely to be taken within a survey (as compared to the total number of instances of take), accounting for the likelihood that some individual marine mammals may be taken on more than 1 day (see 86 FR

5404, January 19, 2021). The output of this scaling, where appropriate, is incorporated into adjusted total take estimates that are the basis for NMFS’ small numbers determinations, as depicted in table 1.

This product is used by NMFS in making the necessary small numbers determinations through comparison with the best available abundance estimates (see discussion at 86 FR 5391, January 19, 2021). For this comparison, NMFS’ approach is to use the maximum theoretical population, determined through review of current stock assessment reports (SAR; <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments>) and model-predicted abundance information (<https://seamap.env.duke.edu/models/Duke/GOM/>). Information supporting the small numbers determinations is provided in table 1.

TABLE 1—TAKE ANALYSIS

Species	Authorized take	Scaled take ¹	Abundance ²	Percent abundance
Rice’s whale	0	n/a	51	n/a
Sperm whale	523	211.3	3,007	7.4
<i>Kogia</i> spp	³ 176	53.6	980	6.4
Beaked whales	1,430	144.5	803	18.0
Rough-toothed dolphin	1,367	392.3	4,853	8.1
Bottlenose dolphin	1,705	489.3	165,125	0.3
Clymene dolphin	1,240	356.0	4,619	7.7
Atlantic spotted dolphin	1,108	317.9	21,506	1.5
Pantropical spotted dolphin	11,650	3,343.5	67,225	5.0
Spinner dolphin	207	59.5	5,548	1.1
Striped dolphin	2,127	610.3	5,634	10.8
Fraser’s dolphin	518	148.7	1,665	8.9
Risso’s dolphin	416	122.8	1,974	6.2
Blackfish ⁴	3,196	942.9	6,113	15.4
Short-finned pilot whale	956	282.0	2,741	10.3

¹ Scalar ratios were applied to “Authorized Take” values as described at 86 FR 5322, 5404 (January 19, 2021) to derive scaled take numbers shown here.

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

³ Includes 9 takes by Level A harassment and 167 takes by Level B harassment. Scalar ratio is applied to takes by Level B harassment only; small numbers determination made on basis of scaled Level B harassment take plus authorized Level A harassment take.

⁴ The “blackfish” guild includes melon-headed whales, false killer whales, pygmy killer whales, and killer whales.

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

Authorization

NMFS has determined that the level of taking for this LOA request is

consistent with the findings made for the total taking allowable under the incidental take regulations and that the amount of take authorized under the LOA is of no more than small numbers. Accordingly, we have issued a modification to the LOA to TGS authorizing the take of marine mammals incidental to its geophysical survey activity, as described above.

Dated: March 31, 2025.

Kimberly Damon-Randall,
Director, Office of Protected Resources,
National Marine Fisheries Service.

[FR Doc. 2025–05777 Filed 4–3–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE821]

Mid-Atlantic Fishery Management Council; Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: A sub-panel of the Mid-Atlantic and South Atlantic Fishery

Management Councils' Scientific and Statistical Committees (SSCs) will hold a meeting.

DATES: The meeting will be held on Monday, April 21, 2025 and Wednesday, April 23, 2025, from 1 p.m. to 4:30 p.m., each day. See

SUPPLEMENTARY INFORMATION for agenda details.

ADDRESSES: The meeting will take place over webinar using the Webex platform with a telephone-only connection option. Details on how to connect to the webinar by computer and by telephone will be available at: www.mafmc.org/ssc.

Council address: Mid-Atlantic Fishery Management Council, 800 N. State Street, Suite 201, Dover, DE 19901; telephone: (302) 674-2331; website: www.mafmc.org.

FOR FURTHER INFORMATION CONTACT:

Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526-5255.

SUPPLEMENTARY INFORMATION: The joint sub-panel, consisting of Mid-Atlantic and South Atlantic SSC members, will meet to review the Data Limited Methods (DLM) model for the Atlantic Blueline Tilefish stock north of Cape Hatteras, North Carolina developed as part of the SouthEast Data, Assessment, and Review (SEDAR) 92 process. Based on the results of the DLM model, the sub-group will also develop preliminary overfishing limit (OFL) and acceptable biological catch (ABC) recommendations, including methods on how to partition the ABC between the Mid-Atlantic and South Atlantic jurisdictions. The sub-group will conduct the review and develop a report that addresses nine Terms of Reference that considers the assessment model methods, data quality and uncertainty, recent fishery-independent survey information, and the overall assessment and review process. The final report, sub-panel recommendations, and preliminary catch limits will be presented and reviewed at subsequent meetings by the full Mid-Atlantic and South Atlantic SSCs.

A detailed agenda and background documents will be made available on the Council's website (www.mafmc.org) prior to the meeting.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to Shelley Spedden, (302) 526-5251, at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 1, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025-05854 Filed 4-3-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XE808]

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

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

ACTION: Notice; issuance of letter of authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA), as amended, its implementing regulations, and NMFS' MMPA regulations for taking marine mammals incidental to geophysical surveys related to oil and gas activities in the Gulf of America, originally published as "Taking Marine Mammals Incidental to Geophysical Surveys Related to Oil and Gas Activities in the Gulf of Mexico," notification is hereby given that NMFS has modified the Letter of Authorization (LOA) issued to WesternGeco for the take of marine mammals incidental to geophysical survey activity in the Gulf of America (GOA).

DATES: The LOA is effective through December 31, 2025.

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

FOR FURTHER INFORMATION CONTACT: Rachel Wachtendonk, Office of Protected Resources, NMFS, (301) 427-8401.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce to allow,

upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

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

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

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

¹ Pursuant to Executive Order 14172, "Restoring Names That Honor American Greatness," and Department of the Interior Secretarial Order 3423, "The Gulf of America," the body of water formerly known as the Gulf of Mexico is now called the Gulf of America. Accordingly, this **Federal Register** Notice hereafter refers to the Gulf of America.

stocks for subsistence uses, and became effective on April 19, 2021.

The regulations at 50 CFR 217.180 *et seq.* allow for the issuance of LOAs to industry operators for the incidental take of marine mammals during geophysical survey activities and prescribe the permissible methods of taking and other means of effecting the least practicable adverse impact on marine mammal species or stocks and their habitat (often referred to as mitigation), as well as requirements pertaining to the monitoring and reporting of such taking. Under 50 CFR 217.186(e), issuance of an LOA shall be based on a determination that the level of taking will be consistent with the findings made for the total taking allowable under these regulations and a determination that the amount of take authorized under the LOA is of no more than small numbers.

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

The 2024 final rule made no changes to the specified activities or the specified geographical region in which those activities would be conducted, nor to the original 5-year period of effectiveness. In consideration of the new information, the 2024 rule presented new analyses supporting affirmation of the negligible impact determinations for all species, and affirmed that the existing regulations, which contain mitigation, monitoring, and reporting requirements, are consistent with the “least practicable adverse impact” standard of the MMPA.

NMFS issued a LOA to WesternGeco on March 7, 2025, for the take of marine

mammals incidental to a three-dimensional (3D) ocean bottom node (OBN) survey over 240 lease blocks in the Green Canyon and Walker Ridge areas, effective March 7, 2025 through December 31, 2025. Please see the **Federal Register** notice of issuance (90 FR 11947, March 13, 2025) for additional detail regarding the LOA and the survey activity.

On March 20, 2025, WesternGeco informed NMFS that its planned survey area had shifted westward and, accordingly, they have requested a modification to the LOA to reflect the new survey area. No survey activity has begun. The original survey plan included 80 days of sound source operation in Zone 7 and 20 days in Zone 5. The updated survey plan remains at 100 total days of sound source operation, with the distribution shifted to include 57 days in Zone 7, 31 days in Zone 5, and 12 days in Zone 6. The monthly distribution of survey days is not known in advance, though we assume that the planned 100 days of source operation would occur contiguously. Take estimates for each species are based on the time period that produces the greatest value and have been updated based on the revised survey plan. There are no other changes to the planned survey.

Based on the results of our analysis, NMFS has determined that the level of taking expected for this survey and authorized through the LOA is consistent with the findings made for the total taking allowable under the regulations. See table 1 in this notice and table 6 of the rule (89 FR 31488, April 24, 2024).

Small Numbers Determination

Under the rule, NMFS may not authorize incidental take of marine mammals in an LOA if it will exceed “small numbers.” In short, when an acceptable estimate of the individual marine mammals taken is available, if

the estimated number of individual animals taken is up to, but not greater than, one-third of the best available abundance estimate, NMFS will determine that the numbers of marine mammals taken of a species or stock are small (see 89 FR 31535, May 24, 2024). For more information please see NMFS’ discussion of small numbers in the 2021 final rule (86 FR 5438, January 19, 2021).

The take numbers for authorization are determined as described in the **Federal Register** notice of issuance (90 FR 11947, March 13, 2025). Subsequently, the total incidents of harassment for each species are multiplied by scalar ratios to produce a derived product that better reflects the number of individuals likely to be taken within a survey (as compared to the total number of instances of take), accounting for the likelihood that some individual marine mammals may be taken on more than 1 day (see 86 FR 5404, January 19, 2021). The output of this scaling, where appropriate, is incorporated into adjusted total take estimates that are the basis for NMFS’ small numbers determinations, as depicted in table 1.

This product is used by NMFS in making the necessary small numbers determinations through comparison with the best available abundance estimates (see discussion at 86 FR 5391, January 19, 2021). For this comparison, NMFS’ approach is to use the maximum theoretical population, determined through review of current stock assessment reports (SAR; <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments>) and model-predicted abundance information (<https://seamap.env.duke.edu/models/Duke/GOM/>). Information supporting the small numbers determinations is provided in table 1.

TABLE 1—TAKE ANALYSIS

Species	Authorized take	Scaled take ¹	Abundance ²	Percent abundance
Rice’s whale	0	n/a	51	n/a
Sperm whale	698	295.4	3,007	9.8
<i>Kogia</i> spp	³ 394	118.3	980	14.7
Beaked whales	1,205	121.7	803	15.2
Rough-toothed dolphin	1,704	489.2	4,853	10.1
Bottlenose dolphin	1,323	379.8	165,125	0.2
Clymene dolphin	2,018	579.1	4,619	12.5
Atlantic spotted dolphin	928	266.4	21,506	1.2
Pantropical spotted dolphin	19,948	5,724.9	67,225	8.5
Spinner dolphin	284	81.6	5,548	1.5
Striped dolphin	4,419	1,268.1	5,634	22.5
Fraser’s dolphin	707	203.0	1,665	12.2
Risso’s dolphin	450	132.8	1,974	6.7
Blackfish ⁴	4,324	1,275.5	6,113	20.9

TABLE 1—TAKE ANALYSIS—Continued

Species	Authorized take	Scaled take ¹	Abundance ²	Percent abundance
Short-finned pilot whale	768	226.5	2,741	8.3

¹ Scalar ratios were applied to “Authorized Take” values as described at 86 FR 5322, 5404 (January 19, 2021) to derive scaled take numbers shown here.

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

³ Includes 26 takes by Level A harassment and 368 takes by Level B harassment. Scalar ratio is applied to takes by Level B harassment only; small numbers determination made on basis of scaled Level B harassment take plus authorized Level A harassment take.

⁴ The “blackfish” guild includes melon-headed whales, false killer whales, pygmy killer whales, and killer whales.

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

Authorization

NMFS has determined that the level of taking for this LOA request is consistent with the findings made for the total taking allowable under the incidental take regulations and that the amount of take authorized under the LOA is of no more than small numbers. Accordingly, we have issued a modification to the LOA to WesternGeco authorizing the take of marine mammals incidental to its geophysical survey activity, as described above.

Dated: March 31, 2025.

Kimberly Damon-Randall,

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

[FR Doc. 2025–05785 Filed 4–3–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE800]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

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

ACTION: Notice; request for comments.

SUMMARY: The Assistant Regional Administrator for Sustainable Fisheries, Greater Atlantic Region, NMFS, has made a preliminary determination that an Exempted Fishing Permit (EFP) application contains all of the required information and warrants further consideration. The EFP would allow a federally permitted fishing vessel to fish outside fishery regulations in support of exempted fishing activities proposed by the Gulf of Maine Research Institute (GMRI). Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the

opportunity to comment on applications for proposed EFPs.

DATES: Comments must be received on or before April 21, 2025.

ADDRESSES: You may submit written comments by email at nmfs.gar.efp@noaa.gov. Include in the subject line “Electronic jigging machines in the Gulf of Maine Groundfish Closure Areas.” All comments received are a part of the public record and may be posted for public viewing without change. All personal identifying information (*e.g.*, name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “anonymous” as the signature if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Elise Scholl, Fishery Management Specialist, elise.scholl@noaa.gov, (978) 281–9189.

SUPPLEMENTARY INFORMATION: The applicant submitted a complete application for an EFP to conduct commercial fishing activities that the regulations would otherwise restrict. This EFP would exempt the participating vessels from the following Federal regulations:

TABLE 1—REQUESTED EXEMPTIONS

CFR citation	Regulation	Need for exemption
50 CFR 648.83(a)(1)	Restriction on retention of pollock under the minimum fish size (TL) of 19 inches (48.3 cm).	To retain sublegal size pollock for research sampling.
50 CFR 648.81(a)(1)	No fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies may be on board a vessel in the Cashes Ledge or Western Gulf of Maine Closure Areas.	To allow commercial fishing activity in the Western Gulf of Maine Closure Area and the Cashes Ledge Closure Area (except the Ammen Rock Habitat Management Area), to collect samples for research.

TABLE 2—PROJECT SUMMARY

Project title	Using electronic jigging machines as a novel, ultra-low impact, gear type to collect catch data and biological samples in the Gulf of Maine (GOM) Groundfish Closure Areas.
Project start	05/01/2025.
Project end	04/30/2026.
Project objectives	Provide critical data on the distribution, size and sex composition, feeding habits, and physical characteristics of pollock in data-limited areas in the GOM.
Project location	Statistical areas 513, 514, and 515.

TABLE 2—PROJECT SUMMARY—Continued

Number of vessels	1.
Number of trips	Up to 30.
Trip duration (days)	2.
Total number of days	Up to 60.
Gear type(s)	Hook, Rod and Reel.
Number of tows or sets	4 per trip.
Duration of tows or sets	3 hours.

Project Narrative

GMRI is requesting an EFP in support of a pilot study aimed at collecting data on the distribution, size and sex composition, feeding habits, and physical characteristics of pollock in data limited areas within the GOM. The project aims to collect data through haul-level catch and effort data collection, biological sampling, and discard monitoring via electronic monitoring (EM). The participating vessel is authorized to use EM through their Sector Operations Plans.

The project aims to fulfill specific research needs of GMRI's pollock study and address research priorities identified in the 2022 pollock stock assessment, including research on the geographic distribution by size. The exemptions would allow sampling inside the Western GOM Closure Area and the Cashes Ledge Closure Area in order to evaluate pollock size distributions and reproductive dynamics inside and outside the closure areas. The exemption to the minimum pollock size would allow the vessel to retain sub-legal sized pollock to collect catch data and biological samples.

Sampling would be conducted with hook jigging gear, including auto-jigs and rod and reel. The applicant claims that the auto-jigging machines are low-impact due to this method being associated with minimal bycatch and discards exhibiting relatively high survivability. There would be up to 4 auto-jigs, and 2 rod and reels deployed at a time, with a maximum of 32 hooks total fishing at one time. The hook sizes would vary from size 8% to 14%.

The applicant estimates there would be 28 trips inside the closure areas and 20 trips outside the closure areas. GMRI researchers are seeking at least 50 tagged pollock per area per season, so that samples of pollock on any given trip do not all come from the same school. Fishing effort may occur both inside and outside the closure areas on the same trip. GMRI would not compensate the vessel for collecting data and samples. Rather, the sampling design would allow the vessel to harvest groundfish from an area that it is not otherwise authorized to fish in, offering an incentive to participate in the study.

This incentive would be used to offset costs associated with the sampling regime requested by GMRI researchers.

To help expand the temporal and spatial scope of the samples, every 10th pollock would be separated from the commercial catch, and tagged with a color-coded zip tie differentiating its harvest location. Sub-legal sized pollock selected for biological sampling would be measured according to the Vessel Electronic Monitoring Plan (VMP) prior to storing in slush ice, while sub-legal sized pollock not selected for biological sampling would be live discarded according to the VMP. Sub-legal sized fish of all other species would also be live discarded according to the VMP. GMRI scientists would conduct dockside sampling of all tagged fish including length, weight, sex, and stomach contents, as well as taking photo documentation of the physical characteristics of each tagged pollock. Haul level catch, discard, and fishing effort data collection would be completed using the Northeast Fisheries Science Center Fisheries Logbook Data Recording Software.

The project would also provide 50–100 cod fin clips from inside the GOM Closure Areas to expand the geographic range of an ongoing cod DNA study being conducted by the University of New Hampshire. Samples would consist of fingernail-size fin clips from the top of the tail, presumably posing no threat to the survivability of the released cod. The project seeks to sample cod catch, including undersized cod.

If approved, the applicant may request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

(Authority: 16 U.S.C. 1801 *et seq.*)

Dated: April 1, 2025.

Karen H. Abrams,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2025–05844 Filed 4–3–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE763]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Alaska Railroad Corporation Seward Freight Dock Construction in Seward, Alaska

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

ACTION: Notice; proposed incidental harassment authorization; request for comments on proposed authorization and possible renewal.

SUMMARY: NMFS has received a request from the Alaska Railroad Corporation (ARRC) for authorization to take marine mammals incidental to the Seward Freight Dock construction project in Seward, Alaska. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an incidental harassment authorization (IHA) to incidentally take marine mammals during the specified activities. NMFS is also requesting comments on a possible one-time, 1-year renewal that could be issued under certain circumstances and if all requirements are met, as described in the Request for Public Comments section at the end of this notice. NMFS will consider public comments prior to making any final decision on the issuance of the requested MMPA authorization and agency responses will be summarized in the final notice of our decision.

DATES: Comments and information must be received no later than May 5, 2025.

ADDRESSES: Comments should be addressed to Jolie Harrison, Chief, Permits and Conservation Division,

Office of Protected Resources, National Marine Fisheries Service and should be submitted via email to ITP.harlacher@noaa.gov. Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities>. In case of problems accessing these documents, please call the contact listed below.

Instructions: NMFS is not responsible for comments sent by any other method, to any other address or individual, or received after the end of the comment period. Comments, including all attachments, must not exceed a 25-megabyte file size. All comments received are a part of the public record and will generally be posted online at <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act> without change. All personal identifying information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

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

SUPPLEMENTARY INFORMATION:

Background

The 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 IHA 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 the species or stocks for taking for certain subsistence uses (referred to in shorthand as “mitigation”); and requirements pertaining to the monitoring and reporting of the takings. The definitions of all applicable MMPA statutory terms used above are included in the relevant sections below and can be found in section 3 of the MMPA (16 U.S.C. 1362) and NMFS regulations at 50 CFR 216.103.

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 proposed action (*i.e.*, the issuance of an IHA) 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 NAO 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 preliminarily determined that the issuance of the proposed IHA qualifies to be categorically excluded from further NEPA review.

Summary of Request

On April 23, 2024, NMFS received a request from the ARRC for an IHA to take marine mammals incidental to pile driving activity associated with the Seward Freight Dock construction project in Seward, Alaska. Following NMFS’ review of the application, we received a revised version of the application on September 30, 2024. After finalizing further discussions and clarifications, the ARRC submitted revised versions on November 20, 2024, and February 4, 2025, followed by a final revised version on March 5, 2025, which was deemed adequate and complete on March 6, 2025. ARRC’s request is for take of 11 species of marine mammals by Level B harassment, and for a subset, by Level A harassment. Neither ARRC nor NMFS expect serious injury or mortality to result from this activity and, therefore, an IHA is appropriate.

Description of Proposed Activity

Overview

The ARRC requested an IHA to expand the freight dock to improve safety and efficiency for the movement of goods, by better separating pedestrian traffic from freight and heavy truck traffic, enhance safety and efficiency of stevedoring activities, preserve the intermodal operations of commercial freight customers, accommodate larger vessels, and enhance the long-term utility of the dock. This project entails both onshore and in-water construction activities including dock expansion, pile removal and installation, and upland construction.

The ARRC proposes to construct an expansion of their existing Freight Dock in Seward, Alaska. The new dock extension will be an OPEN CELL SHEET PILE™ (OCSPTM) bulkhead backed by a rock revetment, consistent with the existing dock. This type of bulkhead is a flexible steel sheet pile membrane supported by soil contact with the embedded steel sheet pile tail walls. The dock face will be extended by 375 feet (ft) (114.3 meters (m)); the usable width of the new extension will be 300 ft. The existing dock uplands will also be widened to 300 ft (91.4 m), further expanding the fill footprint and revetment to the east. Dock upland facilities will be improved, including the installation and upgrades of dock utilities, rails, *etc.* The dock extension will include typical components, such as fenders, mooring bollards, sacrificial anodes, and bullrail. South of the new dock extension, a salvaged mooring dolphin and catwalk (new or salvaged) will be installed.

The only parts of the overall project that may result in Level A and Level B harassment, and thus the only parts further analyzed in this notice, are the in-water and upland construction activities associated with vibratory and impact pile driving.

Dates and Duration

Pile driving and in-water work on the Freight Dock will require approximately 12 months beginning in November 2026. Upland vibrocompaction operations are expected to need 3 months, overlapping the in-water work period. The ARRC estimates a total of 155 days of in-water pile driving activity and 106 days of upland construction with a maximum number of 219 construction days, as some days will include both in-water and upland work. The IHA would be valid from November 1, 2026, through October 31, 2027.

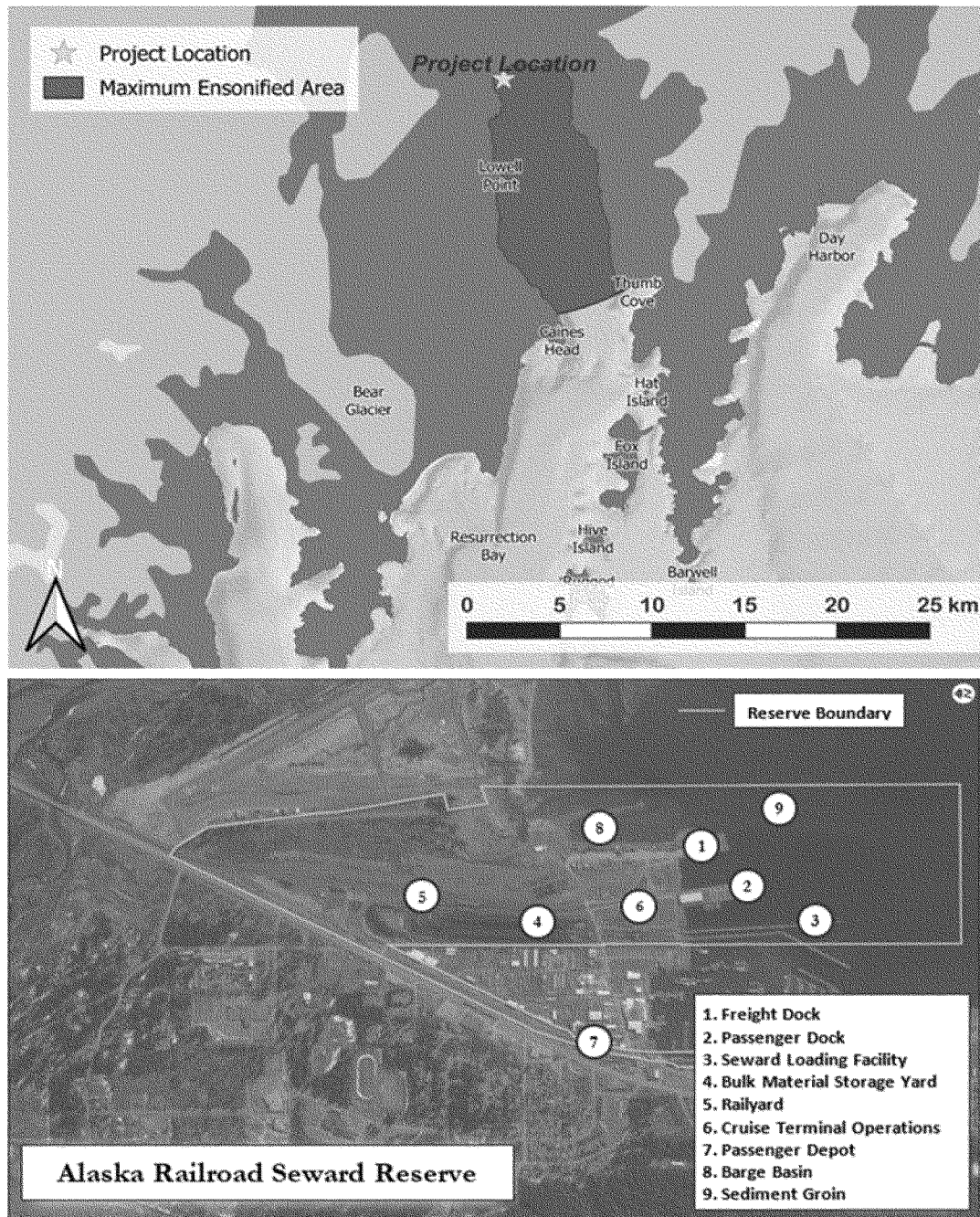
Specific Geographic Region

The proposed project is located in Seward, Alaska, on the Kenai Peninsula

and at the head of Resurrection Bay. The Freight Dock is positioned at the head of the bay between the Resurrection

River delta and the Seward Small Boat Harbor.

BILLING CODE 3510-22-P



BILLING CODE 3510-22-C

Detailed Description of the Specified Activity

The ARRC proposes to expand and improve the existing Freight Dock to improve safety and accommodate increasing need. This proposed project will include the removal of 4 existing piles via vibratory driving, the installation and removal of 60

temporary piles via vibratory driving, installation of 456 permanent piles via vibratory pile driving, and installation of 4 piles via vibratory and impact pile driving. ARRC plans to install 24-inch (in) (61 centimeter (cm)) to 30-in (76.2 cm) steel pipe piles, sheet pile pairs, and H-piles for their new infrastructure. Additionally, the ARRC proposes upland construction including removal

of 1 steel pile via vibratory removal and installation of 5 steel piles via vibratory pile driving, and installation and removal of 2,157 steel H-piles via vibrocompaction. Vibrocompaction uses an H-pile with "displacement angles" probed with vibratory pile-driving equipment to consolidate and compact fill. All of these activities may result in incidental take of marine mammals.

TABLE 1—NUMBER AND TYPE OF PILES TO BE INSTALLED AND REMOVED

Method	Pile size and type	Activity duration (minutes (strikes)/piles)	Max piles per day	Number of piles	Estimated days of work
Uplands Removal and Install					
Vibratory removal	24-in steel pile	30	1	1	1
Vibratory Install and removal	H-pile	30	20	2,157	100
Vibratory install	30-in steel pile	60	1	1	2
Vibratory install	30-in steel pile	30	3	3	3
In-water Removal and Install					
Vibratory removal	24-in steel pile	90	4	4	4
Vibratory install and removal (temporary piles)	24-in steel pile	60	6	60	50
Vibratory Install	Sheet pile pair	30	20	425	75
Vibratory Install	H-pile	60	2	14	15
Vibratory Install (Fender)	30-in steel pile	60	4	14	6
Vibratory Install (Dolphin)	30-in steel pile	60	2	4	15
Impact install	30-in steel pile	1,800	2	4	

¹ Five total days for both vibratory and impact because the construction plan is not finalized. This is based on a worst case scenario option.

Proposed mitigation, monitoring, and reporting measures are described in detail later in this document (please see Proposed Mitigation and Proposed Monitoring and Reporting).

Description of Marine Mammals in the Area of Specified Activities

Sections 3 and 4 of the application summarize available information regarding status and trends, distribution and habitat preferences, and behavior and life history of the potentially affected species. NMFS fully considered all of this information, and we refer the reader to these descriptions, instead of reprinting the information. Additional information regarding population trends and threats may be found in NMFS' Stock Assessment Reports (SARs; <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments>) and more general information about

these species (e.g., physical and behavioral descriptions) may be found on NMFS' website (<https://www.fisheries.noaa.gov/find-species>).

Table 2 lists all species or stocks for which take is expected and proposed to be authorized for this activity and summarizes information related to the population or stock, including regulatory status under the MMPA and Endangered Species Act (ESA) and potential biological removal (PBR), where known. PBR is defined by the MMPA as the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach or maintain its optimum sustainable population (as described in NMFS' SARs). While no serious injury or mortality is anticipated or proposed to be authorized here, PBR and annual serious injury and mortality (M/SI) from anthropogenic sources are

included here as gross indicators of the status of the species or stocks and other threats.

Marine mammal abundance estimates presented in this document represent the total number of individuals that make up a given stock or the total number estimated within a particular study or survey area. NMFS' stock abundance estimates for most species represent the total estimate of individuals within the geographic area, if known, that comprises that stock. For some species, this geographic area may extend beyond U.S. waters. All managed stocks in this region are assessed in NMFS' U.S. Alaska Marine Mammal SARs. All values presented in table 2 are the most recent available at the time of publication (including from the draft 2024 SARs) and are available online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments>.

TABLE 2—SPECIES ¹ WITH ESTIMATED TAKE FROM THE SPECIFIED ACTIVITIES

Common name	Scientific name	Stock	ESA/ MMPA status; strategic (Y/N) ²	Stock abundance (CV, N _{min} , most recent abundance survey) ³	PBR	Annual M/SI ⁴
Order Artiodactyla—Cetacea—Mysticeti (baleen whales)						
<i>Family Eschrichtiidae:</i> Gray Whale	<i>Eschrichtius robustus</i>	Eastern North Pacific	-, -, N	26,960 (0.05, 25,849, 2016).	801	131
<i>Family Balaenopteridae</i> (rorquals): Fin Whale	<i>Balaenoptera physalus</i>	Northeast Pacific	E, D, Y	UND (UND, UND, 2013) ⁵ .	UND	0.6
Humpback Whale	<i>Megaptera novaeangliae</i>	Hawai'i ⁶	-, -, N	11,278 (0.56, 7,265, 2020).	127	27.09
Humpback Whale	<i>Megaptera novaeangliae</i>	Mexico-North Pacific	T, D, Y	N/A (N/A, N/A, 2006) ⁷	UND	0.57
Humpback Whale	<i>Megaptera novaeangliae</i>	Western North Pacific	E, D, Y	1,084 (0.088, 1,007, 2006).	⁸ 3.4	5.82
Odontoceti (toothed whales, dolphins, and porpoises)						
<i>Family Delphinidae:</i>						

TABLE 2—SPECIES¹ WITH ESTIMATED TAKE FROM THE SPECIFIED ACTIVITIES—Continued

Common name	Scientific name	Stock	ESA/ MMPA status; strategic (Y/N) ²	Stock abundance (CV, N _{min} , most recent abundance survey) ³	PBR	Annual M/SI ⁴
Killer Whale	<i>Orcinus orca</i>	Eastern North Pacific Alaska Resident.	-, -, N	1,920 (N/A, 1,920, 2019) ⁹ .	19	1.3
Killer Whale	<i>Orcinus orca</i>	AT1 Transient	-, D, Y	7 (N/A, 7, 2019) ¹⁰	0.1	0
Killer Whale	<i>Orcinus orca</i>	Eastern North Pacific Gulf of Alaska, Aleutian Islands and Bering Sea Transient.	-, -, N	587 (N/A, 587, 2012) ¹¹ ..	5.9	0.8
Pacific White-Sided Dolphin	<i>Lagenorhynchus obliquidens</i>	North Pacific	-, -, N	26,880 (N/A, N/A, 1990)	UND	0
<i>Family Phocoenidae (porpoises):</i>						
Dall's Porpoise	<i>Phocoenoides dalli</i>	Alaska	-, -, N	UND (UND, UND, 2015) ¹² .	UND	37
Harbor Porpoise	<i>Phocoena phocoena</i>	Gulf of Alaska	-, -, Y	31,046 (0.21, N/A, 1998)	UND	72
Order Carnivora—Pinnipedia						
<i>Family Otariidae (eared seals and sea lions):</i>						
CA Sea Lion	<i>Zalophus californianus</i>	United States	-, -, N	257,606 (N/A, 233,515, 2014).	14,011	>321
Steller Sea Lion	<i>Eumetopias jubatus</i>	Western	E, D, Y	49,837 (N/A, 49,837, 2022) ¹³ .	299	267
<i>Family Phocidae (earless seals):</i>						
Harbor Seal	<i>Phoca vitulina</i>	Prince William Sound	-, -, N	44,756 (N/A, 41,776, 2015).	1,253	413
Northern Elephant Seal	<i>Mirounga angustirostris</i>	California Breeding	-, -, N	187,386 (N/A, 85,369, 2013).	5,122	13.7

¹ Information on the classification of marine mammal species can be found on the web page for The Society for Marine Mammalogy's Committee on Taxonomy (<https://marinemammalscience.org/science-and-publications/list-marine-mammal-species-subspecies/>; Committee on Taxonomy, 2022).

² ESA status: Endangered (E), Threatened (T)/MMPA status: Depleted (D). A dash (-) indicates that the species is not listed under the ESA or designated as depleted under the MMPA. Under the MMPA, a strategic stock is one for which the level of direct human-caused mortality exceeds PBR or which is determined to be declining and likely to be listed under the ESA within the foreseeable future. Any species or stock listed under the ESA is automatically designated under the MMPA as depleted and as a strategic stock.

³ NMFS marine mammal stock assessment reports online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessment-reports-region>. CV is coefficient of variation; N_{min} is the minimum estimate of stock abundance. In some cases, CV is not applicable.

⁴ These values, found in NMFS's SARs, represent annual levels of human-caused mortality plus serious injury from all sources combined (e.g., commercial fisheries, ship strike). Annual M/SI often cannot be determined precisely and is in some cases presented as a minimum value or range. A CV associated with estimated mortality due to commercial fisheries is presented in some cases.

⁵ The best available abundance estimate for this stock is not considered representative of the entire stock as surveys were limited to a small portion of the stock's range. Based upon this estimate and the N_{min}, the PBR value is likely negatively biased for the entire stock.

⁶ New SAR in 2022 following North Pacific humpback whale stock structure changes.

⁷ Abundance estimates are based upon data collected more than 8 years ago and, therefore, current estimates are considered unknown.

⁸ PBR in U.S. waters = 0.2, M/SI in U.S. waters = 0.06.

⁹ N_{est} is based upon counts of individuals identified from photo-ID catalogs.

¹⁰ N_{est} is based upon counts of individuals identified from photo-ID catalogs. PBR has been calculated, however, a reliable estimate of the maximum net productivity rate is not available for this stock, and the default cetacean maximum theoretical net productivity rate was used for the PBR calculation.

¹¹ N_{est} is based upon counts of individuals identified from photo-ID catalogs.

¹² The best available abundance estimate is likely an underestimate for the entire stock because it is based upon a survey that covered only a small portion of the stock's range.

¹³ N_{est} is best estimate of counts, which have not been corrected for animals at sea during abundance surveys. Estimates provided are for the United States only. The overall N_{min} is 73,211 and overall PBR is 439.

As indicated above, all 11 species (with 15 managed stocks) in table 2 temporally and spatially co-occur with the activity to the degree that take is reasonably likely to occur. While sperm whales (*Physeter macrocephalus*), eastern U.S. Steller sea lions, North Pacific right whales (*Eubalaena japonica*), blue whales (*Balaenoptera musculus*), sei whales (*Balaenoptera borealis*), and beluga whales (*Delphinapterus leucas*) are included in the biological assessment, these species do not occur in inner Resurrection Bay and are more commonly found along the vessel transit routes analyzed in the Biological Assessment. Thus, the temporal and/or spatial occurrence of these species is such that take is not expected to occur, and they are not discussed further beyond the explanation provided here.

In addition, northern sea otters (*Enhydra lutris*) may be found in Seward, Alaska. However, sea otters are managed by the U.S. Fish and Wildlife Service and are not considered further in this document.

In addition to what is included in sections 3 and 4 of the IHA application, and NMFS' website, further detail informing our analysis on the regional occurrence for select species of particular or unique vulnerability (i.e., information regarding ESA listed species) is provided below.

Fin Whale

Fin whales are found in the Gulf of Alaska year-round. They typically inhabit deep, offshore waters, but a portion of the northeast Pacific stock (ESA-endangered) habitually utilizes inshore waters of the Kitimat Fjord

System in coastal British Columbia, Canada; and fin whales have occasionally been observed in inside waters of southeast Alaska and Prince William Sound (Keen *et al.*, 2018; Ferguson *et al.*, 2015). Similar hydrographic conditions to those of fin whale inhabited areas of the Kitimat Fjord System are found in the outer reaches of Resurrection Bay and the Harding Gateway (Heggie *et al.*, 1977). Although most commonly sighted in outer Resurrection Bay, available occurrence data from the Global Biodiversity Information Facility (GBIF) show that fin whales have been observed as far into Resurrection Bay as the northern tip of Fox Island (GBIF, 2022c), with reported sightings in inner Resurrection Bay in 2019, 2023, and 2024 (GBIF, 2024c; Happywhale, 2025). There are no designated critical habitats

for fin whales and there are no biologically important areas in the action area.

Humpback Whale

Three stocks of humpback whales could be found in the project area. These include—the Hawai'i, Mexico-North Pacific Stock (ESA-threatened), and the western North Pacific Stock (ESA-endangered). Although humpbacks seasonally migrate, they are observed in inner Resurrection Bay regularly throughout the summer season (May through August) and may venture into the outer bay year-round (McCaslin 2019; GBIF, 2022a). There are no designated critical habitats or biologically important areas for humpback whales in the action area.

Steller Sea Lion

Only the western stock (ESA-endangered) of Steller sea lion is likely to occur in the action area. Womble *et al.* (2009) characterized Steller sea lion distribution in southeast Alaska in relation to seasonally available prey resources. Womble *et al.* identified four types of seasonal haulouts based on prey type and Resurrection Bay is characteristic of all four site types (ADF&G, 2022a; Brown *et al.*, 2002). The year-round availability of prey

resources in Resurrection Bay (especially at the head of the bay) make it excellent foraging habitat for Steller sea lions.

It is anticipated that Steller sea lions will be present in the range of the project area year-round, with fewer individuals during the breeding season (late May through early June) when breeding females and mature males congregate at rookeries.

Reports from professional tour boat captains based in Seward indicate that at least 5 to 10 Steller sea lions can be found foraging daily throughout inner Resurrection Bay, often near Seward Harbor. Other areas where Steller sea lions are commonly observed within inner Resurrection Bay include Lowell Point, Tonsina Point, and Fourth of July Beach (Personal communication, 2022).

The proposed action does not overlap with Steller sea lion critical habitat or any major haulouts and rookeries. The closest major haulouts to the action are at the mouth of Resurrection Bay, on the Resurrection Peninsula (20.95 kilometers (km) from the proposed action area) and on Hive Island (25.72 km from the proposed action area). The closest Steller sea lion rookery is the Chiswell Islands (approximately 54 km from the proposed action area).

Marine Mammal Hearing

Hearing is the most important sensory modality for marine mammals underwater, and exposure to anthropogenic sound can have deleterious effects. To appropriately assess the potential effects of exposure to sound, it is necessary to understand the frequency ranges marine mammals are able to hear. Not all marine mammal species have equal hearing capabilities (*e.g.*, Richardson *et al.*, 1995; Wartzkow and Ketten, 1999; Au and Hastings, 2008). To reflect this, Southall *et al.* (2007, 2019) recommended that marine mammals be divided into hearing groups based on directly measured (behavioral or auditory evoked potential techniques) or estimated hearing ranges (behavioral response data, anatomical modeling, *etc.*). Generalized hearing ranges were chosen based on the ~65 decibel (dB) threshold from composite audiograms, previous analyses in NMFS (2018), and/or data from Southall *et al.* (2007) and Southall *et al.* (2019). We note that the names of two hearing groups and the generalized hearing ranges of all marine mammal hearing groups have been recently updated (NMFS, 2024) as reflected below in table 3.

TABLE 3—MARINE MAMMAL HEARING GROUPS
(NMFS, 2024)

Hearing group	Generalized hearing range *
Low-frequency (LF) cetaceans (baleen whales)	7 Hz to 36 kHz.
High-frequency (HF) cetaceans (dolphins, toothed whales, beaked whales, bottlenose whales)	150 Hz to 160 kHz.
Very High-frequency (VHF) cetaceans (true porpoises, <i>Kogia</i> , river dolphins, Cephalorhynchid, <i>Lagenorhynchus cruciger</i> & <i>L. australis</i>).	200 Hz to 165 kHz.
Phocid pinnipeds (PW) (underwater) (true seals)	40 Hz to 90 kHz.
Otariid pinnipeds (OW) (underwater) (sea lions and fur seals)	60 Hz to 68 kHz.

* Represents the generalized hearing range for the entire group as a composite (*i.e.*, all species within the group), where individual species' hearing ranges may not be as broad. Generalized hearing range chosen based on ~65 dB threshold from composite audiogram, previous analysis in NMFS, 2018, and/or data from Southall *et al.*, 2007; Southall *et al.*, 2019. Additionally, animals are able to detect very loud sounds above and below that "generalized" hearing range.

For more detail concerning these groups and associated frequency ranges, please see NMFS (2024) for a review of available information.

Potential Effects of Specified Activities on Marine Mammals and Their Habitat

This section provides a discussion of the ways in which components of the specified activity may impact marine mammals and their habitat. The Estimated Take of Marine Mammals section later in this document includes a quantitative analysis of the number of individuals that are expected to be taken by this activity. The Negligible Impact Analysis and Determination section

considers the content of this section, the Estimated Take of Marine Mammals section, and the Proposed Mitigation section, to draw conclusions regarding the likely impacts of these activities on the reproductive success or survivorship of individuals and whether those impacts are reasonably expected to, or reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

Acoustic effects on marine mammals during the specified activity can occur from impact and vibratory pile driving. The effects of underwater noise from ARRC's proposed activities have the potential to result in Level A or Level

B harassment of marine mammals in the action area.

Description of Sound Sources

The marine soundscape is comprised of both ambient and anthropogenic sounds. Ambient sound is defined as the all-encompassing sound in a given place and is usually a composite of sound from many sources both near and far. The sound level of an area is defined by the total acoustical energy being generated by known and unknown sources. These sources may include physical (*e.g.*, waves, wind, precipitation, earthquakes, ice, atmospheric sound), biological (*e.g.*,

sounds produced by marine mammals, fish, and invertebrates), and anthropogenic sound (e.g., vessels, dredging, aircraft, construction).

The sum of the various natural and anthropogenic sound sources at any given location and time—which comprise “ambient” or “background” sound—depends not only on the source levels (as determined by current weather conditions and levels of biological and shipping activity) but also on the ability of sound to propagate through the environment. In turn, sound propagation is dependent on the spatially and temporally varying properties of the water column and sea floor, and is frequency-dependent. As a result of the dependence on a large number of varying factors, ambient sound levels can be expected to vary widely over both coarse and fine spatial and temporal scales. Sound levels at a given frequency and location can vary by 10 to 20 dB from day to day (Richardson *et al.*, 1995). The result is that, depending on the source type and its intensity, sound from the specified activity may be a negligible addition to the local environment or could form a distinctive signal that may affect marine mammals.

In-water construction activities associated with the project would include vibratory pile removal, and impact and vibratory pile driving. The sounds produced by these activities fall into one of two general sound types: impulsive and non-impulsive. Impulsive sounds (e.g., explosions, gunshots, sonic booms, impact pile driving) are typically transient, brief (less than 1 second), broadband, and consist of high peak sound pressure with rapid rise time and rapid decay (ANSI, 1986; NIOSH, 1998; ANSI, 2005; NMFS, 2018a). Non-impulsive sounds (e.g., aircraft, machinery operations such as drilling or dredging, vibratory pile driving, and active sonar systems) can be broadband, narrowband or tonal, brief or prolonged (continuous or intermittent), and typically do not have the high peak sound pressure with rapid rise/decay time that impulsive sounds do (ANSI, 1995; NIOSH, 1998; NMFS, 2018a). The distinction between these two sound types is important because they have differing potential to cause physical effects, particularly with regard to hearing (e.g., Ward 1997 in Southall *et al.*, 2007).

ARRC proposes to use vibratory hammers to remove steel piles, vibratory pile driving to install new steel pipe piles, sheet piles and H-piles and impact pile driving to install new steel pipe piles associated with the Seward Freight Dock project. Impact hammers

operate by repeatedly dropping a heavy piston onto a pile to drive the pile into the substrate. Sound generated by impact hammers is characterized by rapid rise times and high peak levels, a potentially injurious combination (Hastings and Popper, 2005). Vibratory hammers install piles by vibrating them and allowing the weight of the hammer to push them into the sediment.

Vibratory hammers produce significantly less sound than impact hammers. Peak sound pressure levels (SPLs) may be 180 dB or greater, but are generally 10 to 20 dB lower than SPLs generated during impact pile driving of the same-sized pile (Oestman *et al.*, 2009). Rise time is slower, reducing the probability and severity of injury, and sound energy is distributed over a greater amount of time (Nedwell and Edwards, 2002; Carlson *et al.*, 2005).

The likely or possible impacts of ARRC's proposed activity on marine mammals could involve both non-acoustic and acoustic stressors. Potential non-acoustic stressors could result from the physical presence of equipment and personnel; however, any impacts to marine mammals are expected to be primarily acoustic in nature. Acoustic stressors include effects of heavy equipment operation during pile installation and removal.

Acoustic Effects

The introduction of anthropogenic noise into the aquatic environment from pile driving and removal is the means by which marine mammals may be harassed from ARRC's specified activity. In general, animals exposed to natural or anthropogenic sound may experience behavioral, physiological, and/or physical effects, ranging in magnitude from none to severe (Southall *et al.*, 2007, 2019). In general, exposure to pile driving noise has the potential to result in behavioral reactions (e.g., avoidance, temporary cessation of foraging and vocalizing, changes in dive behavior) and, in limited cases, an auditory threshold shift (TS). Exposure to anthropogenic noise can also lead to non-observable physiological responses such as an increase in stress hormones. Additional noise in a marine mammal's habitat can mask acoustic cues used by marine mammals to carry out daily functions such as communication and predator and prey detection. The effects of pile driving noise on marine mammals are dependent on several factors, including, but not limited to, sound type (e.g., impulsive vs. non-impulsive), the species, age and sex class (e.g., adult male vs. mom with calf), duration of exposure, the distance between the pile and the animal,

received levels, behavior at time of exposure, and previous history with exposure (Wartzok *et al.*, 2004; Southall *et al.*, 2007). Here we discuss physical auditory effects (TSs) followed by behavioral effects and potential impacts on habitat.

NMFS defines a noise-induced TS as a change, usually an increase, in the threshold of audibility at a specified frequency or portion of an individual's hearing range above a previously established reference level (NMFS, 2018, 2024). The amount of TS is customarily expressed in dB. A TS can be permanent or temporary. As described in NMFS (2018, 2024), there are numerous factors to consider when examining the consequence of TS, including, but not limited to, the signal temporal pattern (e.g., impulsive or non-impulsive), likelihood an individual would be exposed for a long enough duration or to a high enough level to induce a TS, the magnitude of the TS, time to recovery (seconds to minutes or hours to days), the frequency range of the exposure (i.e., spectral content), the hearing and vocalization frequency range of the exposed species relative to the signal's frequency spectrum (i.e., how animal uses sound within the frequency band of the signal; e.g., Kastelein *et al.*, 2014), and the overlap between the animal and the source (e.g., spatial, temporal, and spectral).

Auditory Injury (AUD INJ) and Permanent Threshold Shift (PTS)—NMFS defines AUD INJ as “damage to the inner ear that can result in destruction of tissue . . . which may or may not result in PTS” (NMFS, 2024). NMFS defines PTS as a permanent, irreversible increase in the threshold of audibility at a specified frequency or portion of an individual's hearing range above a previously established reference level (NMFS, 2024). PTS does not generally affect more than a limited frequency range, and an animal that has incurred PTS has incurred some level of hearing loss at the relevant frequencies; typically, animals with PTS are not functionally deaf (Au and Hastings, 2008; Finneran, 2016). Available data from humans and other terrestrial mammals indicate that a 40-dB threshold shift approximates PTS onset (see Ward *et al.*, 1958, 1959, 1960; Kryter *et al.*, 1966; Miller, 1974; Ahroon *et al.*, 1996; Henderson *et al.*, 2008). PTS levels for marine mammals are estimates, as with the exception of a single study unintentionally inducing PTS in a harbor seal (Kastak *et al.*, 2008), there are no empirical data measuring PTS in marine mammals largely due to the fact that, for various ethical reasons, experiments involving

anthropogenic noise exposure at levels inducing PTS are not typically pursued or authorized (NMFS, 2018).

Temporary Threshold Shift (TTS)—TTS is a temporary, reversible increase in the threshold of audibility at a specified frequency or portion of an individual's hearing range above a previously established reference level (NMFS, 2018). Based on data from cetacean TTS measurements (Southall *et al.*, 2007), a TTS of 6 dB is considered the minimum TS clearly larger than any day-to-day or session-to-session variation in a subject's normal hearing ability (Schlundt *et al.*, 2000; Finneran *et al.*, 2000, 2002). As described in Finneran (2015), marine mammal studies have shown the amount of TTS increases with cumulative sound exposure level (SEL_{cum}) in an accelerating fashion: At low exposures with lower SEL_{cum} , the amount of TTS is typically small and the growth curves have shallow slopes. At exposures with higher SEL_{cum} , the growth curves become steeper and approach linear relationships with the noise SEL.

Depending on the degree (elevation of threshold in dB), duration (*i.e.*, recovery time), and frequency range of TTS, and the context in which it is experienced, TTS can have effects on marine mammals ranging from discountable to serious (similar to those discussed in the *Masking* section, below). For example, a marine mammal may be able to readily compensate for a brief, relatively small amount of TTS in a non-critical frequency range that takes place during a time when the animal is traveling through the open ocean, where ambient noise is lower and there are not as many competing sounds present. Alternatively, a larger amount and longer duration of TTS sustained during time when communication is critical for successful mother/calf interactions could have more serious impacts. We note that reduced hearing sensitivity as a simple function of aging has been observed in marine mammals, as well as humans and other taxa (Southall *et al.*, 2007), so we can infer that strategies exist for coping with this condition to some degree, though likely not without cost.

Many studies have examined noise-induced hearing loss in marine mammals (see Finneran (2015) and Southall *et al.* (2019) for summaries). TTS is the mildest form of hearing impairment that can occur during exposure to sound (Kryter, 2013). While experiencing TTS, the hearing threshold rises, and a sound must be at a higher level in order to be heard. In terrestrial and marine mammals, TTS can last from minutes or hours to days (in cases of

strong TTS). In many cases, hearing sensitivity recovers rapidly after exposure to the sound ends. For cetaceans, published data on the onset of TTS are limited to captive bottlenose dolphin (*Tursiops truncatus*), beluga whale, harbor porpoise, and Yangtze finless porpoise (*Neophocoena asiaticaorientalis*) (Southall *et al.*, 2019). For pinnipeds in water, measurements of TTS are limited to harbor seals, elephant seals, bearded seals (*Erignathus barbatus*) and California sea lions (Kastak *et al.*, 1999, 2007; Kastelein *et al.*, 2019b, 2019c, 2021, 2022a, 2022b; Reichmuth *et al.*, 2019; Sills *et al.*, 2020). TTS was not observed in spotted (*Phoca largha*) and ringed (*Pusa hispida*) seals exposed to single airgun impulse sounds at levels matching previous predictions of TTS onset (Reichmuth *et al.*, 2016). These studies examine hearing thresholds measured in marine mammals before and after exposure to intense or long-duration sound exposures. The difference between the pre-exposure and post-exposure thresholds can be used to determine the amount of threshold shift at various post-exposure times.

The amount and onset of TTS depends on the exposure frequency. Sounds at low frequencies, well below the region of best sensitivity for a species or hearing group, are less hazardous than those at higher frequencies, near the region of best sensitivity (Finneran and Schlundt, 2013). At low frequencies, onset-TTS exposure levels are higher compared to those in the region of best sensitivity (*i.e.*, a low frequency noise would need to be louder to cause TTS onset when TTS exposure level is higher), as shown for harbor porpoises and harbor seals (Kastelein *et al.*, 2019a, 2019c). Note that in general, harbor seals and harbor porpoises have a lower TTS onset than other measured pinniped or cetacean species (Finneran, 2015). In addition, TTS can accumulate across multiple exposures, but the resulting TTS will be less than the TTS from a single, continuous exposure with the same SEL (Mooney *et al.*, 2009; Finneran *et al.*, 2010; Kastelein *et al.*, 2014, 2015). This means that TTS predictions based on the total, cumulative SEL will overestimate the amount of TTS from intermittent exposures, such as sonars and impulsive sources. Nachtigall *et al.* (2018) describe measurements of hearing sensitivity of multiple odontocete species (bottlenose dolphin, harbor porpoise, beluga, and false killer whale (*Pseudorca crassidens*)) when a relatively loud sound was preceded by

a warning sound. These captive animals were shown to reduce hearing sensitivity when warned of an impending intense sound. Based on these experimental observations of captive animals, the authors suggest that wild animals may dampen their hearing during prolonged exposures or if conditioned to anticipate intense sounds. Another study showed that echolocating animals (including odontocetes) might have anatomical specializations that might allow for conditioned hearing reduction and filtering of low-frequency ambient noise, including increased stiffness and control of middle ear structures and placement of inner ear structures (Ketten *et al.*, 2021). Data available on noise-induced hearing loss for mysticetes are currently lacking (NMFS, 2018). Additionally, the existing marine mammal TTS data come from a limited number of individuals within these species.

Relationships between TTS and PTS thresholds have not been studied in marine mammals, and there is no PTS data for cetaceans, but such relationships are assumed to be similar to those in humans and other terrestrial mammals. PTS typically occurs at exposure levels at least several decibels above that inducing mild TTS (*e.g.*, a 40-dB threshold shift approximates PTS onset (Kryter *et al.*, 1966; Miller, 1974), while a 6-dB threshold shift approximates TTS onset (Southall *et al.*, 2007, 2019). Based on data from terrestrial mammals, a precautionary assumption is that the PTS thresholds for impulsive sounds (such as impact pile driving pulses as received close to the source) are at least 6 dB higher than the TTS threshold on a peak-pressure basis and PTS cumulative sound exposure level thresholds are 15 to 20 dB higher than TTS cumulative sound exposure level thresholds (Southall *et al.*, 2007, 2019). Given the higher level of sound or longer exposure duration necessary to cause PTS as compared with TTS, it is considerably less likely that PTS could occur.

Activities for this project include impact and vibratory pile driving and vibratory removal. There would likely be pauses in activities producing the sound during each day. Given these pauses and the fact that many marine mammals are likely moving through the project areas and not remaining for extended periods of time, the potential for TS declines.

Behavioral Harassment—Exposure to noise from pile driving also has the potential to behaviorally disturb marine mammals. Generally speaking, NMFS considers a behavioral disturbance that

risers to the level of harassment under the MMPA a non-minor response—in other words, not every response qualifies as behavioral disturbance, and for responses that do, those of a higher level, or accrued across a longer duration, have the potential to affect foraging, reproduction, or survival. Behavioral disturbance may include a variety of effects, including subtle changes in behavior (e.g., minor or brief avoidance of an area or changes in vocalizations), more conspicuous changes in similar behavioral activities, and more sustained and/or potentially severe reactions, such as displacement from or abandonment of high-quality habitat. Behavioral responses may include changing durations of surfacing and dives, changing direction and/or speed; reducing/increasing vocal activities; changing/cessation of certain behavioral activities (such as socializing or feeding); eliciting a visible startle response or aggressive behavior (such as tail/fin slapping or jaw clapping); avoidance of areas where sound sources are located. Pinnipeds may increase their haul out time, possibly to avoid in-water disturbance (Thorson and Reyff, 2006).

Behavioral responses to sound are highly variable and context-specific and any reactions depend on numerous intrinsic and extrinsic factors (e.g., species, state of maturity, experience, current activity, reproductive state, auditory sensitivity, time of day), as well as the interplay between factors (e.g., Richardson *et al.*, 1995; Wartzok *et al.*, 2004; Southall *et al.*, 2007, 2019; Weilgart, 2007; Archer *et al.*, 2010). Behavioral reactions can vary not only among individuals but also within an individual, depending on previous experience with a sound source, context, and numerous other factors (Ellison *et al.*, 2012), and can vary depending on characteristics associated with the sound source (e.g., whether it is moving or stationary, number of sources, distance from the source). In general, pinnipeds seem more tolerant of, or at least habituate more quickly to, potentially disturbing underwater sound than do cetaceans, and generally seem to be less responsive to exposure to industrial sound than most cetaceans. Please see Appendices B and C of Southall *et al.* (2007) and Gomez *et al.* (2016) for reviews of studies involving marine mammal behavioral responses to sound.

Habituation can occur when an animal's response to a stimulus wanes with repeated exposure, usually in the absence of unpleasant associated events (Wartzok *et al.*, 2004). Animals are most likely to habituate to sounds that are

predictable and unvarying. It is important to note that habituation is appropriately considered as a “progressive reduction in response to stimuli that are perceived as neither aversive nor beneficial,” rather than as, more generally, moderation in response to human disturbance (Bejder *et al.*, 2009). The opposite process is sensitization, when an unpleasant experience leads to subsequent responses, often in the form of avoidance, at a lower level of exposure.

As noted above, behavioral state may affect the type of response. For example, animals that are resting may show greater behavioral change in response to disturbing sound levels than animals that are highly motivated to remain in an area for feeding (Richardson *et al.*, 1995; Wartzok *et al.*, 2004; National Research Council (NRC), 2005). Controlled experiments with captive marine mammals have showed pronounced behavioral reactions, including avoidance of loud sound sources (Ridgway *et al.*, 1997; Finneran *et al.*, 2003). Observed responses of wild marine mammals to loud pulsed sound sources (e.g., seismic airguns) have been varied but often consist of avoidance behavior or other behavioral changes (Richardson *et al.*, 1995; Morton and Symonds, 2002; Nowacek *et al.*, 2007).

Available studies show wide variation in response to underwater sound; therefore, it is difficult to predict specifically how any given sound in a particular instance might affect marine mammals perceiving the signal. If a marine mammal does react briefly to an underwater sound by changing its behavior or moving a small distance, the impacts of the change are unlikely to be significant to the individual, let alone the stock or population. However, if a sound source displaces marine mammals from an important feeding or breeding area for a prolonged period, impacts on individuals and populations could be significant (e.g., Lusseau and Bejder, 2007; Weilgart, 2007; NRC, 2005). However, there are broad categories of potential response, which we describe in greater detail here, that include alteration of dive behavior, alteration of foraging behavior, effects to breathing, interference with or alteration of vocalization, avoidance, and flight.

Changes in dive behavior can vary widely and may consist of increased or decreased dive times and surface intervals as well as changes in the rates of ascent and descent during a dive (e.g., Frankel and Clark, 2000; Costa *et al.*, 2003; Ng and Leung, 2003; Nowacek *et al.*, 2004; Goldbogen *et al.*, 2013a, 2013b). Variations in dive behavior may reflect interruptions in biologically

significant activities (e.g., foraging) or they may be of little biological significance. The impact of an alteration to dive behavior resulting from an acoustic exposure depends on what the animal is doing at the time of the exposure and the type and magnitude of the response.

Disruption of feeding behavior can be difficult to correlate with anthropogenic sound exposure, so it is usually inferred by observed displacement from known foraging areas, the appearance of secondary indicators (e.g., bubble nets or sediment plumes), or changes in dive behavior. However, acoustic and movement bio-logging tools have been used in some cases, to infer responses of feeding to anthropogenic noise. For example, Blair *et al.* (2016) reported significant effects on humpback whale foraging behavior in Stellwagen Bank in response to ship noise including slower descent rates, and fewer side-rolling events per dive with increasing ship noise. In addition, Wisniewska *et al.* (2018) reported that tagged harbor porpoises demonstrated fewer prey capture attempts when encountering occasional high-noise levels resulting from vessel noise as well as more vigorous fluking, interrupted foraging, and cessation of echolocation signals observed in response to some high-noise vessel passes.

In response to playbacks of vibratory pile driving sounds, captive bottlenose dolphins showed changes in target detection and number of clicks used for a trained echolocation task (Branstetter *et al.*, 2018). Similarly, harbor porpoises trained to collect fish during playback of impact pile driving sounds also showed potential changes in behavior and task success, though individual differences were prevalent (Kastelein *et al.*, 2019d). As for other types of behavioral response, the frequency, duration, and temporal pattern of signal presentation, as well as differences in species sensitivity, are likely contributing factors to differences in response in any given circumstance (e.g., Croll *et al.*, 2001; Nowacek *et al.*, 2004; Madsen *et al.*, 2006; Yazvenko *et al.*, 2007). A determination of whether foraging disruptions incur fitness consequences would require information on or estimates of the energetic requirements of the affected individuals and the relationships among prey availability, foraging effort and success, and the life history stage(s) of the animal.

Variations in respiration naturally vary with different behaviors and alterations to breathing rate as a function of acoustic exposure can be expected to co-occur with other behavioral reactions, such as a flight

response or an alteration in diving. However, respiration rates in and of themselves may be representative of annoyance or an acute stress response. Various studies have shown that respiration rates may either be unaffected or could increase, depending on the species and signal characteristics, again highlighting the importance in understanding species differences in the tolerance of underwater noise when determining the potential for impacts resulting from anthropogenic sound exposure (e.g., Kastelein *et al.*, 2001, 2005, 2006; Gailey *et al.*, 2007). For example, harbor porpoise' respiration rate increased in response to pile driving sounds at and above a received broadband SPL of 136 dB (zero-peak SPL: 151 dB (referenced to 1 micropascal (re 1 μ Pa)); SEL of a single strike: 127 dB re 1 μ Pa²-s) (Kastelein *et al.*, 2013).

Avoidance is the displacement of an individual from an area or migration path as a result of the presence of a sound or other stressors, and is one of the most obvious manifestations of disturbance in marine mammals (Richardson *et al.*, 1995). For example, gray whales are known to change direction—deflecting from customary migratory paths—in order to avoid noise from seismic surveys (Malme *et al.*, 1984). Avoidance may be short-term, with animals returning to the area once the noise has ceased (e.g., Bowles *et al.*, 1994; Goold, 1996; Stone *et al.*, 2000; Morton and Symonds, 2002; Gailey *et al.*, 2007). Longer-term displacement is possible, however, which may lead to changes in abundance or distribution patterns of the affected species in the affected region if habituation to the presence of the sound does not occur (e.g., Blackwell *et al.*, 2004; Bejder *et al.*, 2006; Teilmann *et al.*, 2006).

A flight response is a dramatic change in normal movement to a directed and rapid movement away from the perceived location of a sound source. The flight response differs from other avoidance responses in the intensity of the response (e.g., directed movement, rate of travel). Relatively little information on flight responses of marine mammals to anthropogenic signals exist, although observations of flight responses to the presence of predators have occurred (Connor and Heithaus, 1996; Bowers *et al.*, 2018). The result of a flight response could range from brief, temporary exertion and displacement from the area where the signal provokes flight to, in extreme cases, marine mammal strandings (England *et al.*, 2001). However, it should be noted that response to a perceived predator does not necessarily

invoke flight (Ford and Reeves, 2008), and whether individuals are solitary or in groups may influence the response.

Behavioral disturbance can also impact marine mammals in more subtle ways. Increased vigilance may result in costs related to diversion of focus and attention (i.e., when a response consists of increased vigilance, it may come at the cost of decreased attention to other critical behaviors such as foraging or resting). These effects have generally not been demonstrated for marine mammals, but studies involving fishes and terrestrial animals have shown that increased vigilance may substantially reduce feeding rates (e.g., Beauchamp and Livoreil, 1997; Fritz *et al.*, 2002; Purser and Radford, 2011). In addition, chronic disturbance can cause population declines through reduction of fitness (e.g., decline in body condition) and subsequent reduction in reproductive success, survival, or both (e.g., Harrington and Veitch, 1992; Daan *et al.*, 1996; Bradshaw *et al.*, 1998). However, Ridgway *et al.* (2006) reported that increased vigilance in bottlenose dolphins exposed to sound over a 5-day period did not cause any sleep deprivation or stress effects.

Many animals perform vital functions, such as feeding, resting, traveling, and socializing, on a diel cycle (24-hour cycle). Disruption of such functions resulting from reactions to stressors such as sound exposure are more likely to be significant if they last more than one diel cycle or recur on subsequent days (Southall *et al.*, 2007). Consequently, a behavioral response lasting less than 1 day and not recurring on subsequent days is not considered particularly severe unless it could directly affect reproduction or survival (Southall *et al.*, 2007). Note that there is a difference between multi-day substantive (i.e., meaningful) behavioral reactions and multi-day anthropogenic activities. For example, just because an activity lasts for multiple days does not necessarily mean that individual animals are either exposed to activity-related stressors for multiple days or, further, exposed in a manner resulting in sustained multi-day substantive behavioral responses.

Stress Responses—An animal's perception of a threat may be sufficient to trigger stress responses consisting of some combination of behavioral responses, autonomic nervous system responses, neuroendocrine responses, or immune responses (e.g., Seyle, 1950; Moberg, 2000). In many cases, an animal's first and sometimes most economical (in terms of energetic costs) response is behavioral avoidance of the potential stressor. Autonomic nervous

system responses to stress typically involve changes in heart rate, blood pressure, and gastrointestinal activity. These responses have a relatively short duration and may or may not have a significant long-term effect on an animal's fitness.

Neuroendocrine stress responses often involve the hypothalamus-pituitary-adrenal system. Virtually all neuroendocrine functions that are affected by stress—including immune competence, reproduction, metabolism, and behavior—are regulated by pituitary hormones. Stress-induced changes in the secretion of pituitary hormones have been implicated in failed reproduction, altered metabolism, reduced immune competence, and behavioral disturbance (e.g., Moberg, 1987; Blecha, 2000). Increases in the circulation of glucocorticoids are also equated with stress (Romano *et al.*, 2004).

The primary distinction between stress (which is adaptive and does not normally place an animal at risk) and “distress” is the cost of the response. During a stress response, an animal uses glycogen stores that can be quickly replenished once the stress is alleviated. In such circumstances, the cost of the stress response would not pose serious fitness consequences. However, when an animal does not have sufficient energy reserves to satisfy the energetic costs of a stress response, energy resources must be diverted from other functions. This state of distress will last until the animal replenishes its energetic reserves sufficient to restore normal function.

Relationships between these physiological mechanisms, animal behavior, and the costs of stress responses are well-studied through controlled experiments and for both laboratory and free-ranging animals (e.g., Holberton *et al.*, 1996; Hood *et al.*, 1998; Jessop *et al.*, 2003; Krausman *et al.*, 2004; Lankford *et al.*, 2005). Stress responses due to exposure to anthropogenic sounds or other stressors and their effects on marine mammals have also been reviewed (Fair and Becker, 2000; Romano *et al.*, 2002b) and, more rarely, studied in wild populations (e.g., Romano *et al.*, 2002a). For example, Rolland *et al.* (2012) found that noise reduction from reduced ship traffic in the Bay of Fundy was associated with decreased stress in North Atlantic right whales. These and other studies lead to a reasonable expectation that some marine mammals would experience physiological stress responses upon exposure to acoustic stressors and that it is possible that some of these would be classified as “distress.” In addition, any animal

experiencing TTS would likely also experience stress responses (NRC, 2003), however distress is an unlikely result of this project based on observations of marine mammals during previous, similar projects in the area.

Auditory Masking—Since many marine mammals rely on sound to find prey, moderate social interactions, and facilitate mating (Tyack, 2008), noise from anthropogenic sound sources can interfere with these functions, but only if the noise spectrum overlaps with the hearing sensitivity of the receiving marine mammal (Southall *et al.*, 2007; Clark *et al.*, 2009; Hatch *et al.*, 2012). Chronic exposure to excessive, though not high-intensity, noise could cause masking at particular frequencies for marine mammals that utilize sound for vital biological functions (Clark *et al.*, 2009). Acoustic masking is when other noises such as from human sources interfere with an animal's ability to detect, recognize, or discriminate between acoustic signals of interest (*e.g.*, those used for intraspecific communication and social interactions, prey detection, predator avoidance, navigation) (Richardson *et al.*, 1995; Erbe *et al.*, 2016). Therefore, under certain circumstances, marine mammals whose acoustical sensors or environment are being severely masked could also be impaired from maximizing their performance fitness in survival and reproduction. The ability of a noise source to mask biologically important sounds depends on the characteristics of both the noise source and the signal of interest (*e.g.*, signal-to-noise ratio, temporal variability, direction), in relation to each other and to an animal's hearing abilities (*e.g.*, sensitivity, frequency range, critical ratios, frequency discrimination, directional discrimination, age or TTS hearing loss), and existing ambient noise and propagation conditions (Hotchkiss and Parks, 2013).

Marine mammals vocalize for different purposes and across multiple modes, such as whistling, echolocation click production, calling, and singing. Changes in vocalization behavior in response to anthropogenic noise can occur for any of these modes and may result from a need to compete with an increase in background noise or may reflect increased vigilance or a startle response. For example, in the presence of potentially masking signals, humpback whales and killer whales have been observed to increase the length of their songs (Miller *et al.*, 2000; Fristrup *et al.*, 2003) or vocalizations (Foote *et al.*, 2004), respectively, while North Atlantic right whales (*Eubalaena glacialis*) have been observed to shift the

frequency content of their calls upward while reducing the rate of calling in areas of increased anthropogenic noise (Parks *et al.*, 2007). Fin whales have also been documented lowering the bandwidth, peak frequency, and center frequency of their vocalizations under increased levels of background noise from large vessels (Castellote *et al.*, 2012). Other alterations to communication signals have also been observed. For example, gray whales, in response to playback experiments exposing them to vessel noise, have been observed increasing their vocalization rate and producing louder signals at times of increased outboard engine noise (Dahlheim and Castellote, 2016). Alternatively, animals may cease sound production during production of aversive signals (Bowles *et al.*, 1994).

Under certain circumstances, marine mammals experiencing significant masking could also be impaired from maximizing their performance fitness in survival and reproduction. Therefore, when the coincident (masking) sound is human-made, it may be considered harassment when disrupting or altering critical behaviors. It is important to distinguish TTS and PTS, which persist after the sound exposure, from masking, which occurs during the sound exposure. Because masking (without resulting in TS) is not associated with abnormal physiological function, it is not considered a physiological effect, but rather a potential behavioral effect (though not necessarily one that would be associated with harassment).

The frequency range of the potentially masking sound is important in determining any potential behavioral impacts. For example, low-frequency signals may have less effect on high-frequency echolocation sounds produced by odontocetes but are more likely to affect detection of mysticete communication calls and other potentially important natural sounds such as those produced by surf and some prey species. The masking of communication signals by anthropogenic noise may be considered as a reduction in the communication space of animals (*e.g.*, Clark *et al.*, 2009) and may result in energetic or other costs as animals change their vocalization behavior (*e.g.*, Miller *et al.*, 2000; Foote *et al.*, 2004; Parks *et al.*, 2007; Di Iorio and Clark, 2010; Holt *et al.*, 2009). Masking can be reduced in situations where the signal and noise come from different directions (Richardson *et al.*, 1995), through amplitude modulation of the signal, or through other compensatory behaviors (Hotchkiss and Parks, 2013). Masking can be tested directly in captive species

(*e.g.*, Erbe, 2008), but in wild populations it must be either modeled or inferred from evidence of masking compensation. There are few studies addressing real-world masking sounds likely to be experienced by marine mammals in the wild (*e.g.*, Branstetter *et al.*, 2013).

Marine mammals at or near the proposed ARRC project site may be exposed to anthropogenic noise which may be a source of masking. Vocalization changes may result from a need to compete with an increase in background noise and include increasing the source level, modifying the frequency, increasing the call repetition rate of vocalizations, or ceasing to vocalize in the presence of increased noise (Hotchkiss and Parks, 2013). For example, in response to loud noise, beluga whales may shift the frequency of their echolocation clicks to prevent masking by anthropogenic noise (Tyack, 2000; Eickmeier and Vallarta, 2022).

Masking occurs in the frequency band or bands that animals utilize and is more likely to occur in the presence of broadband, relatively continuous noise sources such as vibratory pile driving. Energy distribution of pile driving covers a broad frequency spectrum, and sound from pile driving would be within the audible range of pinnipeds and cetaceans present in the proposed action area. While some construction during the ARRC's activities may mask some acoustic signals that are relevant to the daily behavior of marine mammals, the short-term duration and limited areas affected make it very unlikely that the fitness of individual marine mammals would be impacted.

Airborne Acoustic Effects—Pinnipeds that occur near the project site could be exposed to airborne sounds associated with construction activities that have the potential to cause behavioral harassment, depending on their distance from these activities. Airborne noise would primarily be an issue for pinnipeds that are swimming or hauled out near the project site within the range of noise levels elevated above airborne acoustic harassment criteria. According to the ARRC, pinnipeds have historically been observed hauling out on the sediment groin near the Freight Dock in 1999. While more recent information is not available, it is possible that pinnipeds could temporarily haul out in this area during the project. There is also a possibility that an animal could surface in-water, but with head out, within the area in which airborne sound exceeds relevant thresholds and thereby be exposed to levels of airborne sound that we

associate with harassment. Any such occurrence on days with in-water pile driving activities would likely be accounted for in our estimation of incidental take from underwater sound. On days when pile driving is occurring only on land immediately adjacent to the Freight Dock authorization of incidental take resulting from airborne sound for pinnipeds is warranted due to the potential for pinnipeds to be exposed while hauled out on the sediment groin or surfacing with head out of the water. Cetaceans are not expected to be exposed to airborne sounds that would result in harassment as defined under the MMPA.

Marine Mammal Habitat Effects

The project would occur near an active marine commercial and industrial area. Construction activities at the Seward Freight Dock could have localized, temporary impacts on marine mammal habitat and their prey by increasing in-water SPLs and slightly decreasing water quality. Increased noise levels may affect acoustic habitat (see *Auditory Masking* discussion above) and adversely affect marine mammal prey in the vicinity of the project area (see discussion below). During in-water vibratory and impact pile driving, elevated levels of underwater noise would ensonify a portion of Resurrection Bay, where both fish and some mammals occur and could affect foraging success.

Construction activities are of short duration and would likely have temporary impacts on marine mammal habitat through increases in underwater and airborne sound. These sounds would not be detectable at the nearest known official sea lion and seal haulouts, which are beyond the maximum distance of predicted in-air acoustical disturbance.

Water Quality—Temporary and localized reduction in water quality would occur as a result of in-water construction activities. Most of this effect would occur during the installation and removal of piles when bottom sediments are disturbed. The installation and removal of piles would disturb bottom sediments and may cause a temporary increase in suspended sediment in the project area. During pile removal, sediment attached to the pile moves vertically through the water column until gravitational forces cause it to slough off under its own weight. The small resulting sediment plume is expected to settle out of the water column within a few hours. Studies of the effects of turbid water on fish (marine mammal prey) suggest that concentrations of suspended sediment

can reach thousands of milligrams per liter before an acute toxic reaction is expected (Burton, 1993).

Effects to turbidity and sedimentation are expected to be short-term, minor, and localized. Suspended sediments in the water column should dissipate and quickly return to background levels in all construction scenarios. Turbidity within the water column has the potential to reduce the level of oxygen in the water and irritate the gills of prey fish species in the proposed project area. However, turbidity plumes associated with the project would be temporary and localized, and fish in the proposed project area would be able to move away from and avoid the areas where plumes may occur. Therefore, it is expected that the impacts on prey fish species from turbidity, and therefore on marine mammals, would be minimal and temporary. In general, the area likely impacted by the proposed construction activities is relatively small compared to the available marine mammal habitat in the Gulf of Alaska, and does not include any areas of particular importance.

In-Water Construction Effects on Potential Prey—Sound may affect marine mammals through impacts on the abundance, behavior, or distribution of prey species (e.g., crustaceans, cephalopods, fish, zooplankton). Marine mammal prey varies by species, season, and location and, for some, is not well documented. Here, we describe studies regarding the effects of noise on known marine mammal prey.

Fish utilize the soundscape and components of sound in their environment to perform important functions such as foraging, predator avoidance, mating, and spawning (e.g., Zelik *et al.*, 1999; Fay, 2009). Depending on their hearing anatomy and peripheral sensory structures, which vary among species, fishes hear sounds using pressure and particle motion sensitivity capabilities and detect the motion of surrounding water (Fay *et al.*, 2008). The potential effects of noise on fishes depends on the overlapping frequency range, distance from the sound source, water depth of exposure, and species-specific hearing sensitivity, anatomy, and physiology. Key impacts to fishes may include behavioral responses, hearing damage, barotrauma (pressure-related injuries), and mortality.

Fish react to sounds which are especially strong and/or intermittent low-frequency sounds, and behavioral responses such as flight or avoidance are the most likely effects. Short duration, sharp sounds can cause overt or subtle changes in fish behavior and

local distribution. The reaction of fish to noise depends on the physiological state of the fish, past exposures, motivation (e.g., feeding, spawning, migration), and other environmental factors. Hastings and Popper (2005) identified several studies that suggest fish may relocate to avoid certain areas of sound energy. Additional studies have documented effects of pile driving on fish, although several are based on studies in support of large, multiyear bridge construction projects (e.g., Scholik and Yan, 2001, 2002; Popper and Hastings, 2009). Several studies have demonstrated that impulse sounds might affect the distribution and behavior of some fishes, potentially impacting foraging opportunities or increasing energetic costs (e.g., Fewtrell and McCauley, 2012; Pearson *et al.*, 1992; Skalski *et al.*, 1992; Santulli *et al.*, 1999; Paxton *et al.*, 2017). However, some studies have shown no or slight reaction to impulse sounds (e.g., Pena *et al.*, 2013; Wardle *et al.*, 2001; Jorgenson and Gyselman, 2009; Cott *et al.*, 2012). More commonly, though, the impacts of noise on fish are temporary.

SPLs of sufficient strength have been known to cause injury to fish and fish mortality. However, in most fish species, hair cells in the ear continuously regenerate and loss of auditory function likely is restored when damaged cells are replaced with new cells. Halvorsen *et al.* (2012a) showed that a TTS of 4–6 dB was recoverable within 24 hours for one species. Impacts would be most severe when the individual fish is close to the source and when the duration of exposure is long. Injury caused by barotrauma can range from slight to severe and can cause death, and is most likely for fish with swim bladders. Barotrauma injuries have been documented during controlled exposure to impact pile driving (Halvorsen *et al.*, 2012b; Casper *et al.*, 2013).

The greatest potential impact to fishes during construction would occur during impact pile installation of 24-in steel pipe piles, which is estimated to occur on up to 28 days for a maximum of 1,230 strikes per day. In-water construction activities would only occur during daylight hours, allowing fish to forage and transit the project area in the evening. Vibratory pile driving would possibly elicit behavioral reactions from fishes such as temporary avoidance of the area but is unlikely to cause injuries to fishes or have persistent effects on local fish populations. Construction also would have minimal permanent and temporary impacts on benthic invertebrate species, a marine mammal prey source. In addition, it should be

noted that the area in question is low-quality habitat since it is already highly developed and experiences a high level of anthropogenic noise from normal operations and other vessel traffic. In general, any negative impacts on marine mammal prey species are expected to be minor and temporary.

Fish populations in the proposed project area that serve as marine mammal prey could be temporarily affected by noise from pile installation and removal. The frequency range in which fishes generally perceive underwater sounds is 50 to 2,000 Hz, with peak sensitivities below 800 Hz (Popper and Hastings, 2009). Fish behavior or distribution may change, especially with strong and/or intermittent sounds that could harm fishes. High underwater SPLs have been documented to alter behavior, cause hearing loss, and injure or kill individual fish by causing serious internal injury (Hastings and Popper, 2005).

The most likely impact to fish from pile driving activities in the project area would be temporary behavioral avoidance of the area. The duration of fish avoidance of an area after pile driving stops is unknown, but a rapid return to normal recruitment, distribution and behavior is anticipated. In general, impacts to marine mammal prey species are expected to be minor and temporary due to the expected short daily duration of individual pile driving events.

In-Water Construction Effects on Potential Foraging Habitat—The area likely impacted by the project is relatively small compared to the available habitat in the Gulf of Alaska and does not include any biologically important areas (BIAs) or ESA-designated critical habitat. The total area affected by pile installation and removal and the new footprint is small compared to the vast foraging area available to marine mammals in the area. Pile driving and removal at the project site would not obstruct long-term movements or migration of marine mammals.

Avoidance by potential prey (*i.e.*, fish) of the immediate area due to the temporary loss of this foraging habitat is also possible. The duration of fish and marine mammal avoidance of this area after pile driving stops is unknown, but a rapid return to normal recruitment, distribution, and behavior is anticipated. Any behavioral avoidance by fish or marine mammals of the disturbed area would still leave significantly large areas of fish and marine mammal foraging habitat in the nearby vicinity.

In summary, given the short daily duration of sound associated with individual pile driving events and the relatively small areas being affected, pile driving activities associated with the proposed action are not likely to have a permanent adverse effect on any fish habitat, or populations of fish species. Any behavioral avoidance by fish of the disturbed area would still leave significantly large areas of fish and marine mammal foraging habitat in the nearby vicinity. Thus, we conclude that impacts of the specified activity are not likely to have more than short-term adverse effects on any prey habitat or populations of prey species. Further, any impacts to marine mammal habitat are not expected to result in significant or long-term consequences for individual marine mammals, or to contribute to adverse impacts on their populations.

Estimated Take of Marine Mammals

This section provides an estimate of the number of incidental takes proposed for authorization through the IHA, which will inform NMFS' consideration of "small numbers," the negligible impact determinations, and impacts on subsistence uses.

Harassment is the only type of take expected to result from these activities. Except with respect to certain activities not pertinent here, section 3(18) of the MMPA defines "harassment" as any act of pursuit, torment, or annoyance, which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

Authorized takes would primarily be by Level B harassment, as use of the acoustic source (*i.e.*, pile driving) has the potential to result in disruption of behavioral patterns for individual marine mammals. There is also some potential for AUD INJ (Level A harassment) to result, primarily for very high frequency species and phocids because predicted AUD INJ zones are larger than for high-frequency species and otariids. AUD INJ is unlikely to occur for high-frequency species and otariids. The proposed mitigation and monitoring measures are expected to minimize the severity of the taking to the extent practicable. As described previously, no serious injury or mortality is anticipated or proposed to be authorized for this activity. Below we

describe how the proposed take numbers are estimated.

For acoustic impacts, generally speaking, we estimate take by considering: (1) acoustic criteria above which NMFS believes the best available science indicates marine mammals will likely be behaviorally harassed or incur some degree of AUD INJ; (2) the area or volume of water that will be ensonified above these levels in a day; (3) the density or occurrence of marine mammals within these ensonified areas; and, (4) the number of days of activities. We note that while these factors can contribute to a basic calculation to provide an initial prediction of potential takes, additional information that can qualitatively inform take estimates is also sometimes available (*e.g.*, previous monitoring results or average group size). Below, we describe the factors considered here in more detail and present the proposed take estimates.

Acoustic Criteria

NMFS recommends the use of acoustic criteria that identify the received level of underwater sound above which exposed marine mammals would be reasonably expected to be behaviorally harassed (equated to Level B harassment) or to incur AUD INJ of some degree (equated to Level A harassment). We note that the criteria for AUD INJ, as well as the names of two hearing groups, have been recently updated (NMFS, 2024) as reflected below in the *Level A Harassment* section.

Level B Harassment—Though significantly driven by received level, the onset of behavioral disturbance from anthropogenic noise exposure is also informed to varying degrees by other factors related to the source or exposure context (*e.g.*, frequency, predictability, duty cycle, duration of the exposure, signal-to-noise ratio, distance to the source), the environment (*e.g.*, bathymetry, other noises in the area, predators in the area), and the receiving animals (hearing, motivation, experience, demography, life stage, depth) and can be difficult to predict (*e.g.*, Southall *et al.*, 2007, 2021; Ellison *et al.*, 2012). Based on what the available science indicates and the practical need to use a threshold based on a metric that is both predictable and measurable for most activities, NMFS typically uses a generalized acoustic threshold based on received level to estimate the onset of behavioral harassment. NMFS generally predicts that marine mammals are likely to be behaviorally harassed in a manner considered to be Level B harassment when exposed to underwater

anthropogenic noise above root-mean-squared pressure received levels (RMS SPL) of 120 dB re 1 μ Pa for continuous (e.g., vibratory pile driving, drilling) and above RMS SPL 160 dB re 1 μ Pa for non-explosive impulsive (e.g., seismic airguns) or intermittent (e.g., scientific sonar) sources. For in-air sounds, NMFS predicts that harbor seals exposed above received levels of 90 dB re 20 μ Pa (rms) will be behaviorally harassed. Generally speaking, Level B harassment take estimates based on these behavioral harassment thresholds are expected to include any likely takes by TTS as, in most cases, the likelihood of TTS occurs at distances from the source less than those at which behavioral harassment is likely. TTS of a sufficient degree can manifest as behavioral harassment, as

reduced hearing sensitivity and the potential reduced opportunities to detect important signals (conspecific communication, predators, prey) may result in changes in behavior patterns that would not otherwise occur.

ARRC's proposed activity includes the use of continuous (vibratory pile driving) and impulsive (impact pile driving) sources, and therefore the RMS SPL thresholds of 120 and 160 dB re 1 μ Pa are applicable.

Level A Harassment—NMFS' Updated Technical Guidance for Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing (Version 3.0; Updated Technical Guidance, 2024) identifies dual criteria to assess AUD INJ (Level A harassment) to five different underwater marine mammal groups (based on hearing sensitivity) as

a result of exposure to noise from two different types of sources (impulsive or non-impulsive). ARRC's proposed activity includes the use of impulsive (impact pile driving) and non-impulsive (vibratory pile driving) sources.

The 2024 Updated Technical Guidance criteria include both updated thresholds and updated weighting functions for each hearing group. The thresholds are provided in the table below. The references, analysis, and methodology used in the development of the criteria are described in NMFS' 2024 Updated Technical Guidance, which may be accessed at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-acoustic-technical-guidance-other-acoustic-tools>.

TABLE 4—THRESHOLDS IDENTIFYING THE ONSET OF AUDITORY INJURY

Hearing group	AUD INJ onset acoustic thresholds* (received level)	
	Impulsive	Non-impulsive
Low-Frequency (LF) Cetaceans	<i>Cell 1:</i> $L_{pk,flat}$: 222 dB; $L_E,LF,24h$: 183 dB	<i>Cell 2:</i> $L_E,LF,24h$: 197 dB.
High-Frequency (HF) Cetaceans	<i>Cell 3:</i> $L_{pk,flat}$: 230 dB; $L_E,HF,24h$: 193 dB	<i>Cell 4:</i> $L_E,HF,24h$: 201 dB.
Very High-Frequency (VHF) Cetaceans	<i>Cell 5:</i> $L_{pk,flat}$: 202 dB; $L_E,VHF,24h$: 159 dB	<i>Cell 6:</i> $L_E,VHF,24h$: 181 dB.
Phocid Pinnipeds (PW) (Underwater)	<i>Cell 7:</i> $L_{pk,flat}$: 223 dB; $L_E,PW,24h$: 183 dB	<i>Cell 8:</i> $L_E,PW,24h$: 195 dB.
Otariid Pinnipeds (OW) (Underwater)	<i>Cell 9:</i> $L_{pk,flat}$: 230 dB; $L_E,OW,24h$: 185 dB	<i>Cell 10:</i> $L_E,OW,24h$: 199 dB.

* Dual metric criteria for impulsive sounds: Use whichever criteria results in the larger isopleth for calculating AUD INJ onset. If a non-impulsive sound has the potential of exceeding the peak sound pressure level criteria associated with impulsive sounds, the PK SPL criteria are recommended for consideration for non-impulsive sources.

Note: Peak sound pressure level ($L_{p,O-pk}$) has a reference value of 1 μ Pa, and weighted cumulative sound exposure level ($L_{E,p}$) has a reference value of 1 μ Pa²s. In this table, criteria are abbreviated to be more reflective of International Organization for Standardization standards (ISO 2017; ISO 2020). The subscript "flat" is being included to indicate peak sound pressure are flat weighted or unweighted within the generalized hearing range of marine mammals underwater (i.e., 7 Hz to 165 kHz). The subscript associated with cumulative sound exposure level criteria indicates the designated marine mammal auditory weighting function (LF, HF, and VHF cetaceans, and PW and OW pinnipeds) and that the recommended accumulation period is 24 hours. The weighted cumulative sound exposure level criteria could be exceeded in a multitude of ways (i.e., varying exposure levels and durations, duty cycle). When possible, it is valuable for action proponents to indicate the conditions under which these criteria will be exceeded.

Ensonified Area

Here, we describe operational and environmental parameters of the activity that are used in estimating the area ensonified above the acoustic thresholds, including source levels and transmission loss coefficient.

The sound field in the project area is the existing background noise plus

additional construction noise from the proposed project. Marine mammals are expected to be affected via sound generated by the primary components of the project (i.e., pile driving and removal).

The project includes vibratory pile installation and removal, and impact pile driving. Source levels for these

activities are based on reviews of measurements of the same or similar types and dimensions of piles available in the literature. Source levels for each pile size are presented in tables 5 and 6. Source levels for vibratory installation and removal of piles of the same diameter are assumed to be the same.

TABLE 5—ESTIMATES OF MEAN UNDERWATER SOUND LEVELS* GENERATED DURING IN-WATER VIBRATORY AND IMPACT PILE INSTALLATION AND VIBRATORY PILE REMOVAL

Method	Pile size and type	dB RMS (dB re 1 μ Pa RMS)	dB peak (dB re 1 μ Pa RMS)	dB SEL (dB re 1 μ Pa RMS)	Reference
Vibratory install and removal	24-in steel pile	163	181	153	NMFS 2023 Calculation.
Vibratory Install	Sheet pile pair	160.7	.....	161.1	Caltrans 2015.
Vibratory Install	H-pile	150	.....	147	Caltrans 2015.
Vibratory Install	30-in steel pile	167	179	153	NMFS 2023 Calculation.
Impact install	30-in steel pile	190	210	177	Caltrans 2015.

Note: dB peak = peak sound level; rms = root mean square; SEL = sound exposure level.

* All sound levels are referenced at 10 m.

TABLE 6—ESTIMATED IN-AIR PROXY SOURCE LEVELS FOR UPLAND VIBROCOMPACTION, PILE INSTALLATION AND REMOVAL

Method	Pile size and type	Source level (dB)	Reference
Vibratory install and removal	All piles	103	NMFS 2023 Calculation.

TL is the decrease in acoustic intensity as an acoustic pressure wave propagates out from a source. *TL* parameters vary with frequency, temperature, sea conditions, current, source and receiver depth, water depth, water chemistry, and bottom composition and topography. The general formula for underwater *TL* is: $TL = B \times \text{Log}_{10} (R_1/R_2)$,

Where:

TL = transmission loss in dB

B = transmission loss coefficient

*R*₁ = the distance of the modeled SPL from the driven pile, and

*R*₂ = the distance from the driven pile of the initial measurement

Absent site-specific acoustical monitoring with differing measured *TL*, a practical spreading value of 15 is used

as the *TL* coefficient in the above formula. Site-specific *TL* data for Resurrection Bay are not available; therefore, the default coefficient of 15 is used to determine the distances to the Level A harassment and Level B harassment thresholds.

The ensounded area associated with Level A harassment is more technically challenging to predict due to the need to account for a duration component. Therefore, NMFS developed an optional User Spreadsheet tool to accompany the 2024 Updated Technical Guidance that can be used to relatively simply predict an isopleth distance for use in conjunction with marine mammal density or occurrence to help predict potential takes. We note that because of some of the assumptions included in the

methods underlying this optional tool, we anticipate that the resulting isopleth estimates are typically going to be overestimates of some degree, which may result in an overestimate of potential take by Level A harassment. However, this optional tool offers the best way to estimate isopleth distances when more sophisticated modeling methods are not available or practical. For stationary sources [such as pile driving], the optional User Spreadsheet tool predicts the distance at which, if a marine mammal remained at that distance for the duration of the activity, it would be expected to incur AUD INJ. Inputs used in the optional User Spreadsheet tool can be found above in tables 1, 5, and 6, and the resulting estimated isopleths, are reported below.

TABLE 7—LEVEL A AND LEVEL B HARASSMENT ISOPLETHS FOR PILE DRIVING ACTIVITIES

Method	Pile size and type	Distances to Level A and Level B thresholds (m)					
		LF	HF	VHF	Phocids	Otariid	Level B
In-water Removal and Install							
Vibratory install and removal	24-in steel pile	41.4	15.9	33.8	53.3	17.9	7,356.4
Vibratory Install	Sheet pile pair	40.9	15.7	33.4	52.6	17.7	5,168.2
Vibratory Install	H-pile	2.7	1	2.2	30.5	1.2	1,000
Vibratory Install (Fender)	30-in steel pile	58.4	22.4	47.7	75.1	25.3	13,593.6
Vibratory Install (Dolphin)	30-in steel pile	36.8	14.1	30	47.3	15.9	13,593.6
Impact install	30-in steel pile	930.4	118.7	1,439.9	826.6	308.1	1,000
Uplands Removal and Install							
Vibratory install and removal	All piles	Na	Na	Na	Na	Na	* 67

* Only applicable to Harbor seals. No in-air take of any otariids is anticipated, so we have only included the range for phocids in this table.

Marine Mammal Occurrence and Take Estimation

In this section we provide information about the occurrence of marine mammals, including density or other relevant information which will inform the take calculations.

The ARRC calculated a monthly occurrence estimate based on literature and communication with locals in the Seward area. They then multiplied that monthly occurrence by the estimated days of work in that month. After review of their estimates, NMFS believed some of the estimates to be inconsistent with the cited literature and local communications. Following careful review of the analysis and literature presented by the ARRC in its application, including marine mammal

occurrence data and estimates, NMFS has preliminarily determined that different occurrence calculations for some species based on seasonality (peak vs off-peak) rather than monthly, represent the best available scientific information for marine mammal abundance in the action area (table 8). This change from what ARRC proposed was done in consultation with the NMFS Alaska Region and other active Seward actions. Calculated takes are still based on ARRC's method.

As described above, the estimated number of days of in-water pile driving is 155 and the number of days with upland pile driving is 106. However, for take incidental to the upland construction, only days where there is upland only construction (64 days) was

used in the calculation. On days where there is both in water and upland construction we assume harbor seals would be taken in the water prior to hauling out. Take incidental to upland construction is only expected for harbor seals. We do not expect in-air take of any Otariids and therefore have not included them in table 7 above.

There is also some potential for take by Level A harassment of harbor seal, Dall's porpoise, and harbor porpoise during impact pile driving due to the largest zones of each species being greater than the shutdown zones and/or because of the cryptic nature and assumed lower detectability of these species. We calculated Level A take using the same method as Level B, using

only days of work where impact driving would occur.

TABLE 8—SPECIES OCCURRENCE ESTIMATED

Species	Abundance estimate
Gray whale	1 group of 1 over the project.
Fin whale	1 group of 2 over the project.
Humpback whale	Peak: 1/day; Off-peak: 1 every other day.
Killer whale	Peak: 7/week; Off-peak: 5/week.
Pacific white sided dolphin	2/month (spring/summer); 3/month (fall/winter).
Dall's porpoise	5 every other day.
Harbor porpoise	1/day.
Harbor seal	12/day.
Steller sea lion	Peak: 8/day; Off-peak: 2/day.
Northern elephant seal	1/month.
California sea lion	1/month.

TABLE 9—PROPOSED TAKE BY STOCK, HARASSMENT TYPE, AND AS A PERCENTAGE OF STOCK ABUNDANCE

Species	Stock	Proposed authorized take		Proposed take as percentage of stock
		Level A harassment	Level B harassment	
Gray whale	Eastern North Pacific	0	1	<0.1
Fin whale	Northeast Pacific	0	2	¹ 0.1
Humpback whale ²	Hawaii	0	104	0.9
	Mexico	0	13	³ 0.1
	Western North Pacific	0	1	0.1
Killer whale ⁴	AT1 Transient	0	2	28.6
	Gulf, Aleutian, Bering Transient	0	3	0.5
	ENP Alaska Resident	0	128	6.7
Pacific white sided dolphin	North Pacific	0	17	0.1
Dall's porpoise	Alaska	13	388	⁵ UND
Harbor porpoise	Gulf of Alaska	5	155	<0.1
Harbor seal	Prince William Sound	60	⁶ 2,116	4.9
Steller sea lion	Western United States	0	790	1.6
Northern elephant seal	California Breeding	0	12	<0.1
California sea lion	United States	0	12	<0.1

¹ Based on 2,554 animals discussed in SARs, although it's noted that this is likely an underestimate.

² Based on proportion of each distinct population segment (DPS) being in resurrection bay: 89 percent Hawaii, 10 percent Mexico, and 1 percent Western North Pacific (NMFS, 2021).

³ Based on 918 animals discussed in SARs, derived from Wade, 2021.

⁴ Based on a proportion from acoustic monitoring of stocks in Resurrection Bay: 95.7 percent ENP residents, 2.7 percent Gulf/Aleutian/Bering transients, and 1.6 percent AT1 transients (Yurk *et al.*, 2010).

⁵ NMFS does not have an official abundance estimate for this stock, and the minimum population estimate is considered to be unknown (Young *et al.*, 2023). See Small Numbers for additional discussion.

⁶ 1,860 in-water takes and 256 in-air takes. In-air takes based on upland construction only days.

Proposed Mitigation

In order to issue an IHA under section 101(a)(5)(D) of the MMPA, NMFS must set forth the permissible methods of taking pursuant to the activity, and other means of effecting the least practicable impact on the species or stock and its habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of the species or stock for taking for certain subsistence uses. NMFS regulations require applicants for incidental take authorizations to include information about the availability and feasibility (economic and technological) of equipment, methods, and manner of conducting the activity or other means of effecting the least practicable adverse impact upon the affected species or

stocks, and their habitat (50 CFR 216.104(a)(11)).

In evaluating how mitigation may or may not be appropriate to ensure the least practicable adverse impact on species or stocks and their habitat, as well as subsistence uses where applicable, NMFS considers two primary factors:

(1) The manner in which, and the degree to which, the successful implementation of the measure(s) is expected to reduce impacts to marine mammals, marine mammal species or stocks, and their habitat, as well as subsistence uses. This considers the nature of the potential adverse impact being mitigated (likelihood, scope, range). It further considers the likelihood that the measure will be effective if implemented (probability of

accomplishing the mitigating result if implemented as planned), the likelihood of effective implementation (probability implemented as planned); and,

(2) The practicability of the measures for applicant implementation, which may consider such things as cost, and impact on operations.

ARRC must ensure that construction supervisors and crews, the monitoring team, and relevant ARRC staff are trained prior to the start of all pile driving activity, so that responsibilities, communication procedures, monitoring protocols, and operational procedures are clearly understood. New personnel joining during the project must be trained prior to commencing work.

Pre- and Post-Activity Monitoring

- Monitoring must take place from 30 minutes prior to initiation of pile driving activity (*i.e.*, pre-clearance monitoring) through 30 minutes post-completion of pile driving activity; and,
- Pre-start clearance monitoring must be conducted during periods of visibility sufficient for the lead protected species observer (PSO) to determine that the shutdown zones indicated in table 10 are clear of marine mammals. Pile driving may commence following 30 minutes of observation when the determination is made that the shutdown zones are clear of marine mammals.

Soft Start

ARRC must use soft start techniques when impact pile driving. Soft start requires contractors to provide an initial set of three strikes at reduced energy, followed by a 30-second waiting period, then two subsequent reduced-energy strike sets. A 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.

Shutdown Zones

ARRC will establish shutdown zones for all pile driving activities. The purpose of a shutdown zone is generally to define an area within which

shutdown of the activity will occur upon sighting of a marine mammal (or in anticipation of an animal entering the defined area).

If a marine mammal is observed entering or within the shutdown zones indicated in table 10, pile driving must be delayed or halted. For in-water heavy machinery activities other than pile driving, if a marine mammal comes within 10 m, work must stop and vessels must reduce speed to the minimum level required to maintain steerage and safe working conditions. A 10 m shutdown zone will also serve to protect marine mammals from physical interactions with project vessels during pile driving and other construction activities, such as barge positioning or drilling. If an activity is delayed or halted due to the presence of a marine mammal, the activity may not commence or resume until either the animal has voluntarily exited and been visually confirmed beyond the shutdown zone indicated in table 10, or 15 minutes have passed without re-detection of the animal. Construction activities must be halted upon observation of a species for which incidental take is not authorized or a species for which incidental take has been authorized but the authorized number of takes has been met entering or within the harassment zone.

All marine mammals will be monitored in the Level B harassment

zones and throughout the area as far as visual monitoring can take place. If a marine mammal enters the Level B harassment zone, in-water activities will continue and the animal's presence within the estimated harassment zone will be documented.

ARRC will also establish shutdown zones for all marine mammals for which take has not been authorized or for which incidental take has been authorized but the authorized number of takes has been met. These zones are equivalent to the Level B harassment zones for each activity. If a marine mammal species for which take is not authorized by this IHA enters the shutdown zone, all in-water activities will cease until the animal leaves the zone or has not been observed for at least 15 minutes, and ARRC will notify NMFS about the species and precautions taken. Pile driving will proceed if the non-IHA species is observed to leave the Level B harassment zone or if 15 minutes have passed since the last observation.

If shutdown and/or clearance procedures will result in an imminent safety concern, as determined by ARRC or its designated officials, the in-water activity will be allowed to continue until the safety concern has been addressed, and the animal will be continuously monitored.

TABLE 10—SHUTDOWN ZONES AND LEVEL B HARASSMENT ZONES

Activity	Minimum shutdown zone (m)					Level B harassment zone (m)
	LF cetaceans	HF cetaceans	VHF cetaceans	Phocid	Otariid	
24-in vibratory removal and install	45	20	35	55	20	7,360
Sheet pile vibratory install	45	20	35	55	20	5,170
H-pile vibratory install	10	10	10	10	10	1,000
30-in vibratory install (fender)	60	25	50	80	30	13,595
30-in vibratory install (dolphin)	40	15	30	50	20	13,595
Impact Installation	935	120	300	300	310	1,000
Upland vibratory pile install and removal	Na	Na	Na	Na	Na	¹ 70

¹ For Phocids only.

Protected Species Observers

The placement of PSOs during all construction activities (described in the Monitoring and Reporting section) will ensure that the entire shutdown zone is visible. Should environmental conditions deteriorate such that the entire shutdown zone will not be visible (*e.g.*, fog, heavy rain), pile driving will be delayed until the PSO is confident marine mammals within the shutdown zone could be detected.

The ARRC must employ PSOs and establish monitoring locations as described in the marine mammal

monitoring plan and the IHA. PSOs will monitor the full shutdown zones and the Level B harassment zones to the extent practicable. 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 areas outside the shutdown zones and thus prepare for a potential cessation of activity should the animal enter the shutdown zone.

Based on our evaluation of ARRC's measures, as well as other measures considered by NMFS, NMFS has determined that the mitigation measures provide the means effecting the least practicable impact on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance. Bubble curtains were considered as a mitigation measure for the proposed action, however were ultimately deemed impractical as the majority of piles proposed are sheet and batter piles which cannot be fully

encompassed by the bubble curtain and reduce the effectiveness of the mitigation measure.

Proposed Monitoring and Reporting

In order to issue an IHA for an activity, section 101(a)(5)(D) of the MMPA states that NMFS must set forth requirements pertaining to the monitoring and reporting of such taking. The MMPA implementing regulations at 50 CFR 216.104(a)(13) indicate that requests for authorizations must include the suggested means of accomplishing the necessary monitoring and reporting that will result in increased knowledge of the species and of the level of taking or impacts on populations of marine mammals that are expected to be present while conducting the activities. Effective reporting is critical both to compliance as well as ensuring that the most value is obtained from the required monitoring.

Monitoring and reporting requirements prescribed by NMFS should contribute to improved understanding of one or more of the following:

- Occurrence of marine mammal species or stocks in the area in which take is anticipated (*e.g.*, presence, abundance, distribution, density);
- Nature, scope, or context of likely marine mammal exposure to potential stressors/impacts (individual or cumulative, acute or chronic), through better understanding of: (1) action or environment (*e.g.*, source characterization, propagation, ambient noise); (2) affected species (*e.g.*, life history, dive patterns); (3) co-occurrence of marine mammal species with the activity; or (4) biological or behavioral context of exposure (*e.g.*, age, calving or feeding areas);
- Individual marine mammal responses (behavioral or physiological) to acoustic stressors (acute, chronic, or cumulative), other stressors, or cumulative impacts from multiple stressors;
- How anticipated responses to stressors impact either: (1) long-term fitness and survival of individual marine mammals; or (2) populations, species, or stocks;
- Effects on marine mammal habitat (*e.g.*, marine mammal prey species, acoustic habitat, or other important physical components of marine mammal habitat); and,
- Mitigation and monitoring effectiveness.

Visual Monitoring

Marine mammal monitoring must be conducted in accordance with the conditions in this section and the IHA.

Marine mammal monitoring during pile driving activities must be conducted by PSOs meeting the following requirements:

- PSOs must be independent of the activity contractor (for example, employed by a subcontractor) and have no other assigned tasks during monitoring periods;
- 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 relevant experience, education (degree in biological science or related field), or training for prior experience performing the duties of a PSO during construction activity pursuant to a NMFS-issued incidental take authorization; and,
- Where a team of three or more PSOs is required, a lead observer or monitoring coordinator will be designated. The lead observer will be required to have prior experience performing the duties of a PSO during construction activities pursuant to a NMFS-issued incidental take authorization.

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.

ARRC must assign a minimum of three PSOs to monitor during pile driving. One PSO must be stationed at the pile driving site, and the other PSOs must be stationed at the best practicable location for monitoring the Level A and Level B harassment zones (see Marine Mammal Monitoring Plan). All PSOs will have access to high-quality binoculars, range finders to monitor distances, and a compass to record

bearing to animals as well as radios or cell phones for maintaining contact with work crews.

Monitoring will be conducted 30 minutes before, during, and 30 minutes after all in water construction activities. In addition, PSOs will record all incidents of marine mammal occurrence, regardless of distance from activity, and will 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 equipment is no more than 30 minutes.

ARRC shall conduct briefings between construction supervisors and crews, PSOs, ARRC staff prior to the start of all pile driving activities and when new personnel join the work. These briefings must explain responsibilities, communication procedures, marine mammal monitoring protocol, and operational procedures.

Reporting

A draft marine mammal monitoring report will 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 from any future IHAs for projects at the same location, whichever comes first. The report will include an overall description of work completed, a narrative regarding marine mammal sightings, and associated electronic 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 the number and type of piles driven or removed and by what method (*i.e.*, impact) and the total equipment duration for vibratory removal for each pile or total number of strikes for each pile (impact driving);
- PSO locations during marine mammal monitoring;
- Environmental conditions during monitoring periods (at beginning and end of PSO shift and whenever conditions change significantly), including Beaufort sea state and any other relevant weather conditions including cloud cover, fog, sun glare, and overall visibility to the horizon, and estimated observable distance;
- Upon observation of a marine mammal, the following information: (1) Name of PSO who sighted the animal(s) and PSO location and activity at the time of sighting; (2) Time of sighting; (3) Identification of the animal(s) (*e.g.*, genus/species, lowest possible

taxonomic level, or unidentifiable), PSO confidence in identification, and the composition of the group if there is a mix of species; (4) Distance and bearing of each marine mammal observed relative to the pile being driven for each sightings (if pile driving was occurring at time of sighting); (5) Estimated number of animals (min/max/best estimate); (6) Estimated number of animals by cohort (adults, juveniles, neonates, group composition, sex class, *etc.*); (7) Animal's closest point of approach and estimated time spent within the harassment zone; (8) Description of any marine mammal behavioral observations (*e.g.*, observed behaviors such as feeding or traveling), including an assessment of behavioral responses thought to have resulted from the activity (*e.g.*, no response or changes in behavioral state such as ceasing feeding, changing direction, flushing, or breaching);

- Number of marine mammals detected within the harassment zones and shutdown zones; by species; and,
- Detailed information about any implementation of any mitigation triggered (*e.g.*, shutdowns and delays), a description of specific actions that ensued, and resulting changes in behavior of the animal(s), if any.

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 ARRC must immediately cease the specified activities and report the incident to the Office of Protected Resources (OPR) (PR.ITP.MonitoringReports@noaa.gov), NMFS and to the Alaska Regional Stranding Coordinator as soon as feasible. If the death or injury was clearly caused by the specified activity, ARRC 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 ARRC 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.

Negligible Impact Analysis and Determination

NMFS has defined negligible impact as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival (50 CFR 216.103). A negligible impact finding is based on the lack of likely adverse effects on annual rates of recruitment or survival (*i.e.*, population-level effects). An estimate of the number of takes alone is not enough information on which to base an impact determination. In addition to considering estimates of the number of marine mammals that might be "taken" through harassment, NMFS considers other factors, such as the likely nature of any impacts or responses (*e.g.*, intensity, duration), the context of any impacts or responses (*e.g.*, critical reproductive time or location, foraging impacts affecting energetics), as well as effects on habitat, and the likely effectiveness of the mitigation. We also assess the number, intensity, and context of estimated takes by evaluating this information relative to population status. Consistent with the 1989 preamble for NMFS' implementing regulations (54 FR 40338, September 29, 1989), the impacts from other past and ongoing anthropogenic activities are incorporated into this analysis via their impacts on the baseline (*e.g.*, as reflected in the regulatory status of the species, population size and growth rate where known, ongoing sources of human-caused mortality, or ambient noise levels).

To avoid repetition, the majority of our analysis applies to all the species listed in table 2, given that many of the anticipated effects of this project on different marine mammal stocks are expected to be relatively similar in nature. Where there are meaningful differences between species or stocks, or groups of species, in anticipated individual responses to activities, impact of expected take on the population due to differences in population status, or impacts on habitat,

they are described independently below.

Pile driving activities associated with the ARRC construction project has the potential to disturb or displace marine mammals. Specifically, the project activities may result in take, in the form of Level A and Level B harassment, from underwater and in-air sounds generated from pile driving and removal. Potential takes could occur if individuals are present in the ensonified zone when these activities are underway.

The takes by Level B harassment would be due to potential behavioral disturbance and TTS. Takes by Level A harassment would be due to auditory injury. No serious injury or mortality is expected, even in the absence of required mitigation measures, given the nature of the activities. The potential for harassment will be further minimized through the construction method and the implementation of the planned mitigation measures (see Mitigation section).

Take by Level A harassment is authorized for harbor seals, Dall's porpoise, and harbor porpoise to account for the possibility that an animal could enter a Level A harassment zone prior to detection, and remain within that zone for a duration long enough to incur auditory injury before being observed and the ARRC shutting down pile driving activity. The only activity we expect Level A harassment to occur from would be impact pile driving. Given the short duration to impact drive each pile and breaks between pile installations (to reset equipment and move piles into place), an animal will have to remain within the area estimated to be ensonified above the Level A harassment threshold for multiple hours. This is highly unlikely given marine mammal movement in the area. The number of takes by Level A harassment authorized is very low for all marine mammal species. Any take by Level A harassment is expected to arise from, at most, a small degree of auditory injury, *i.e.*, minor degradation (likely only a few dB) of hearing capabilities within regions of hearing that align most completely with the energy produced by vibratory and impact pile driving (*i.e.*, the low-frequency region below 2 kHz), not severe hearing impairment or impairment within the ranges of greatest hearing sensitivity. Animals will need to be exposed to higher levels and/or longer duration than are expected to occur here in order to incur any more than a small degree of auditory injury. Due to the small degree anticipated, any auditory injury incurred will not be expected to affect the reproductive

success or survival of any individuals, much less result in adverse impacts on the species or stock.

Additionally, some subset of the individuals that are behaviorally harassed could also simultaneously incur some small degree of TTS for a short duration of time. However, since the hearing sensitivity of individuals that incur TTS is expected to recover completely within minutes to hours, it is unlikely that the brief hearing impairment will affect the individual's long-term ability to forage and communicate with conspecifics, and will therefore not likely impact reproduction or survival of any individual marine mammal, let alone adversely affect rates of recruitment or survival of the species or stock.

Behavioral responses of marine mammals to pile driving in Seward are expected to be mild, short term, and temporary. Marine mammals within the Level B harassment zones may not show any visual cues they are disturbed by activities or they could become alert, avoid the area, leave the area, or display other mild responses that are not observable, such as changes in vocalization patterns. Given that pile driving will occur for only a portion of the project's duration, any harassment will be temporary. Additionally, many of the species present in region will only be present temporarily based on seasonal patterns or during transit between other habitats. These temporarily present species will be exposed to even smaller periods of noise-generating activity, further decreasing the impacts.

Any impacts on marine mammal prey that will occur during ARRC's planned activity will have, at most, short-term effects on foraging of individual marine mammals, and likely no effect on the populations of marine mammals as a whole. Indirect effects on marine mammal prey during the construction are expected to be minor, and these effects are unlikely to cause substantial effects on marine mammals at the individual level, with no expected effect on annual rates of recruitment or survival.

For all species and stocks, take will occur within a limited, confined area (adjacent to the project site) of the stock's range, and, there are no known BIAs near the project area that will be impacted by ARRC's activities. While harbor seal is the species most likely to occur within the immediate project area, the nearest official haulout is outside of the ensonified areas. There is a possible haulout site for harbor seals in the project area on the sediment groin, although the only documentation of this

sighting is from 1999. There are no official haulouts in the immediate project vicinity; the next closest haulout is 14 km away. There are no Steller sea lion haulouts in the project area. The closest haulout is 26 km from the project area.

In addition, it is unlikely that minor noise effects in a small, localized area of habitat will have any effect on the reproduction or survival of any individuals, much less the stocks' annual rates of recruitment or survival. In combination, we believe that these factors, as well as the available body of evidence from other similar activities, demonstrate that the potential effects of the specified activities would have only minor, short-term effects on individuals. The specified activities are not expected to impact rates of recruitment or survival and would therefore not result in population-level impacts.

In summary and as described above, the following factors primarily support our preliminary determination that the impacts resulting from this activity are not expected to adversely affect any of the species or stocks through effects on annual rates of recruitment or survival:

- No serious injury or mortality is anticipated or authorized;
- Take by Level A harassment is authorized for harbor seal, Dall's porpoise and harbor porpoise only and would be very small amounts and of a low degree;
- For all species and stocks, Seward is a very small and peripheral part of their range;
- The intensity of anticipated takes by Level B harassment is relatively low for all stocks. Level B harassment will be primarily in the form of behavioral disturbance, resulting in avoidance of the project areas around where impact or vibratory pile driving is occurring, with some low-level TTS that may limit the detection of acoustic cues for relatively brief amounts of time in relatively confined footprints of the activities;
- Effects on species that serve as prey for marine mammals from the activities are expected to be short-term and, therefore, any associated impacts on marine mammal feeding are not expected to result in significant or long-term consequences for individuals, or to accrue to adverse impacts on their populations;
- The project area does not overlap any BIAs or any other important areas for marine mammals;
- The ensonified areas are small relative to the overall habitat ranges of all species and stocks; and,

- The lack of anticipated significant or long-term negative effects to marine mammal habitat.

Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the monitoring and mitigation measures, NMFS finds that the total marine mammal take from the planned activities will have a negligible impact on all affected marine mammal species or stocks.

Small Numbers

As noted previously, only take of small numbers of marine mammals may be authorized under sections 101(a)(5)(A) and (D) of the MMPA for specified activities other than military readiness activities. The MMPA does not define small numbers and so, in practice, where estimated numbers are available, NMFS compares the number of individuals taken to the most appropriate estimation of abundance of the relevant species or stock in our determination of whether an authorization is limited to small numbers of marine mammals. When the predicted number of individuals to be taken is fewer than one-third of the species or stock abundance, the take is considered to be of small numbers. Additionally, other qualitative factors may be considered in the analysis, such as the temporal or spatial scale of the activities.

For all stocks, except for the Alaska stock of Dall's porpoises, whose abundance estimate is unknown, the proposed number of takes is less than one-third of the best available population abundance estimate (table 9). The numbers of animals proposed for authorization to be taken from these stocks would be considered small relative to the relevant stocks' abundances, even if each estimated taking occurred to a new individual—an extremely unlikely scenario.

Current abundance estimates of Dall's porpoises in the region are not available. The most recent estimate (83,400 individuals) does not include coastal or inland waters of southeast Alaska and is considered unreliable since it is based upon data collected more than 8 years ago (Young *et al.*, 2023). However, given the size of the most recent estimate, the 401 takes of this stock proposed for authorization clearly represents small numbers of this stock.

Based on the analysis contained herein of the proposed activity (including the proposed mitigation and monitoring measures) and the anticipated take of marine mammals,

NMFS preliminarily finds that small numbers of marine mammals would be taken relative to the population size of the affected species or stocks.

Unmitigable Adverse Impact Analysis and Determination

In order to issue an IHA, NMFS must find that the specified activity will not have an “unmitigable adverse impact” on the subsistence uses of the affected marine mammal species or stocks by Alaskan Natives. NMFS has defined “unmitigable adverse impact” in 50 CFR 216.103 as an impact resulting from the specified activity: (1) That is likely to reduce the availability of the species to a level insufficient for a harvest to meet subsistence needs by: (i) Causing the marine mammals to abandon or avoid hunting areas; (ii) Directly displacing subsistence users; or (iii) Placing physical barriers between the marine mammals and the subsistence hunters; and, (2) That cannot be sufficiently mitigated by other measures to increase the availability of marine mammals to allow subsistence needs to be met.

There are two species of marine mammals that traditionally have been taken as part of subsistence harvests in Resurrection Bay: Steller sea lion and harbor seal. The most recent data on subsistence-harvested marine mammals near Seward is of harbor seals in 2002, and there is no current local marine mammal subsistence harvest in Seward.

The proposed project is not likely to adversely impact the availability of any marine mammal species or stocks that are commonly used for subsistence purposes or impact subsistence harvest of marine mammals in the region. Although the proposed activities are located in a region where subsistence harvests have occurred historically, there is currently no marine mammal subsistence harvest. The project location is adjacent to heavily traveled industrialized waterways and all project activities will take place within waterfronts where subsistence activities do not generally occur. Some minor, short-term harassment of Steller sea lions and harbor seals could occur, but any effects on subsistence harvest activities in the project areas will be minimal, and not have an adverse impact.

Based on the description of the specified activity, the measures described to minimize adverse effects on the availability of marine mammals for subsistence purposes, and the proposed mitigation and monitoring measures, NMFS has preliminarily determined that there will not be an unmitigable adverse impact on

subsistence uses from ARRC’s proposed activities.

Endangered Species Act

Section 7(a)(2) of the ESA of 1973 (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. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally whenever we propose to authorize take for endangered or threatened species, in this case with the Alaska Regional Office.

NMFS is proposing to authorize take of humpback whales (Mexico and Western North Pacific DPS) and Steller sea lions (western DPS), which are listed under the ESA. The Permits and Conservation Division has requested initiation of section 7 consultation with the Alaska Region for the issuance of this IHA. NMFS will conclude the ESA consultation prior to reaching a determination regarding the proposed issuance of the authorization.

Proposed Authorization

As a result of these preliminary determinations, NMFS proposes to issue an IHA to ARRC for conducting the Seward Freight Dock construction project in Seward, Alaska from November 1, 2026, through October 31, 2027, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated. A draft of the proposed IHA can be found at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities>.

Request for Public Comments

We request comment on our analyses, the proposed authorization, and any other aspect of this notice of proposed IHA for the proposed construction project. We also request comment on the potential renewal of this proposed IHA as described in the paragraph below. Please include with your comments any supporting data or literature citations to help inform decisions on the request for this IHA or a subsequent renewal IHA.

On a case-by-case basis, NMFS may issue a one-time, 1-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 activities as described in the Description of Proposed Activity section of this notice

is planned or (2) the activities as described in the Description of Proposed Activity section of this notice would not be completed by the time the IHA expires and a renewal would allow for completion of the activities beyond that described in the *Dates and Duration* section of this notice, provided all of the following conditions are met:

- 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).

- The request for renewal must include the following:

(1) 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).

(2) 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.

- 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.

Dated: March 31, 2025.

Kimberly Damon-Randall,

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

[FR Doc. 2025–05775 Filed 4–3–25; 8:45 am]

BILLING CODE 3510–22–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Additions and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Additions to and deletions from the Procurement List.

SUMMARY: This action adds product(s) to the Procurement List that will be furnished by nonprofit agencies

employing persons who are blind or have other severe disabilities, and deletes product(s) from the Procurement List previously furnished by such agencies.

DATES: Date added to and deleted from the Procurement List: May 04, 2025.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 355 E Street SW, Suite 325, Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Michael R. Jurkowski, telephone: (703) 489-1322, or email CMTEFedReg@AbilityOne.gov.

SUPPLEMENTARY INFORMATION:

Additions

On February 21, 2025, the Committee for Purchase From People Who Are Blind or Severely Disabled (operating as the U.S. AbilityOne Commission) published an initial notice of proposed additions to the Procurement List. (90 FR 10074). This final notice is published pursuant to 41 U.S.C. 8503(a)(2) and 41 CFR 51-2.3. The Committee has determined that the product listed below is suitable for procurement by the Federal Government and has added this product to the Procurement List. In accordance with 41 CFR 51-5.2, the Committee has authorized the qualified nonprofit agencies described with the product as the authorized source of supply. Additionally, in accordance with 41 CFR 51-2.4, the Committee considered relevant information from the contracting activity that this product requirement is not applicable to other Federal entities and has granted the activity's requested preference for purchase or distribution. This product is not available through the Commission's Commercial Distribution Program, and other Federal entities wishing to purchase this product must contact the contracting activity listed directly for information on purchase availability.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the product(s) to the Government.
2. The action will result in authorizing small entities to furnish the product(s) to the Government.
3. There are no known regulatory alternatives which would accomplish

the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501-8506) in connection with the product(s) proposed for addition to the Procurement List.

End of Certification

Accordingly, the following product(s) are added to the Procurement List:

Product(s)

NSN(s)—Product Name(s):

6515-01-697-3028—System, Rigid Immobilization for Extremities
Authorized Source of Supply: Alphapointe, Kansas City, MO
Contracting Activity: DEFENSE LOGISTICS AGENCY, DLA TROOP SUPPORT
Distribution: C-List

Deletions

On February 28, 2025 (90 FR 10890), the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed deletions from the Procurement List. This notice is published pursuant to 41 U.S.C. 8503(a)(2) and 41 CFR 51-2.3.

After consideration of the relevant matter presented, the Committee has determined that the product(s) listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 8501-8506 and 41 CFR 51-2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in additional reporting, recordkeeping or other compliance requirements for small entities.
2. The action may result in authorizing small entities to furnish the product(s) to the Government.
3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501-8506) in connection with the product(s) deleted from the Procurement List.

End of Certification

Accordingly, the following products(s) are deleted from the Procurement List:

Product(s)

NSN(s)—Product Name(s):

9905-01-661-2139—Flag, Marking, 4" x 5", 21" Staff, Red
 9905-01-661-2146—Flag, Marking, 2½" x 3½", 21" Staff, Red
Authorized Source of Supply: West Texas Lighthouse for the Blind, San Angelo, TX
Contracting Activity: GSA/FSS GREATER SOUTHWEST ACQUISITI, FORT

WORTH, TX

Michael R. Jurkowski,
Director, Business Operations.

[FR Doc. 2025-05807 Filed 4-3-25; 8:45 am]

BILLING CODE 6353-01-P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed deletions from the Procurement List.

SUMMARY: The Committee is proposing to delete product(s) and service(s) from the Procurement List that were furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

DATES: Comments must be received on or before: May 4, 2025.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 355 E Street SW, Suite 325, Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: For further information or to submit comments contact: Michael R. Jurkowski, telephone: (703) 489-1322, or email CMTEFedReg@AbilityOne.gov.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503(a)(2) and 41 CFR 51-2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Deletions

The following product(s) and service(s) are proposed for deletion from the Procurement List:

Product(s)

NSN(s)—Product Name(s):

7510-01-579-9326—Binder, Removable Slant-D Rings, 100% Recyclable, Turned Edge, Dark Green, 1" Capacity, Letter
Authorized Source of Supply: South Texas Lighthouse for the Blind, Corpus Christi, TX

Contracting Activity: GSA/FAS ADMIN SVCS ACQUISITION BR(2, NEW YORK, NY

Contracting Activity: Strategic Acquisition Center, Fredericksburg, VA

NSN(s)—Product Name(s):

MR 813—Thermometer, Analog Probe
 MR 815—Thermometer, Digital
Authorized Source of Supply: Chicago Lighthouse Industries, Chicago, IL
Contracting Activity: Military Resale-Defense Commissary Agency

NSN(s)—Product Name(s):

MR 11305—Water Bottle, Travel, Cortland, 24 oz.

MR 11308—Tumbler, Travel, Shake and Go, 20 oz.
 MR 11334—Bottle, Eddy, 0.75L, Assorted
 MR 13083—Mug, Snap Seal, Contigo, 16 oz
 MR 13084—Bottle, Bubba, 32 oz
 MR 13086—Bottle, Kids, Bubba, 16 oz
 MR 13088—Mug, Travel, Plastic, West Loop 2.0, 20 oz
 MR 3201—Stay Put Elastics Black
Authorized Source of Supply: Association for Vision Rehabilitation and Employment, Inc., Binghamton, NY
Contracting Activity: Military Resale-Defense Commissary Agency
NSN(s)—Product Name(s):
 MR 549—Sponge, Pop-Up, Small
Authorized Source of Supply: Mississippi Industries for the Blind (Inc), Jackson, MS
Contracting Activity: Military Resale-Defense Commissary Agency
NSN(s)—Product Name(s):
 MR 13041—Box, Insulated, Assorted Colors, Lunch
 MR 13042—Bag, Triangular, Assorted Colors, Lunch
 MR 13044—Bag, Round Handle, Assorted Colors, Lunch
Authorized Source of Supply: West Texas Lighthouse for the Blind, San Angelo, TX
Contracting Activity: Military Resale-Defense Commissary Agency
NSN(s)—Product Name(s):
 MR 13060—Flavor Injector, Meat and Poultry
 MR 13062—Rack, Pressure Cooker, Silicone
 MR 13063—Rack, Roasting, Silicone
 MR 13079—Set, Glass Containers, Smart Seal, 12 Piece
 MR 13152—POP 4 Pc Baking Accessories Set
 MR 13022—Corer, Cupcake
 MR 13024—Cookie Press, Disc Storage, 12 Discs
 MR 13056—Kit, Bottle, Bakers, 8pc
 MR 13058—cups, Baking, Silicone
 MR 13059—Spatula, Baking, cookie, Silicone
 MR 855—Ergo Nylon Spoon
 MR 856—Ergo Nylon Slotted Spoon
 MR 857—Ergo Nylon Spaghetti Server
 MR 861—Ergo Nylon Ladle
 MR 869—Oxo Good Grip Silicone Spatula
 MR 891—Handheld Grater
 MR 892—Ergo Apple Divider
 MR 1123—Mat Drying, Silicone, Large
 MR 13128—Set, Bowl, Mixing, 3 pc
 MR 13129—Set, Container, Plastic, 16 pc
 MR 13001—Greensaver Produce Keeper, 1.6 Qt.
 MR 13002—Greensaver Produce Keeper, 4.3 Qt.
 MR 13037—Microwave Bacon Crisper
 MR 820—Opener, Can and Bottle
 MR 826—Peeler, Vegetable
 MR 829—Meat Hammer, Tenderizing
 MR 842—Tong, Scissor
 MR 849—Whisk, Wire Looped
 MR 862—Whisk, Silicone, Balloon, Red
 MR 853—Ergo Nylon Square Turner
 MR 854—Ergo Nylon Round Turner
 MR 335—Squeezer, Citrus, Aluminum
 MR 338—Mandoline Slicer, Handheld
 MR 342—Shaker, Salad Dressing
 MR 800—BBQ 4 Piece Tool Set

MR 803—BBQ Fork
 MR 819—Can Opener, Gear Type
 MR 888—Ergo Pizza Wheel
Authorized Source of Supply: Cincinnati Association for the Blind and Visually Impaired, Cincinnati, OH
Contracting Activity: Military Resale-Defense Commissary Agency
NSN(s)—Product Name(s):
 MR 949—Mitt, Oven, Quilted, Cotton
Authorized Source of Supply: Chester County Branch, PA Association for the Blind and Visually Impaired, Coatesville, PA
Contracting Activity: Military Resale-Defense Commissary Agency
Service(s)
Service Type: Mailroom Operation & Administrative Supp
Mandatory for: US Army, Logistics Data Analysis Center, Huntsville, AL
Authorized Source of Supply: Huntsville Rehabilitation Foundation, Inc., Huntsville, AL
Contracting Activity: DEPT OF THE ARMY, W6QK ACC-RSA

Michael R. Jurkowski,
Director, Business Operations.

[FR Doc. 2025–05806 Filed 4–3–25; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF EDUCATION

Withdrawal of Notice Inviting Applications and Cancellation of the Competition for Technical Assistance and Dissemination To Improve Services and Results for Children With Disabilities and Demonstration and Training Programs—National Technical Assistance Center on Transition for Students and Youth With Disabilities (NTACT)

AGENCY: Office of Special Education and Rehabilitative Services, Department of Education.

ACTION: Notice; withdrawal.

SUMMARY: The Department of Education (Department) withdraws the notice inviting applications (NIA) for fiscal year (FY) 2025 for Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities and Demonstration and Training Programs—National Technical Assistance Center on Transition for Students and Youth with Disabilities.

DATES: The NIA published in the **Federal Register** on January 15, 2025 (90 FR 3809), is withdrawn and the competition cancelled as of April 4, 2025.

FOR FURTHER INFORMATION CONTACT:
 Selete Avoke, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202–5076. Telephone: (202) 245–7260. Email:

Selete.Avoke@ed.gov; or Tara Jordan, Department of Education, 400 Maryland Avenue SW, Washington, DC 20202–5076. Telephone: (202) 987–0143. Email: *Tara.Jordan@ed.gov*.

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7–1–1.

SUPPLEMENTARY INFORMATION: On January 15, 2025, the Department published an NIA in the **Federal Register** for the fiscal year (FY) 2025 NTACT competition, Assistance Listing Number (ALN) 84.326E. The Department is withdrawing this NIA and cancelling the competition as part of a comprehensive review of recently published FY 2025 NIAs. This reevaluation seeks to ensure that all priorities and requirements for the Department's FY 2025 competitions align with the objectives established by the Trump Administration while fostering consistency across all grant programs. Additionally, the Department is dedicated to optimizing the impact of our grant competitions on students and families, as well as enhancing the economic effectiveness of federal education funding.

Program Authority: 20 U.S.C. 1463 and 1481; 29 U.S.C. 709(c) and 773(b).

Intergovernmental Review: This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79.

Accessible Format: On request to the program contact persons listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this notice and the NIA in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at: *www.govinfo.gov*. At this site, you can view this document, as well as all other Department documents published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the site.

You may also access Department documents published in the **Federal Register** by using the article search feature at *www.federalregister.gov*. Specifically, through the advanced search feature at this site, you can limit

your search to documents published by the Department.

Erin L. McHugh,

Deputy Assistant Secretary for Management and Planning and Acting Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 2025-05826 Filed 4-3-25; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

Accrediting Agencies Currently Undergoing Review for the Purpose of Recognition by the U.S. Secretary of Education

AGENCY: Accreditation Group, Office of Postsecondary Education, U.S. Department of Education.

ACTION: Call for written third-party comments.

SUMMARY: This notice provides information to members of the public on submitting written comments for accrediting agencies currently undergoing review for the purpose of recognition by the U.S. Secretary of Education.

FOR FURTHER INFORMATION CONTACT:

Elizabeth Daggett, Director, Accreditation Group, Office of Postsecondary Education, U.S. Department of Education, 400 Maryland Avenue SW, fifth floor, Washington, DC 20202, telephone: (202) 453-7615, or email: elizabeth.daggett@ed.gov.

SUPPLEMENTARY INFORMATION: This request for written third-party comments concerning the performance of accrediting agencies under review by the Secretary of Education is required by Section 496(n)(1)(A) of the Higher Education Act of 1965, as amended, 20 U.S.C. §§ 1001, *et seq.* (HEA), and pertains to the summer 2026 meeting of the National Advisory Committee on Institutional Quality and Integrity (NACIQI). The meeting date and location have not been determined but will be announced in a later **Federal Register** notice. In addition, a later **Federal Register** notice will describe how to register to provide oral comments at the meeting. Written comments submitted in response to this **Federal Register** notice must be submitted to the mailbox identified below by May 8, 2025. Do not submit written comments in response to this **Federal Register** notice directly to Department officials or to NACIQI members.

Agencies Under Review and Evaluation: The Department requests written comments from the public on

the following accrediting agencies, which are currently undergoing review and evaluation by the Accreditation Group, and which will be reviewed at the summer 2026 NACIQI meeting.

The agencies are listed by the type of application each agency has submitted. Please note, each agency's current scope of recognition is indicated below. If any agency requested to expand its scope of recognition, both the current scope of recognition and the requested scope of recognition are identified below.

Applications for Renewal of Recognition

1. *American Bar Association, Council of the Section of Legal Education and Admissions to the Bar.* Scope of Recognition: The accreditation of programs in legal education that lead to the first professional degree in law, including those offered via distance education, as well as freestanding law schools offering such programs. Geographic Area of Accrediting Activities: The United States.

2. *Accrediting Bureau of Health Education Schools.* Scope of Recognition: The accreditation of private, postsecondary institutions offering predominantly allied health education programs leading to a certificate, diploma, and degree at the level of the Associate of Applied Science, Associate of Occupational Science, Academic Associate, Baccalaureate and Master's; including those offered via distance education and the programmatic accreditation of medical assisting, medical laboratory technology, and surgical technology programs, through the Associate degree, including those offered via distance education. The scope extends to the Substantive Change Committee, jointly with the Commission for decisions on substantive change. Geographic Area of Accrediting Activities: The United States.

3. *Accreditation Commission for Acupuncture and Herbal Medicine.* Scope of Recognition: The accreditation and preaccreditation ("Candidacy") of professional non-degree and graduate degree programs, including professional doctoral programs, in the field of acupuncture and/or Oriental medicine, as well as freestanding institutions and colleges of acupuncture and/or Oriental medicine that offer such programs, including programs offered via distance education. Geographic Area of Accrediting Activities: The United States.

4. *American Osteopathic Association, Commission on Osteopathic College Accreditation.* Scope of Recognition: The accreditation and preaccreditation

("Provisional Accreditation") of freestanding institutions of osteopathic medicine and of osteopathic medical programs leading to the degree of Doctor of Osteopathy or Doctor of Osteopathic Medicine. Geographic Area of Accrediting Activities: The United States.

5. *American Psychological Association, Commission on Accreditation.* Scope of Recognition: The accreditation of doctoral programs in clinical, counseling, school and combined professional-scientific psychology; doctoral internship programs in health service psychology; and postdoctoral residency programs in health service psychology; and the preaccreditation of doctoral internship programs in health service psychology; and postdoctoral residency programs in health service psychology. Geographic Area of Accrediting Activities: The United States. Requested Scope of Recognition: The preaccreditation and accreditation of master's programs and doctoral programs in clinical, counseling, school psychology, (and combinations of two or more of these practice areas); doctoral internship programs in health service psychology; and postdoctoral residency programs in health service psychology, including programs that use distance education and traditional educational methods. Geographic Area of Accrediting Activities: The United States.

6. *Commission on Accrediting of the Association of Theological Schools.* Scope of Recognition: The accreditation of theological schools and seminaries, as well as schools or programs that are parts of colleges or universities, offering post baccalaureate degrees in professional and academic theological education, including delivery via distance education. Geographic Area of Accrediting Activities: The United States. Requested Scope of Recognition: The accreditation of theological schools and seminaries, as well as schools or programs that are parts of colleges or universities, offering post baccalaureate degrees in professional and academic theological education, including delivery via distance education and direct assessment. Geographic Area of Accrediting Activities: The United States.

7. *Council on Occupational Education.* Scope of Recognition: The accreditation and preaccreditation ("Candidacy Status") of postsecondary occupational education institutions offering non-degree and applied associate degree programs in specific career and technical education fields, including institutions that offer programs via distance education.

Geographic Area of Accrediting Activities: The United States.

8. *National Nurse Practitioner Residency and Fellowship Training Consortium*. Scope of Recognition: The accreditation of nurse practitioner (NP) postgraduate residency and fellowship training programs. This recognition also extends to the agency's Appeals Panel. Geographic Area of Accrediting Activities: The United States.

9. *Southern Association of Colleges and Schools, Commission on Colleges*. Scope of Recognition: The accreditation and preaccreditation ("Candidate for Accreditation") of degree-granting institutions of higher education including the accreditation of educational programs offered via distance education, correspondence courses, and direct assessment within these institutions. The accreditation status of these institutions and their recognition extends to the SACSCOC Board of Trustees, Executive Council, and the Appeals Committee of the Collegiate College Delegate Assembly on cases of initial candidacy or initial accreditation and for continued accreditation or candidacy. Geographic Area of Accrediting Activities: The United States.

10. *Transnational Association of Christian Colleges and Schools, Accreditation Commission*. Scope of Recognition: The accreditation and preaccreditation ("Candidate" status) of Christian postsecondary institutions in the United States that offer certificates, diplomas, and associate, baccalaureate, and graduate degrees, including institutions that offer distance education. Geographic Area of Accrediting Activities: The United States.

Compliance Report

1. *Kansas State Board of Nursing*. Scope of Recognition: State agency for the approval of nurse education. The compliance report includes findings of noncompliance with the criterion found at 34 FR 587644 (Jan. 16, 1969) identified in the May 28, 2024, letter from the senior Department official following the February 27, 2024, NACIQI meeting, available at: <https://surveys.ope.ed.gov/erecognition/#/public-documents>.

Submission of Written Comments Regarding a Specific Accrediting Agency or State Agency Under Review

Written comments in response to this **Federal Register** notice about the recognition of any of the accrediting agencies or State agency listed above must be received by May 8, 2025, in the ThirdPartyComments@ed.gov mailbox.

Please include in the subject line "Written Comments: (agency name)." The electronic mail (email) must include the name(s), title, organization/affiliation, mailing address, email address, and telephone number of the person(s) making the comment. Comments should be submitted as a PDF, Microsoft Word document, or in a medium compatible with Microsoft Word that is attached to an email or provided in the body of an email message. Comments about an agency that has submitted a compliance report scheduled for review by the Department must relate to the criteria for recognition cited in the senior Department official's letter that requested the report, or in the Secretary's appeal decision, if any. Comments about an agency that has submitted a petition for initial recognition, renewal of recognition, or an expansion of scope must relate to the agency's compliance with the Criteria for the recognition of Accrediting Agencies or the Criteria for the recognition of State Agencies, which are available at: <https://www2.ed.gov/admins/finaid/accred/index.html>.

Only written materials submitted by the deadline to the email address listed in this notice, and in accordance with these instructions, become part of the official record concerning agencies scheduled for review and are considered by the Department and NACIQI in their deliberations. Comments about the agencies listed in this **Federal Register** notice may also be provided orally at the summer 2026 NACIQI meeting, which has not yet been scheduled, but which will be announced in a future **Federal Register** notice.

Electronic Access to this Document: The official version of this document is the document published in the **Federal Register**. Free internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: www.gpo.gov/fdsys. At this site, you can view this document, as well as all other documents of the Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the site. You may also access documents of the Department published in the **Federal Register** by using the article search feature at: www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Authority: 20 U.S.C. 1099b; 20 U.S.C. 1011c.

James Bergeron,

Acting Under Secretary (Delegated the authority to perform the functions and duties of the Assistant Secretary for Postsecondary Education).

[FR Doc. 2025-05853 Filed 4-3-25; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

Annual Report of Closed Advisory Committee Meetings

AGENCY: Department of Energy.

ACTION: Notice.

SUMMARY: The Department of Energy is announcing that, as required by the Federal Advisory Committee Act (FACA), it has issued its 2024 Annual Report of Closed Advisory Committee meetings.

ADDRESSES: The report is available by contacting DOE's Committee Management Officer, David Borak.

FOR FURTHER INFORMATION CONTACT: David Borak, Committee Management Officer, at the U.S. Department of Energy, 1000 Independence Ave. SW, Washington, DC; or via phone at (202) 586-5216; or email at seab@hq.doe.gov.

SUPPLEMENTARY INFORMATION: In accordance with section 10(d) of the Federal Advisory Committee Act (FACA), 5 U.S.C. 1009(d)), and section 102-3.175(c) of the General Services Administration's (GSA) Final Rule on Federal Advisory Committee Management, the Department of Energy has issued its 2024 Annual Report of Closed Advisory Committee meetings. The report covers three closed meetings of the ACNS held in 2024, all in Washington, DC. Although there were two meetings in 2024 of the President's Council of Advisors on Science and Technology (PCAST) with **Federal Register** Notices which indicated partially closed meetings, there were no closed portions for either meeting, due to the President's schedule.

The Advisory Committee for Nuclear Security (ACNS) held closed meetings on the following dates in 2024: March 26, August 13, and December 3. At the March 26, 2024, meeting, ACNS discussed the Science, Technology, and Engineering (ST&E) integrated strategy at the National Nuclear Security Administration (NNSA), as well as the Enterprise Blueprint, a 25-year plan to align the delivery of specialized infrastructure with demands across NNSA missions. At the August 13, 2024, meeting, ACNS discussed Defense

Nuclear Nonproliferation Programs, Integrated Plutonium Program, and Pipeline & Workforce. At the December 3, 2024, meeting, ACNS closed out two subcommittee studies on Modern Materials and Manufacturing (M3) and the ST&E Revitalization.

This report was also submitted to the Library of Congress, FACA Desk for public inspection and use.

Signing Authority: This document of the Department of Energy was signed on March 31, 2025, by David Borak, Committee Management Officer, 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 April 1, 2025.

Treena V. Garrett,
*Federal Register Liaison Officer, U.S.
Department of Energy.*

[FR Doc. 2025–05801 Filed 4–3–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Agency Information Collection Extension

AGENCY: U.S. Department of Energy.

ACTION: Notice of request for comments.

SUMMARY: The Department of Energy (DOE), pursuant to the Paperwork Reduction Act of 1995, intends to extend for three years, an information collection request with the Office of Management and Budget (OMB).

DATES: Comments regarding this proposed information collection must be received on or before June 3, 2025. If you anticipate any difficulty in submitting comments within that period, contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section as soon as possible.

ADDRESSES: Written comments may be sent to Alesia Harmon, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585–1615, or by email at alesia.harmon@hq.doe.gov; Mrs. Harmon may also be contacted at (240) 246–4702.

FOR FURTHER INFORMATION CONTACT:
Alesia Harmon, (240) 246–4702,

alesia.harmon@hq.doe.gov. Reporting requirements can be found at: https://www.energy.gov/sites/prod/files/2021/02/f82/Special%20H%20Clause%20-%20EMPLOYEE%20COMPENSATION_PAY%20AND%20BENEFITS.pdf.

SUPPLEMENTARY INFORMATION: Comments are invited on: (a) Whether the extended 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 proposed collection of information, including the validity of the methodology and assumptions used; (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 respondents, including through the use of automated collection techniques or other forms of information technology.

This information collection request contains:

- (1) OMB No.: 1910–0600;
 - (2) *Information Collection Request Titled:* Industrial Relations;
 - (3) *Type of Review:* Renewal;
 - (4) *Purpose:* This information is required for management oversight of the Department of Energy's Facilities Management Contractors and to ensure that the programmatic and administrative management requirements of the contract are managed efficiently and effectively;
 - (5) *Annual Estimated Number of Respondents:* 39;
 - (6) *Annual Estimated Number of Total Responses:* 227;
 - (7) *Annual Estimated Number of Burden Hours:* 1001.25;
 - (8) *Annual Estimated Reporting and Recordkeeping Cost Burden:* \$0.
- Statutory Authority:* 42 U.S.C. 7256; 48 CFR 970.0370–1.

Signing Authority

This document of the Department of Energy was signed on March 31, 2025, by Berta Schreiber, Director, Office of Acquisition Management, 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 April 1, 2025.

Treena V. Garrett,
*Federal Register Liaison Officer, U.S.
Department of Energy.*

[FR Doc. 2025–05839 Filed 4–3–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14796–002]

GreenGenStorage, LLC; Notice of Application Tendered for Filing With the Commission and Establishing Procedural Schedule for Licensing and Deadline for Submission of Final Amendments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

- a. *Type of Application:* Original License.
- b. *Project No.:* 14796–002.
- c. *Date Filed:* March 14, 2025.
- d. *Applicant:* GreenGenStorage, LLC.
- e. *Name of Project:* Mokelumne Pumped Storage Project.
- f. *Location:* The proposed project would be located near the town of Jackson, in Amador and Calaveras Counties, California. The project would occupy 85.7 acres of Federal land administered by the U.S. Forest Service.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 (a)–825(r).
- h. *Applicant Contact:* Mr. Nicholas Sher, GreenGenStorage, LLC, 4900 Shattuck Avenue, P.O. Box 3833, Oakland, CA 94609; (209) 217–1425; email: nicholas@greengenstorage.com.
- i. *FERC Contact:* Rebecca Kipp, (202) 502–8846 or rebecca.kipp@ferc.gov.
- j. This application is not ready for environmental analysis at this time.
- k. *The Project Description:* The proposed Mokelumne Pumped Storage Project would utilize the existing Pacific Gas and Electric's (PG&E) reservoirs licensed under Mokelumne River Project No. 137 with the following: (1) a 979-foot-long, 253-foot-high concrete faced rock filled dam and an 865-foot-long, 149-foot-high concrete faced rock filled dam impounding a 52,025-acre-foot Lower Bear River Reservoir (LBRR) to be used as the upper reservoir; (2) a 1,257-foot long and 332-foot high concrete faced, rock filled dam impounding a 141,600-acre-foot Salt Spring Reservoir (SSR) to be used as the lower reservoir;

The proposed project would consist of the following: (1) an upper reservoir with a submerged screened lake tap within the LBRR with a 100-foot diameter, 30-foot high intake riser at an elevation of 5,680.3 feet NAVD88, a 50-foot diameter intake lake tap at an elevation of 5,680.3 feet NAVD88 with a 23-foot by 23-foot fixed wheel gate and 23-foot by 23-foot stoplogs; (2) a lower reservoir (SSR) with a submerged screened lake tap with an 80-foot diameter, 30-foot high intake riser at an elevation of 3,693.5 feet NAVD88, a 40-foot diameter intake lake tap at an elevation of 3,693.5 feet NAVD88, and a 22-foot butterfly valve for the lower intake; (3) a 10,700-foot long, 22-foot-diameter low pressure headrace tunnel (tunnel 1); (4) a 1560-foot-long, 22-foot diameter pressure shaft with a 550-foot-long, 30-foot diameter surge shaft daylighting on the surface; (5) a 4,700-foot long, 22-foot diameter pressurized water conveyance system (tunnel 2); (6) a 260-foot long, 70-foot wide, 163-foot high underground cavern containing two reversible Francis turbines with a spare bay for the potential installation of a third unit in the future with a total generating capacity of 400 megawatts; (7) a 2,200-foot long, 22-foot diameter low pressure tailrace (tunnel 3); (8) a 4,100-foot-long, 18-foot diameter utility tunnel that would transmit power to the 230-kilovolt switchyard serving as the interconnection point with the existing Salt Springs substation; and (9) appurtenant facilities.

I. In addition to publishing this notice in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this notice, as well as other documents in the proceeding (e.g., license application) via the internet through the Commission's Home Page (<https://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 (P-14796). For assistance, please contact FERC Online Support at FEROnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). You may also register online at <https://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

m. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access

publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595, or OPP@ferc.gov.

n. Procedural Schedule:

The application will be processed according to the following preliminary Hydro Licensing Schedule. Revisions to the schedule may be made as appropriate.

Milestone	Target date
Deficiency letter (if necessary) Additional Information Request (if necessary).	April 2025. April 2025.
Notice of Acceptance/Notice of Ready for Environmental Analysis.	July 2025.

o. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Dated: March 28, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025-05765 Filed 4-3-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 15045-002-WV; Project No. 15230-002-OH]

Notice of Scoping Meetings and Environmental Site Review and Soliciting Scoping Comments: Current Hydro Project 19, LLC; Pike Island Hydropower Corporation

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Types of Applications:* Original Major Licenses.

b. *Project Nos.:* P-15045-002—New Cumberland Hydroelectric Project; P-15230-002—Pike Island Hydroelectric Project.

c. *Dates Filed:* May 8, 2024 for P-15045-002; May 14, 2024 for P-15230-002.

d. *Applicants:* Current Hydro Project 19, LLC for P-15045-002; Pike Island Hydropower Corporation for P-15230-002.

e. *Name of Projects:* New Cumberland Hydroelectric Project (P-15045-002); Pike Island Hydroelectric Project (P-15230-002).

f. *Locations:* New Cumberland Hydroelectric Project on the Ohio River in Hancock County, West Virginia.

Pike Island Hydroelectric Project on the Ohio River in Belmont County, Ohio.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Hailee Kessel, Senior Regulatory Lead, Current Hydro, LLC, 3120 Southwest Freeway, Suite 101, PMB 50808, Houston, TX 77098, telephone at (315) 558-9834; email at hailee@currenthydro.com.

i. *FERC Contact:* Colleen Corballis, Project Coordinator, Midwest Branch, Division of Hydropower Licensing; telephone at (202) 502-8598; email at colleen.corballis@ferc.gov.

j. *Deadline for Filing Scoping Comments:* May 30, 2025.

The Commission strongly encourages electronic filing. Please file scoping comments using the Commission's eFiling system at <https://ferconline.ferc.gov/FEROnline.aspx>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. For assistance, please contact FERC Online Support at FEROnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. All filings must clearly identify the project name and docket number on the first page: New Cumberland Hydroelectric Project No. 15045-002 and/or Pike Island Hydroelectric Project No. 15230-002.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for each Project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. The application is not ready for environmental analysis at this time.

l. *Project Descriptions:* The proposed New Cumberland Project would be located the U.S. Army Corps of

Engineers' (Corps) existing New Cumberland Lock and Dam and would consist of: (1) a 90-foot-wide, 350-foot-long, and 69-foot-high intake channel with trash racks; (2) a 186.8-foot-long, 98-foot-wide, and 74.5-foot-high concrete powerhouse on the east bank of the Ohio River; (3) two identical Kaplan pit turbine-generators with a total installed capacity of 19.99 megawatts (MW); (4) a 95-foot-wide, 215-foot-long tailrace channel; (5) a 180-foot-long, 12.47-kilovolt (kV), 22.2 megavolt ampere (MVA) underground transmission line crossing under the Norfolk Southern Railway, transitioning to a 350-foot-long overhead transmission line to a substation; (6) a 90-foot-long, 90-foot-wide powerhouse substation including a 12.47-kV/138-kV, 25-MVA 3-phase single pad-mounted transformer; (7) a 1,050-foot-long, 138-kV, three phase overhead transmission line connecting the powerhouse substation to the existing 138-kilowatt (kW) transmission line; and (8) appurtenant facilities. The proposed estimated annual generation would be 132.4 gigawatt hours (GWh).

The proposed Pike Island Project would be located at the Corps' existing Pike Island Locks and Dam, and would consist of: (1) a 90-foot-wide, 180-foot-long, and 69-foot-high intake section with trash racks; (2) a 186.8-foot-long and 98-foot-wide concrete powerhouse on the west bank of the Ohio River; (3) two identical Kaplan pit turbine-generators with a total installed capacity of 19.99 MW; (4) a 150-foot-long and 95-foot-wide tailrace channel; (5) a new 550-foot-long, 12.47-kV, 25-MVA underground utilidor crossing under River Road; (6) a 100-foot-long and 120-foot-wide substation including a 3,600-foot-long, 69-kV three phase overhead transmission line connecting the powerhouse substation to the existing 69-kV transmission line; and (7) appurtenant facilities. The proposed estimated annual energy production would be 136.1 GWh.

m. A copy of the application can be viewed on the Commission's website at <https://www.ferc.gov> using the "eLibrary" link. Enter the Project's docket number excluding the last three digits in the docket number field to access the document (P-15045 or P-15230). For assistance, contact FERC Online Support.

You may also register at <https://ferconline.ferc.gov/FERConline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support.

n. The Commission's Office of Public Participation (OPP) supports meaningful

public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

o. Scoping Process:

Pursuant to the National Environmental Policy Act (NEPA), Commission staff intends to prepare either an environmental assessment (EA) or an environmental impact statement (EIS) (collectively referred to as the "NEPA document") that describes and evaluates the probable effects, including an assessment of the site-specific and cumulative effects, if any, of the proposed action and alternatives. The Commission's scoping process will help determine the required level of analysis and satisfy the NEPA scoping requirements, irrespective of whether the Commission issues an EA or an EIS.

Scoping Meetings

In addition to written comments solicited by this notice, Commission staff will hold two joint public scoping meetings for the Projects at the times and locations noted below. All interested individuals, resource agencies, Indian Tribes, and NGOs are invited to attend any of the meetings to assist Commission staff in identifying the scope of the environmental issues that should be analyzed in the NEPA document. The times and locations of these meetings are as follows:

Daytime Scoping Meeting

Date: May 6, 2025.

Time: 9:00 a.m. EST to 11:00 a.m. Eastern Daylight Time (EDT).

Meeting Location: To Be Determined.

Evening Scoping Meeting

Date: May 6, 2025.

Time: 5:00 p.m. EST to 7:00 p.m. EDT.

Location: To Be Determined.

Scoping Document 1 (SD1), which outlines the subject areas to be addressed in the NEPA document, was mailed to the individuals and entities on the Commission's mailing list and the applicants' distribution lists. Copies of SD1 will be available at the scoping meetings, or may be viewed on the web at <http://www.ferc.gov>, using the "eLibrary" link. Follow the directions for accessing information in paragraph m.

Environmental Site Review

Current Hydro and Commission staff will conduct an environmental site review of the Pike Island Project beginning at 2:00 p.m. EDT on May 6, 2025. Participants should meet at 2:00 p.m. EDT at the Fisherman's Access Area parking lot, which is located at the Pike Island Locks and Dam Fisherman's Access Area in Yorkville, OH 26003. All participants must remain in publicly accessible spaces and should wear closed-toe shoes/boots for walking in uneven/sloped terrain around the proposed project area.

All interested individuals, resource agencies, Indian Tribes, and NGOs are invited to attend the site review. If you plan to attend the site review, please contact Mitchell Kriege of Current Hydro at (859) 630-7389, or via email at mitchell@currenthydro.com on or before April 22, 2025, and indicate if you are attending the Pike Island Project environmental site review and how many participants will be attending with you.

There will not be an environmental site review at the proposed New Cumberland Project due to site access constraints to the proposed project.

Meeting Procedures

Individuals, NGOs, Indian Tribes, and agencies with environmental expertise and concerns are encouraged to attend the meetings and to assist the staff in defining and clarifying the issues to be addressed in the NEPA document. At the start of each meeting, Commission staff will provide a brief overview of the meeting format and objectives. Individual oral comments will be taken on a one-on-one basis with a court reporter (with Commission staff present). This format is designed to receive the maximum number of oral comments in a convenient way during the timeframe allotted. If you wish to speak, Commission staff will hand out numbers in the order of your arrival. If all individuals who wish to provide comments have had an opportunity to do so, Commission staff may conclude the meeting a half hour earlier than the scheduled time. Please see appendix 1 for additional information on the session format and conduct.¹

Scoping comments will be recorded by the court reporter and become part of the public record for this proceeding.

¹ The appendix referenced in this notice will not appear in the **Federal Register**. Copies of the appendix were sent to all those receiving this notice in the mail and are available at <http://www.ferc.gov> using the "eLibrary" link. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or call (866) 208-3676 (toll free), or (202) 502-8659 (TTY).

Transcripts will be publicly available on FERC's eLibrary system. If a significant number of people are interested in providing oral comments in the one-on-one settings, a time limit may be implemented for each commentor.

It is important to note that the Commission provides equal consideration to all comments received, whether filed in writing or provided orally at a scoping meeting. Although there will not be a formal presentation, Commission staff will be available throughout the scoping session to answer your questions about the environmental review process. Representatives from Current Hydro will also be present to answer project-specific questions.

Dated: March 31, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025-05858 Filed 4-3-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14787-004]

Black Canyon Hydro, LLC; Notice of Intent To Prepare an Environmental Impact Statement for the Seminole Pumped Storage Project, Schedule for Environmental Review, and Request for Comments

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental impact statement (EIS) that will discuss the environmental impacts of constructing and operating the proposed Seminole Pumped Storage Project (Seminole Project; FERC No. 14787), located at the U.S. Bureau of Reclamation's (Reclamation) Seminole Reservoir on the North Platte River in Carbon County, Wyoming, approximately 35 miles northeast of Rawlins, Wyoming.¹ The Commission will use this EIS in its decision-making process in accordance with the National Environmental Policy Act (NEPA). The schedule for preparing the EIS is discussed in the Schedule for Environmental Review section of this notice.

As part of the NEPA review process, the Commission takes into account concerns the public may have about

proposals and the environmental impacts that could result whenever it considers the issuance of a license. This gathering of public input is referred to as "scoping." On September 6, 2024, Commission staff issued Scoping Document 1, initiating the scoping process for the project. Commission staff conducted an environmental site visit open to the public on September 25, 2024, and held three public scoping meetings. Two scoping meetings were held in Casper, Wyoming, on September 24, 2024, and another scoping meeting was held in Rawlins, Wyoming, on September 25, 2024. A court reporter recorded oral comments made during the scoping meetings. On January 13, 2024, Commission staff issued a revised scoping document (Scoping Document 2) based on the comments received during the scoping comment period, which ended November 5, 2024. Scoping Document 2 describes the project, project alternatives, and the current view of anticipated environmental effects that will be addressed in the EIS.

In accordance with the Commission's regulations, on January 13, 2025, Commission staff issued a notice that the project was ready for environmental analysis and soliciting comments, recommendations, terms and conditions, and prescriptions (REA Notice). The comment period for the REA Notice closed on March 14, 2025. Based on the information in the record, including comments filed during scoping and in response to the REA Notice, staff has determined that licensing the project may constitute a major Federal action significantly affecting the quality of the human environment. Therefore, staff will prepare an EIS for the proposed Seminole Project. Commission staff intends to prepare an EIS that will address the concerns raised during prior comment periods and comments received in response to this notice.

By this notice, the Commission requests any additional comments on the scope of issues to address in the EIS, including comments on potential alternatives and impacts, and any relevant information, studies, or analyses of any kind concerning impacts affecting the quality of the human environment. If you previously submitted comments and recommendations to the Commission, you do not need to file those comments and recommendations again. To ensure that your comments are timely and properly recorded, please submit your comments so that the Commission receives them in Washington, DC on or

before 5:00 p.m. Eastern Time on April 28, 2025.²

Public Participation

There are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208-3676 or FercOnlineSupport@ferc.gov. Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the eComment feature, which is located on the Commission's website (www.ferc.gov) under the link to FERC Online. Using eComment is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the eFiling feature, which is located on the Commission's website (www.ferc.gov) under the link to FERC Online. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; a comment on a particular project is considered a "Comment on a Filing"; or

(3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the project docket number (P-14787-004) on your letter. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

Additionally, the Commission offers a free service called eSubscription. This service provides automatic notification of filings made to subscribed dockets, document summaries, and direct links to the documents. Go to <https://www.ferc.gov/ferc-online/overview> to register for eSubscription.

² The Commission's Rules of Practice and Procedure provide that, if a filing deadline falls on a Saturday, Sunday, holiday, or other day when the Commission is not open for business, the filing deadline does not end until the close of business on the next business day. 18 CFR 385.2007(a)(2) (2024). The filing deadline is 30 days from issuance of the notice (*i.e.*, April 27, 2025), which falls on a Sunday, thus the filing deadline is the close of business Monday, April 28, 2025.

¹ For tracking purposes under the National Environmental Policy Act, the unique identification number for documents relating to this environmental review is EISX-019-20-000-1742297464.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Summary of the Proposed Project

On January 18, 2023, rPlus Hydro, LLLP, on behalf of Black Canyon Hydro, LLC (BCH), filed an application for an original major license to construct and operate the 972-megawatt (MW) Seminole Project. The project would occupy 1,025.94 acres of land managed by the Bureau of Land Management (BLM) and 77.00 acres managed by the Reclamation. The proposed project would involve constructing a new upper reservoir, water conveyance and maintenance tunnel system, underground powerhouse, access bridge, and two overhead transmission lines. It would use Reclamation's existing Seminole Reservoir on the North Platte River as its lower reservoir. Project construction would take about 5 years to complete and require permanently disturbing approximately 284.0 acres of land and temporarily disturbing another 328.7 acres. The project would require 13,400 acre-feet of water from the Seminole Reservoir to initially fill the new upper reservoir and would require approximately 672 acre-feet of make-up water annually to replace water lost due to evaporation and seepage. Once operating, the project would cycle back and forth about 10,800 acre-feet of water between the upper and lower reservoirs. The project would pump water from the lower reservoir during off-peak hours and generate electricity by discharging water from the upper reservoir through three pump-turbines each rated at 324 MW (for a combined total generating capacity of 972 MW) located in the underground powerhouse when demand is high. The project would be capable of generating 2,916 gigawatt-hours per year.

The purpose of the proposed project is to provide a new source of hydroelectric power, primarily during on-peak periods, and provide ancillary services to the electrical grid. Therefore, under the provisions of the Federal Power Act (FPA), the Commission must decide whether to issue a license to BCH for the project and what conditions should be placed on any license issued.

The NEPA Process and the EIS

The EIS issued by the Commission will discuss impacts that could occur because of the proposed project under the following relevant general resource areas:

- geology and soils resources
- aquatic resources
- terrestrial resources
- threatened and endangered species
- recreation, land use, and aesthetics
- socioeconomic resources
- cultural resources
- air quality and greenhouse gas emissions

Some of the expected effects include: (1) soil disturbance and vegetation removal, including old growth timber; (2) potential changes in water quality and quantity; (3) potential entrainment and loss of fish; (4) loss of wildlife habitat and noise effects on wildlife (including big game species); and (5) potential effects on recreation (including noise and air quality), public access, and use in the project area.

Commission staff will also make recommendations on how to lessen or avoid impacts on the various resource areas. Your comments will help Commission staff focus its analysis on the issues that may have a significant effect on the human environment.

The EIS will present Commission staff's independent analysis of the issues. Reclamation, BLM, the U.S. Fish and Wildlife Service (FWS), the U.S. Army Corps of Engineers (Corps), the Western Area Power Administration, the Saratoga-Encampment-Rawlins Conservation District, the Medicine Bow Conservation District, and the Board of Carbon County Commissioners will cooperate in preparing the EIS. A draft EIS will be issued for public comment and circulated for review by all interested parties. Commission staff will consider all timely comments received during the comment period on the draft EIS and revise the document, as necessary, before issuing a final EIS. Any draft and final EIS will be available in electronic format in the public record through eLibrary.³ If eSubscribed, you will receive instant email notification when the environmental document is issued.

Alternatives Under Consideration

As part of our review in the EIS, the Commission will consider a range of reasonable alternatives that are technically and economically feasible and meet the purpose and need for the

proposed action. Alternatives that do not meet these requirements will be summarized and dismissed from further consideration in the EIS document. In addition to the proposed action, staff will consider a no-action alternative. Currently, we are also considering an alternative to the proposed action that potentially meets the above criteria: the applicants' proposed action with staff modifications.

The alternatives we are considering may be expanded based on the comments we receive, provided they meet the required criteria. With this notice, we ask commenters to identify other potential reasonable alternatives for consideration.

Schedule for Environmental Review

On February 2, 2023, the Commission issued its notice of the filing of the application for the Project. This Notice of Intent identifies Commission staff's planned schedule for completion of the final EIS for the project, which is based on an issuance of the draft EIS in September 2025, opening a 90-day public comment period.⁴ All comments filed will be reviewed by staff and considered in the Commission's final decision on the proceeding.

Issuance of Notice of Availability of the final EIS—April 13, 2026

This notice identifies the Commission's anticipated schedule for issuance of the License Order for the Project, which serves as the Commission's record of decision. We currently anticipate issuing a License Order for the project no later than: Issuance of the License Order—July 16, 2026

The schedule for issuing a draft and final NEPA document, and the License Order is consistent with the Commission's Notice of Revised Schedule for the Seminole Pumped Storage Project issued October 18, 2024. If a schedule change becomes necessary, an additional notice will be provided so that the relevant agencies are kept informed of the project's progress.

Permits, and Authorizations

The table below lists the anticipated permits and authorizations for the project required under Federal law. This list may not be all-inclusive and does not preclude any permit or authorization if it is not listed here. Agencies with jurisdiction by law and/or special expertise may formally cooperate in the preparation of the

³ For instructions on connecting to eLibrary, refer to the Additional Information section of this notice this notice.

⁴ The project schedule includes a 90-day comment period for the draft EIS to accommodate BLM's requirements under its regulations at 43 CFR 1610.2(e).

Commission's EIS and may adopt the EIS to satisfy its NEPA responsibilities related to this project.

Agency	Permit or authorization
FERC	Non-Federal Hydropower License.
Corps	Clean Water Act Section 404 Permit.
Reclamation	Lease of Power Privilege.
BLM	Right-of-Way Permit; Resource Management Plan Amendment.
FWS	Consultation under Section 7 of the Endangered Species Act.
Wyoming State Historic Preservation Office	Consultation under Section 106 of the National Historic Preservation Act.
Wyoming Department of Environmental Quality	Clean Water Act Section 401 Water Quality Certification.

Additional Information

Additional information about the project is available on the FERC website at www.ferc.gov using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the Docket No. P-14787 in the "Docket Number" field. Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or (866) 208-3676, or for TTY, contact (202) 502-8659.

Any questions regarding this notice may be directed to Michael Tust at (202) 502-6522 or michael.tust@ferc.gov.

Dated: March 28, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025-05766 Filed 4-3-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP24-59-001]

WBI Energy Transmission, Inc.; Notice of Request for Extension of Time

Take notice that on March 21, 2025, WBI Energy Transmission, Inc. (WBI Energy) requested that the Commission grant an extension of time, until December 31, 2025, to complete construction and place into service the Elk Basin—Billings Replacement Project (Project) located in Yellowstone County, Montana. On February 23, 2024, the Commission issued a Notice of Request Under Blanket Authorization, which established a 60-day comment period, ending on April 23, 2024, to file protests. No protests were filed during the comment period, and accordingly the project self-implemented on April 24, 2024, and by Rule should have been completed within one year.

WBI Energy states it has successfully completed construction activities for Section 4 of the Project and has commenced construction activities at

the North Yellowstone River Valve Setting. However, due to delays in receiving an easement from the Burlington Northern Santa Fe Railway (BNSF), WBI Energy has been unable to commence construction in Sections 1 through 3 of the Project.

On March 12, 2025, WBI Energy received a draft easement agreement from BNSF and is currently reviewing the terms of the easement. Upon receiving a final easement agreement, WBI Energy anticipates construction of Sections 1 through 3 will take approximately five months. Construction activities in Sections 1 through 3 include: (1) replacement of pipeline including installation and removal activities; (2) completion of six guided bores; (3) aboveground facility work at the Monad Station, Streeter Valve Setting, Conoco Takeoff Valve Setting, T&E Lateral Valve Setting, Laurel Town Border Station, and Yost Farm Tap; (4) completion of construction activities at the North Yellowstone River Valve Setting; and (5) clean-up and seeding activities.

This notice establishes a 15-calendar day intervention and comment period deadline. Any person wishing to comment on WBI Energy's request for an extension of time may do so. No reply comments or answers will be considered. If you wish to obtain legal status by becoming a party to the proceedings for this request, you should, on or before the comment date stated below, file a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (NGA) (18 CFR 157.10).

As a matter of practice, the Commission itself generally acts on requests for extensions of time to complete construction for NGA facilities when such requests are contested before order issuance. For those extension requests that are contested,¹ the

¹ Contested proceedings are those where an intervenor disputes any material issue of the filing. 18 CFR 385.2201(c)(1).

Commission will aim to issue an order acting on the request within 45 days.² The Commission will address all arguments relating to whether the applicant has demonstrated there is good cause to grant the extension.³ The Commission will not consider arguments that re-litigate the issuance of the certificate order, including whether the Commission properly found the project to be in the public convenience and necessity and whether the Commission's environmental analysis for the certificate complied with the National Environmental Policy Act (NEPA).⁴ At the time a pipeline requests an extension of time, orders on certificates of public convenience and necessity are final and the Commission will not re-litigate their issuance.⁵ The Director of the Office of Energy Projects, or his or her designee, will act on all of those extension requests that are uncontested.

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 (<https://www.ferc.gov>). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website

² *Algonquin Gas Transmission, LLC*, 170 FERC ¶ 61,144, at P 40 (2020).

³ *Id.* at P 40.

⁴ Similarly, the Commission will not re-litigate the issuance of an NGA section 3 authorization, including whether a proposed project is not inconsistent with the public interest and whether the Commission's environmental analysis for the permit order complied with NEPA.

⁵ *Algonquin Gas Transmission, LLC*, 170 FERC ¶ 61,144, at P 40 (2020).

during normal business hours from FERC Online Support at (202) 502-6652 (toll free at 1-866-208-3676) or email at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

The Commission strongly encourages electronic filings of comments in lieu of paper using the “eFile” link at <http://www.ferc.gov>. In lieu of electronic filing, you may submit a paper copy which must reference the Project docket number.

To file via USPS: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other courier: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission’s Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Comment Date: 5:00 p.m. Eastern Time on April 14, 2025.

Dated: March 28, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025-05769 Filed 4-3-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL25-58-000]

Clean Energy Future—Lordstown, LLC; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On March 28, 2025, the Commission issued an order in Docket No. EL25-58-000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e, instituting an investigation to determine whether Clean Energy Future—Lordstown, LLC’s Rate Schedule is unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. *Clean Energy*

Future—Lordstown, LLC, 190 FERC ¶ 61,188 (2025).

The refund effective date in Docket No. EL25-58-000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Any interested person desiring to be heard in Docket No. EL25-58-000 must file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, in accordance with Rule 214 of the Commission’s Rules of Practice and Procedure, 18 CFR 385.214 (2024), within 21 days of the date of issuance of the order.

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 (<https://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. From FERC’s Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field. User assistance is available for eLibrary and the FERC’s website during normal business hours from FERC Online Support at 202-502-6652 (toll free at 1-866-208-3676) or email at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the “eFile” link at <https://www.ferc.gov>. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission’s Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations,

Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Dated: March 28, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025-05768 Filed 4-3-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP24-12-001]

Transcontinental Gas Pipe Line Company, LLC; Notice of Request for Extension of Time

Take notice that on March 25, 2025, Transcontinental Gas Pipe Line Company, LLC (Transco) requested that the Commission grant an extension of time, until March 26, 2026, to complete its Ship Shoal 246 to Ship Shoal 242 Abandonment Project (Project) located offshore Louisiana as authorized in the Order Authorizing Abandonment (Order).¹ The Order required Transco to complete abandonment of the Project facilities within one year of the date of the Order, or by March 26, 2025.

Transco states that difficulties during pigging operations and issues isolating the section of pipeline to be abandoned led to unforeseen delays in the Project. Transco states that a malfunctioning isolating valve at the end of the line had to be removed and replaced with a line stop fitting to achieve isolation of the pipeline to be abandoned. Additionally, Transco states that vessel availability issues, adverse weather, and the complexities of pig troubleshooting, ultimately made it impossible to complete the Project within the originally prescribed timeframe.

This notice establishes a 15-calendar day intervention and comment period deadline. Any person wishing to comment on Transco’s request for an extension of time may do so. No reply comments or answers will be considered. If you wish to obtain legal status by becoming a party to the proceedings for this request, you should, on or before the comment date stated below, file a motion to intervene in accordance with the requirements of the Commission’s Rules of Practice and

¹ *Transcontinental Gas Pipe Line Company, LLC*, 186 FERC ¶ 62,158 (2024).

Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (NGA) (18 CFR 157.10).

As a matter of practice, the Commission itself generally acts on requests for extensions of time to complete construction for NGA facilities when such requests are contested before order issuance. For those extension requests that are contested,² the Commission will aim to issue an order acting on the request within 45 days.³ The Commission will address all arguments relating to whether the applicant has demonstrated there is good cause to grant the extension.⁴ The Commission will not consider arguments that re-litigate the issuance of the certificate order, including whether the Commission properly found the project to be in the public convenience and necessity and whether the Commission's environmental analysis for the certificate complied with the National Environmental Policy Act (NEPA).⁵ At the time a pipeline requests an extension of time, orders on certificates of public convenience and necessity are final and the Commission will not re-litigate their issuance.⁶ The Director of the Office of Energy Projects, or his or her designee, will act on all of those extension requests that are uncontested.

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 (<https://www.ferc.gov>). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at (202) 502-6652

(toll free at 1-866-208-3676) or email at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

The Commission strongly encourages electronic filings of comments in lieu of paper using the "eFile" link at <https://www.ferc.gov>. In lieu of electronic filing, you may submit a paper copy which must reference the Project docket number.

To file via USPS: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other courier: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Comment Date: 5:00 p.m. Eastern Time on April 14, 2025.

Dated: March 28, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025-05770 Filed 4-3-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 15394-000]

New England Hydropower Company, LLC; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

On February 6, 2025, New England Hydropower Company, LLC, filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the Eastvale Dam Hydroelectric Project (Eastvale Project) on the Beaver River in Beaver County, near the City of Beaver Falls in Pennsylvania. The sole purpose of a preliminary permit, if issued, is to grant

the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed Eastvale Project would consist of the following: (1) an existing 490-foot-long, 12.5-foot-high concrete-lined dam with an overflow crest elevation of 730.7 feet mean sea level (msl); (2) an existing impoundment; (3) three new 24-foot-wide, 87-foot-long turbine bays each housing two turbine-generator units—each unit with a capacity of 350 kilowatts (kW) for a total capacity of 2,100 kW; (4) a new 16-foot-wide, 35-foot-long electrical control building; (5) a new 100-foot-long transmission line; and (6) appurtenant facilities. The proposed project would have an annual generation of 9,200 megawatt-hours.

Applicant Contact: Michael Kerr, New England Hydropower Company, LLC, 100 Cummings Center, Suite 451C, Beverly, MA 01915; phone: (978) 360-2547.

FERC Contact: Monir Chowdhury; phone: (202) 502-6736.

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, notices of intent, and competing applications using the Commission's eFiling system at <https://ferconline.ferc.gov/FEROnline.aspx>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. For assistance, please contact FERC Online Support at FEROnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in

² Contested proceedings are those where an intervenor disputes any material issue of the filing. 18 CFR 385.2201(c)(1).

³ *Algonquin Gas Transmission, LLC*, 170 FERC ¶ 61,144, at P 40 (2020).

⁴ *Id.* at P 40.

⁵ Similarly, the Commission will not re-litigate the issuance of an NGA section 3 authorization, including whether a proposed project is not inconsistent with the public interest and whether the Commission's environmental analysis for the permit order complied with NEPA.

⁶ *Algonquin Gas Transmission, LLC*, 170 FERC ¶ 61,144, at P 40 (2020).

Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

More information about this project, including a copy of the application, can be viewed or printed on the “eLibrary” link of the Commission’s website at <https://elibrary.ferc.gov/eLibrary/search>. Enter the docket number (P-15394) in the docket number field to access the document. For assistance, contact FERC Online Support.

Dated: March 31, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025-05857 Filed 4-3-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2628-066]

Notice of Availability of the Final Environmental Impact Statement for the Alabama Power Company R.L. Harris Hydroelectric Project

In accordance with the National Environmental Policy Act of 1969¹ and the Federal Energy Regulatory Commission’s (Commission) regulations, 18 CFR part 380, the Office of Energy Projects has reviewed the application for relicense for the R.L. Harris Hydroelectric Project (Harris Project) (FERC No. 2628) and has prepared a final environmental impact statement (EIS) for the project. The project is located on the Tallapoosa River near the City of Lineville in Randolph, Clay, and Cleburne Counties, Alabama. The Harris Project also includes land within the James D. Martin-Skyline Wildlife Management Area located approximately 110 miles north of Harris Lake in Jackson County, Alabama.

The final EIS contains staff’s analysis of the applicant’s proposal and the alternatives for relicensing the Harris Project. The final EIS documents the views of governmental agencies, non-

governmental organizations, affected Native-American Tribes, the public, the license applicant, and Commission staff.

The Commission provides all interested persons with an opportunity to view and/or print the final EIS 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. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov, or toll-free at (866) 208-3676, or for TTY, (202) 502-8659.

You may also register online at <https://ferconline.ferc.gov/ferconline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

The Commission’s Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595, or OPP@ferc.gov.

For further information, contact Sarah Salazar at (202) 502-6863, or sarah.salazar@ferc.gov.

Dated: March 31, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025-05859 Filed 4-3-25; 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: RP25-757-000.

Applicants: National Fuel Gas Supply Corporation.

Description: 4(d) Rate Filing: Negotiated Rate—Citadel Energy Marketing Amendment VI to be effective 4/1/2025.

Filed Date: 3/28/25.

Accession Number: 20250328-5391.

Comment Date: 5 p.m. ET 4/9/25.

Docket Numbers: RP25-758-000.

Applicants: Panhandle Eastern Pipe Line Company, LP.

Description: Compliance filing: Flow Through of Penalty Revenues Report filed on 3-31-25 to be effective N/A.

Filed Date: 3/31/25.

Accession Number: 20250331-5016.

Comment Date: 5 p.m. ET 4/14/25.

Docket Numbers: RP25-759-000.

Applicants: Panhandle Eastern Pipe Line Company, LP.

Description: Compliance filing: Flow Through of Cash-Out Revenues filed on 3-31-25 to be effective N/A.

Filed Date: 3/31/25.

Accession Number: 20250331-5019.

Comment Date: 5 p.m. ET 4/14/25.

Docket Numbers: RP25-760-000.

Applicants: Enable Gas Transmission, LLC.

Description: Compliance filing: 2025 Annual IT Revenue Crediting Filing to be effective N/A.

Filed Date: 3/31/25.

Accession Number: 20250331-5020.

Comment Date: 5 p.m. ET 4/14/25.

Docket Numbers: RP25-761-000.

Applicants: Enable Gas Transmission, LLC.

Description: 4(d) Rate Filing: Fuel Tracker Filing—Effective May 1, 2025 to be effective 5/1/2025.

Filed Date: 3/31/25.

Accession Number: 20250331-5021.

Comment Date: 5 p.m. ET 4/14/25.

Docket Numbers: RP25-762-000.

Applicants: Enable Mississippi River Transmission, LLC.

Description: Compliance filing: 2025 Annual SCT Revenue Crediting Filing to be effective N/A.

Filed Date: 3/31/25.

Accession Number: 20250331-5023.

Comment Date: 5 p.m. ET 4/14/25.

Docket Numbers: RP25-763-000.

Applicants: Florida Gas Transmission Company, LLC.

Description: 4(d) Rate Filing: New Non-Conforming NRAs with FP&L and CertainTeed to be effective 4/1/2025.

Filed Date: 3/31/25.

Accession Number: 20250331-5032.

Comment Date: 5 p.m. ET 4/14/25.

Docket Numbers: RP25-764-000.

Applicants: Florida Gas Transmission Company, LLC.

Description: 4(d) Rate Filing: Update Non-Conforming List—FP&L and CertainTeed to be effective 4/1/2025.

Filed Date: 3/31/25.

Accession Number: 20250331-5037.

Comment Date: 5 p.m. ET 4/14/25.

Docket Numbers: RP25-765-000.

Applicants: Eastern Gas Transmission and Storage, Inc.

Description: 4(d) Rate Filing: EGTS—25.03.31 Negotiated Agreements to be effective 4/1/2025.

¹ National Environmental Policy Act of 1969, amended (Pub. L. 91-190, 42 U.S.C. 4321-4347, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, Pub. L. 97-258, 4(b), September 13, 1982, Pub. L. 118-5, June 3, 2023).

Filed Date: 3/31/25.
Accession Number: 20250331–5106.
Comment Date: 5 p.m. ET 4/14/25.
Docket Numbers: RP25–766–000.
Applicants: Kern River Gas Transmission Company.
Description: 4(d) Rate Filing: 2025 March Negotiated TSA Filing to be effective 4/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5165.
Comment Date: 5 p.m. ET 4/14/25.
Docket Numbers: RP25–767–000.
Applicants: Northern Border Pipeline Company.
Description: 4(d) Rate Filing: Electric Compressor Surcharge 2025 to be effective 5/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5178.
Comment Date: 5 p.m. ET 4/14/25.
Docket Numbers: RP25–768–000.
Applicants: Southern Star Central Gas Pipeline, Inc.
Description: 4(d) Rate Filing: Vol. 2—Negotiated Rate Agreements—Scout Energy Group III and V, and Tenaska to be effective 4/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5193.
Comment Date: 5 p.m. ET 4/14/25.
Docket Numbers: RP25–769–000.
Applicants: ≤Hardy Storage Company, LLC.
Description: 4(d) Rate Filing: RAM 2025 to be effective 5/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5199.
Comment Date: 5 p.m. ET 4/14/25.
Docket Numbers: RP25–770–000.
Applicants: Enable Gas Transmission, LLC.
Description: 4(d) Rate Filing: NRA Filing—Tenaska & Delta North to be effective 4/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5202.
Comment Date: 5 p.m. ET 4/14/25.
Docket Numbers: RP25–771–000.
Applicants: East Tennessee Natural Gas, LLC.
Description: Compliance filing: 2023–2024 ETNG Cashout Report to be effective N/A.
Filed Date: 3/31/25.
Accession Number: 20250331–5203.
Comment Date: 5 p.m. ET 4/14/25.
Docket Numbers: RP25–772–000.
Applicants: East Tennessee Natural Gas, LLC.
Description: 4(d) Rate Filing: 2025 ETNG Fuel Filing to be effective 5/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5216.
Comment Date: 5 p.m. ET 4/14/25.
Docket Numbers: RP25–773–000.

Applicants: Alliance Pipeline L.P.
Description: 4(d) Rate Filing: Negotiated Rates—Relocations, Releases 2025–04–01 to be effective 4/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5239.
Comment Date: 5 p.m. ET 4/14/25.
Docket Numbers: RP25–774–000.
Applicants: Pine Needle LNG Company, LLC.
Description: 4(d) Rate Filing: 2025 Annual Fuel and Electric Power Tracker Filing to be effective 5/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5251.
Comment Date: 5 p.m. ET 4/14/25.
Docket Numbers: RP25–775–000.
Applicants: Columbia Gulf Transmission, LLC.
Description: 4(d) Rate Filing: ELXP—Neg Rate NC Filing—Venture Global 265290 to be effective 5/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5263.
Comment Date: 5 p.m. ET 4/14/25.
 Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) 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.

Filings in Existing Proceedings

Docket Numbers: RP24–1103–002.
Applicants: Columbia Gas Transmission, LLC.
Description: Compliance filing: Compliance to Place Revised Rates Into Effect to be effective 4/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5274.
Comment Date: 5 p.m. ET 4/14/25.

Any person desiring to protest in any of the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

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.

The Commission's Office of Public Participation (OPP) supports meaningful

public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or OPP@ferc.gov.

Dated: March 31, 2025.

Carlos D. Clay,
 Deputy Secretary.

[FR Doc. 2025–05820 Filed 4–3–25; 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: EG25–252–000.
Applicants: Century Oaks Energy Storage, LLC.

Description: Century Oaks Energy Storage, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/28/25.

Accession Number: 20250328–5064.
Comment Date: 5 p.m. ET 4/18/25.

Docket Numbers: EG25–253–000.
Applicants: Weirs Creek Solar, LLC.

Description: Weirs Creek Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/28/25.

Accession Number: 20250328–5152.
Comment Date: 5 p.m. ET 4/18/25.

Docket Numbers: EG25–254–000.
Applicants: St. Landry Solar, LLC.

Description: St. Landry Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/28/25.

Accession Number: 20250328–5156.
Comment Date: 5 p.m. ET 4/18/25.

Docket Numbers: EG25–255–000.
Applicants: Greer Solar, LLC.

Description: Greer Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/28/25.

Accession Number: 20250328–5159.
Comment Date: 5 p.m. ET 4/18/25.

Docket Numbers: EG25–256–000.
Applicants: Panhandle Solar, LLC.

Description: Panhandle Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/28/25.
Accession Number: 20250328–5163.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: EG25–257–000.
Applicants: Beaver Creek Solar, LLC.
Description: Beaver Creek Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 3/28/25.
Accession Number: 20250328–5170.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: EG25–258–000.
Applicants: Singer Solar, LLC.
Description: Singer Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 3/28/25.
Accession Number: 20250328–5171.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: EG25–259–000.
Applicants: Buena Vista Energy Center III, LLC.
Description: Buena Vista Energy Center III, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 3/28/25.
Accession Number: 20250328–5179.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: EG25–260–000.
Applicants: Pediment BESS I LLC.
Description: Pediment BESS I LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 3/28/25.
Accession Number: 20250328–5311.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: EG25–261–000.
Applicants: Alamo Clean Energy Center LLC.
Description: Alamo Clean Energy Center LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 3/28/25.
Accession Number: 20250328–5355.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: EG25–262–000.
Applicants: Mesquite Clean Energy Center LLC.
Description: Mesquite Clean Energy Center LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 3/28/25.
Accession Number: 20250328–5362.
Comment Date: 5 p.m. ET 4/18/25.
 Take notice that the Commission received the following electric rate filings:
Docket Numbers: ER10–2739–036; ER14–1219–015; ER16–1732–014; ER17–993–013; ER20–660–010; ER18–95–010; ER10–2729–015; ER21–202–002; ER17–989–013; ER10–1892–023; ER10–1854–020; ER22–425–003; ER17–990–013; ER17–1946–013; ER17–1947–

007; ER17–1948–007; ER21–1133–003; ER16–1652–023; ER11–3320–020; ER14–2548–011; ER22–1241–002; ER10–2744–021; ER16–2406–015; ER16–2405–014; ER10–1618–018; ER13–2316–018; ER17–992–013; ER10–2678–021; ER10–1631–020; ER11–3321–013; ER14–19–019; ER20–1440–006.
Applicants: Yards Creek Energy, LLC, West Deptford Energy, LLC, Wallingford Energy LLC, University Park Energy, LLC, Troy Energy, LLC, Springdale Energy, LLC, Seneca Generation, LLC, Rolling Hills Generating, L.L.C., Rockford Power II, LLC, Rockford Power, LLC, Riverside Generating Company, L.L.C., REV Energy Marketing, LLC, Ocean State Power, LSP University Park, LLC, LifeEnergy LLC, Hummel Station, LLC, Helix Ravenswood, LLC, Helix Maine Wind Development, LLC, Helix Ironwood, LLC, Gans Energy, LLC, Enerwise Global Technologies, LLC, Doswell Limited Partnership, Columbia Energy LLC, Chambersburg Energy, LLC, Centrica Business Solutions Optimize, LLC, Buchanan Generation, LLC, Buchanan Energy Services Company, LLC, Bolt Energy Marketing, LLC, Bath County Energy, LLC, Aurora Generation, LLC, Armstrong Power, LLC, LS Power Marketing, LLC.
Description: Supplement to Response to 03/26/2025, Updated Market Power Analysis for Northeast Region of LS Power Marketing, LLC, et al.
Filed Date: 3/27/25.
Accession Number: 20250327–5259.
Comment Date: 5 p.m. ET 4/17/25.
Docket Numbers: ER25–1791–000.
Applicants: Tri-State Generation and Transmission Association, Inc.
Description: 205(d) Rate Filing: Service Agreement FERC No. 930—Del Camino Tap to be effective 2/27/2025.
Filed Date: 3/27/25.
Accession Number: 20250327–5237.
Comment Date: 5 p.m. ET 4/17/25.
Docket Numbers: ER25–1792–000.
Applicants: Tri-State Generation and Transmission Association, Inc.
Description: 205(d) Rate Filing: Amendment to Rate Schedule FERC No. 27 to be effective 5/27/2025.
Filed Date: 3/27/25.
Accession Number: 20250327–5239.
Comment Date: 5 p.m. ET 4/17/25.
Docket Numbers: ER25–1793–000.
Applicants: Portland General Electric Company.
Description: Compliance filing: PGE Order No. 904 Compliance Filing to be effective 6/25/2025.
Filed Date: 3/27/25.
Accession Number: 20250327–5263.
Comment Date: 5 p.m. ET 4/17/25.
Docket Numbers: ER25–1794–000.

Applicants: Pacific Gas and Electric Company.
Description: 205(d) Rate Filing: WDT: Order 898 Formula Rate revisions to be effective 1/1/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5000.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1795–000.
Applicants: NSTAR Electric Company.
Description: 205(d) Rate Filing: BXP, Inc.—Interconnection Study Agreement to be effective 3/29/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5052.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1796–000.
Applicants: NSTAR Electric Company.
Description: 205(d) Rate Filing: BXP, Inc.—Interconnection Study Agreement to be effective 3/29/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5059.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1797–000.
Applicants: Black Hills Colorado Electric, LLC.
Description: Compliance filing: Order No. 904 Compliance Filing to be effective 6/1/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5062.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1798–000.
Applicants: Black Hills Power, Inc.
Description: Compliance filing: Order No. 904 Compliance Filing to be effective 6/1/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5068.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1799–000.
Applicants: Public Service Company of New Hampshire.
Description: 205(d) Rate Filing: Granite Shore Power LLC—Interconnection Study Agreement to be effective 3/29/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5073.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1800–000.
Applicants: Public Service Company of Colorado.
Description: Compliance filing: 2025–03–28 Order 904 Compliance Filing to be effective 6/26/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5091.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1801–000.
Applicants: Southwest Power Pool, Inc.
Description: Compliance filing: Order No. 904 Compliance Filing to be effective N/A.

Filed Date: 3/28/25.
Accession Number: 20250328–5098.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1802–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 205(d) Rate Filing: 2025–03–28 Att X—Generator Replacement POI to be effective 5/28/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5108.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1803–000.
Applicants: Cheyenne Light, Fuel and Power Company.
Description: Compliance filing: Order No. 904 Compliance Filing to be effective 6/1/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5118.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1804–000.
Applicants: California Independent System Operator Corporation.
Description: Compliance filing: 2025–03–28 CAISO Compliance Filing Regarding FERC Order No. 904 to be effective N/A.
Filed Date: 3/28/25.
Accession Number: 20250328–5167.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1805–000.
Applicants: UNS Electric, Inc.
Description: Compliance filing: Order 904 Compliance Filing to be effective 6/26/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5178.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1806–000.
Applicants: Tucson Electric Power Company.
Description: Compliance filing: Order 904 Compliance Filing to be effective 6/26/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5188.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1807–000.
Applicants: Tri-State Generation and Transmission Association, Inc.
Description: Compliance filing: Order No. 904 Compliance Filing to be effective 6/27/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5190.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1808–000.
Applicants: Basin Electric Power Cooperative.
Description: 205(d) Rate Filing: Basin Electric Submission of Order No. 904 Compliance Filing to be effective 5/27/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5195.
Comment Date: 5 p.m. ET 4/18/25.

Docket Numbers: ER25–1809–000.
Applicants: PECO Energy Company.
Description: 205(d) Rate Filing: PECO submits revisions to Formula Rate, OATT Attachment H–7A to be effective 5/28/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5202.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1810–000.
Applicants: Duke Energy Carolinas, LLC.
Description: 205(d) Rate Filing: DEC–Rutherford Revised NITSA SA No. 369 to be effective 4/1/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5204.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1811–000.
Applicants: PJM Interconnection, L.L.C.
Description: 205(d) Rate Filing: Revisions to Schedule 12–Appendix A, Feb. 2025 RTEP, 30-Day Comment Period to be effective 1/1/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5267.
Comment Date: 5 p.m. ET 4/28/25.
Docket Numbers: ER25–1812–000.
Applicants: New York Independent System Operator, Inc.
Description: Compliance filing: NYISO Compliance: Order No. 904 to be effective 5/1/2026.
Filed Date: 3/28/25.
Accession Number: 20250328–5278.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1813–000.
Applicants: PJM Interconnection, L.L.C.
Description: 205(d) Rate Filing: Proposal Revising RAA to Add Two New ELCC Classes to be effective 5/28/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5308.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1814–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: Compliance filing: 2025–03–28 Compliance Pursuant to Compensation for Reactive Power to be effective 3/29/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5315.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1815–000.
Applicants: Public Service Company of New Mexico.
Description: Compliance filing: Order No. 904 Compliance Filing to be effective 5/16/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5328.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1816–000.

Applicants: Headwaters Wind Farm LLC.
Description: Initial Rate Filing: Shared Facilities Agreement and Request for Waivers to be effective 3/29/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5338.
Comment Date: 5 p.m. ET 4/18/25.
 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, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) 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.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or OPP@ferc.gov.

Dated: March 28, 2025.

Debbie-Anne A. Reese,
 Secretary.

[FR Doc. 2025–05773 Filed 4–3–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP16–116–000]

Texas LNG Brownsville LLC; Notice of Availability of the Draft Supplemental Environmental Impact Statement for the Proposed Texas LNG Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared a draft supplemental environmental impact

statement (EIS) to address the August 6, 2024 Opinion issued by the U.S. Court of Appeals for the District of Columbia Circuit (court) regarding the Commission's environmental review of the Texas LNG Project proposed by Texas LNG Brownsville LLC.^{1 2} The court remanded the Commission's April 21, 2023 "Order on Remand" that approved the liquefied natural gas (LNG) terminal. The court found that FERC failed to issue a supplemental EIS consistent with the National Environmental Policy Act to discuss impacts on communities with environmental justice concerns and address why the Commission did not use data from a particular air quality monitor in the air analysis. As part of the Commission's consideration of the proposed projects on remand, we³ prepared this draft supplemental EIS to assess the issues remanded by the court.

The Commission mailed a copy of the "Notice of Availability" of the draft supplemental EIS to Federal, State, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; potentially affected landowners and other interested individuals and groups; and newspapers and libraries in the project area. The draft supplemental EIS is only available in electronic format. It may be viewed and downloaded from the FERC's website (www.ferc.gov), on the natural gas environmental documents page (<https://www.ferc.gov/industries-data/natural-gas/environmentaldocuments>). In addition, the draft supplemental EIS may be accessed by using the eLibrary link on the FERC's website. Click on the eLibrary link (<https://www.ferc.gov/eLibrary/search>), select "General Search" and enter the docket number in the "Docket Number" field, excluding the last three digits (i.e., CP16–116). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

The draft supplemental EIS is not a decision document. It presents Commission staff's independent

analysis of the environmental issues for the Commission to consider when addressing the merits of all issues in this proceeding. Any person wishing to comment on the draft supplemental EIS may do so. Your comments should focus on the draft supplemental EIS's disclosure and discussion of potential environmental effects, and measures to avoid or lessen environmental impacts disclosed within this document. To ensure consideration of your comments on the proposal in the final supplemental EIS, it is important that the Commission receive your comments on or before 5:00 p.m. Eastern Time on May 19, 2025.

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208–3676 or FercOnlineSupport@ferc.gov. Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the eComment feature, which is located on the Commission's website (www.ferc.gov) under the link to FERC Online. Using eComment is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the eFiling feature, which is also on the Commission's website (www.ferc.gov) under the link to FERC Online. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; a comment on a particular project is considered a "Comment on a Filing;" or

(3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the project docket number (CP16–116–000) on your letter. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Any person seeking to become a party to the proceeding must file a motion to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR 385.214). Motions

to intervene are more fully described at <https://www.ferc.gov/ferc-online/ferc-online/how-guides>. Only intervenors have the right to seek rehearing or judicial review of the Commission's decision. The Commission grants affected landowners and others with environmental concerns intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which no other party can adequately represent. Simply filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered.

Questions?

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website (www.ferc.gov) using the eLibrary link. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members, and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or OPP@ferc.gov.

In addition, the Commission offers a free service called eSubscription that allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to <https://www.ferc.gov/ferc-online/overview> to register for eSubscription.

Dated: March 28, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–05774 Filed 4–3–25; 8:45 am]

BILLING CODE 6717–01–P

¹ *City of Port Isabel v. FERC*, 111 F.4th 1198 (D.C. Cir. 2024). On March 18, 2025, the court partially granted rehearing and remanded the case without vacatur.

² Tracking purposes under the National Environmental Policy Act, the unique identification number for documents relating to this environmental review is FERC/SEIS–019–20–000–1726224938.

³ "We," "us," and "our" refer to the environmental and engineering staff of the FERC's Office of Energy Projects.

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

[Docket Nos. EL25–59–000; EL25–66–000]

Notice of Institution of Section 206
Proceedings and Refund Effective
Dates: UGI Development Company;
Hunlock Energy, LLC

On March 31, 2025, the Commission issued an order in Docket Nos. EL25–59–000 and EL25–66–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e, instituting an investigation to determine whether UGI Development Company and Hunlock Energy, LLC's Rate Schedules are unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. *UGI Development Company*, 190 FERC ¶ 61,197.

The refund effective dates in Docket Nos. EL25–59–000 and EL25–66–000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Any interested person desiring to be heard in Docket Nos. EL25–59–000 and EL25–66–000 must file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, in accordance with Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.214 (2024), within 21 days of the date of issuance of the order.

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. From FERC's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field. User assistance is available for eLibrary and the FERC's website during normal business hours from FERC Online Support at 202–502–6652 (toll free at 1–866–208–3676) or email at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the "eFile" link at <http://www.ferc.gov>. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

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Dated: March 31, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–05860 Filed 4–3–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

[P–2611–093]

Hydro Kennebec, LLC; Notice of
Application Accepted for Filing and
Soliciting Comments, Motions To
Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Temporary amendment of license to install shorter flashboards and maintain lower reservoir elevation.

b. *Project No.:* 2611–093.

c. *Date Filed:* February 14, 2025.

d. *Applicant:* Hydro Kennebec, LLC.

e. *Name of Project:* Hydro Kennebec Hydroelectric Project.

f. *Location:* The project is located on the Kennebec River in Kennebec and Somerset counties, ME.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Mr. Randall Dorman, Senior Compliance Manager—

Northeast, Hydro Kennebec, LLC, 150 Main Street, Lewiston, ME 04240, (207) 755–5605.

i. *FERC Contact:* Mr. Steven Sachs, (202) 502–8666, Steven.Sachs@ferc.gov.

j. *Deadline for filing comments, motions to intervene, and protests:* April 28, 2025.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at <https://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <https://www.ferc.gov/docs-filing/ecomment.asp>.

For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426.

Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include the docket number P–2611–093. Comments emailed to Commission staff are not part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Request:* The applicant requests a temporary amendment of its license to maintain its reservoir elevation at 78 feet, 3 feet lower than the normal elevation of 81 feet, by temporarily installing 3-foot-high flashboards rather than the normal 6-foot-high flashboards. The applicant states lowering the reservoir by 3 feet would prevent further wear to a damaged spillway gate and allow for repairs while also keeping the reservoir high enough to use its downstream fish passage facility and to possibly submerge rapids near the town of Fairfield to improve boater safety. The applicant intends to install the temporary flashboards as soon as

personnel can safely access the spillway but no later than shortly after spring runoff subsides, and to replace them with the normal, 6-foot-high flashboards once the gate is repaired, but no later than December 31, 2025.

l. *Locations of the application:* This filing may be viewed on the Commission's website at <https://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. You may also register online at <https://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or email FERCOnlineSupport@ferc.gov, for TTY, call (202) 502-8659.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Documents:* Any filing must: (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

p. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including

landowners, Tribal members, and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Dated: March 28, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025-05767 Filed 4-3-25; 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: EG25-263-000.

Applicants: Colorado Clean Energy Center LLC.

Description: Colorado Clean Energy Center, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/28/25.

Accession Number: 20250328-5368.

Comment Date: 5 p.m. ET 4/18/25.

Docket Numbers: EG25-264-000.

Applicants: North Pecos Clean Energy Center LLC.

Description: North Pecos Clean Energy Center, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/28/25.

Accession Number: 20250328-5370.

Comment Date: 5 p.m. ET 4/18/25.

Docket Numbers: EG25-265-000.

Applicants: Matagorda Clean Energy Center LLC.

Description: Matagorda Clean Energy Center, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/28/25.

Accession Number: 20250328-5379.

Comment Date: 5 p.m. ET 4/18/25.

Docket Numbers: EG25-266-000.

Applicants: Fort Stockton Clean Energy Center LLC.

Description: Fort Stockton Clean Energy Center, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/28/25.

Accession Number: 20250328-5395.

Comment Date: 5 p.m. ET 4/18/25.

Docket Numbers: EG25-267-000.

Applicants: South Pecos Clean Energy Center LLC.

Description: South Pecos Clean Energy Center, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/28/25.

Accession Number: 20250328-5398.

Comment Date: 5 p.m. ET 4/18/25.

Docket Numbers: EG25-268-000.

Applicants: Columbus Clean Energy Center LLC.

Description: Columbus Clean Energy Center LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/28/25.

Accession Number: 20250328-5408.

Comment Date: 5 p.m. ET 4/18/25.

Docket Numbers: EG25-269-000.

Applicants: Badger Clean Energy Center LLC.

Description: Badger Clean Energy Center, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/28/25.

Accession Number: 20250328-5415.

Comment Date: 5 p.m. ET 4/18/25.

Docket Numbers: EG25-270-000.

Applicants: Andrews North Clean Energy Center LLC.

Description: Andrews North Clean Energy Center, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/28/25.

Accession Number: 20250328-5439.

Comment Date: 5 p.m. ET 4/18/25.

Docket Numbers: EG25-271-000.

Applicants: Desert Breeze Solar, LLC.

Description: Desert Breeze Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/31/25.

Accession Number: 20250331-5432.

Comment Date: 5 p.m. ET 4/21/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER25-1248-000.

Applicants: PJM Interconnection, L.L.C.

Description: Report Filing: Supplement to Revisions to OA, Sch. 12 & RAA, Sch. 17 re: 4Q 2024

Membership to be effective N/A.

Filed Date: 3/31/25.

Accession Number: 20250331-5373.

Comment Date: 5 p.m. ET 4/21/25.

Docket Numbers: ER25-1309-001.

Applicants: MPH Elwood, LLC.

Description: Tariff Amendment: Amendment to Application for MBR Authority, Request for Shorten Comment Period to be effective 12/31/9998.

Filed Date: 3/31/25.

Accession Number: 20250331-5218.

Comment Date: 5 p.m. ET 4/21/25.
Docket Numbers: ER25–1817–000.
Applicants: Riverstart Solar Park LLC.
Description: Initial Rate Filing: Certificate of Concurrence for Shared Facilities Agreement to be effective 3/29/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5375.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1818–000.
Applicants: Riverstart Solar Park III LLC.
Description: Initial Rate Filing: Certificate of Concurrence for Shared Facilities Agreement to be effective 3/29/2025.
Filed Date: 3/28/25.
Accession Number: 20250328–5378.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1819–000.
Applicants: NorthWestern Corporation.
Description: 205(d) Rate Filing: Revised Exhibits to Montana Intertie Agreement to be effective 3/1/2024.
Filed Date: 3/28/25.
Accession Number: 20250328–5384.
Comment Date: 5 p.m. ET 4/18/25.
Docket Numbers: ER25–1820–000.
Applicants: New England Power Pool Participants Committee.
Description: 205(d) Rate Filing: Apr 2025 Membership Filing to be effective 3/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5000.
Comment Date: 5 p.m. ET 4/21/25.
Docket Numbers: ER25–1821–000.
Applicants: Entergy Louisiana, LLC.
Description: 205(d) Rate Filing: Entergy Louisiana-Lafitte Solar LBA Agreement to be effective 6/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5094.
Comment Date: 5 p.m. ET 4/21/25.
Docket Numbers: ER25–1822–000.
Applicants: Entergy Louisiana, LLC.
Description: 205(d) Rate Filing: Entergy Louisiana-Pelican Power LBA Agreement to be effective 6/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5098.
Comment Date: 5 p.m. ET 4/21/25.
Docket Numbers: ER25–1823–000.
Applicants: Midcontinent Independent System Operator, Inc., American Transmission Company LLC.
Description: 205(d) Rate Filing: American Transmission Company LLC submits tariff filing per 35.13(a)(2)(iii): 2025–03–31_SA 4464 ATC–WPL E&P (J2055) to be effective 5/31/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5164.
Comment Date: 5 p.m. ET 4/21/25.
Docket Numbers: ER25–1824–000.

Applicants: Southern California Edison Company.
Description: 205(d) Rate Filing: SCE 2025 TACBAA Update to be effective 6/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5215.
Comment Date: 5 p.m. ET 4/21/25.
Docket Numbers: ER25–1825–000.
Applicants: Entergy Arkansas, LLC, Entergy Louisiana, LLC, Entergy Mississippi, LLC, Entergy New Orleans, LLC, Entergy Texas, Inc.
Description: MSS–4 Formula Rate Protocols Informational Filing for 2023 Test Year of Entergy Arkansas, LLC, et al.
Filed Date: 3/31/25.
Accession Number: 20250331–5224.
Comment Date: 5 p.m. ET 4/21/25.
Docket Numbers: ER25–1826–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 205(d) Rate Filing: 2025–03–31_SA 4463 NSP-Timberwolf Wind FSA (J967) to be effective 5/31/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5248.
Comment Date: 5 p.m. ET 4/21/25.
Docket Numbers: ER25–1827–000.
Applicants: Cubico Palmetto Lessee, LLC.
Description: Tariff Amendment: Notice of Cancellation of Market-Based Rate Tariff and Tariff ID to be effective 4/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5253.
Comment Date: 5 p.m. ET 4/21/25.
Docket Numbers: ER25–1828–000.
Applicants: Midcontinent Independent System Operator, Inc., Michigan Electric Transmission Company, LLC.
Description: 205(d) Rate Filing: Michigan Electric Transmission Company, LLC submits tariff filing per 35.13(a)(2)(iii): 2025–03–31_SA 4465 METC-Coldwater IFA to be effective 5/31/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5271.
Comment Date: 5 p.m. ET 4/21/25.
Docket Numbers: ER25–1829–000.
Applicants: Midcontinent Independent System Operator, Inc., Michigan Electric Transmission Company, LLC.
Description: 205(d) Rate Filing: Michigan Electric Transmission Company, LLC submits tariff filing per 35.13(a)(2)(iii): 2025–03–31_SA 4466 METC-City of Marshall IFA to be effective 5/31/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5278.
Comment Date: 5 p.m. ET 4/21/25.
Docket Numbers: ER25–1830–000.

Applicants: Alabama Power Company, Georgia Power Company, Mississippi Power Company.
Description: Tariff Amendment: Alabama Power Company submits tariff filing per 35.15: Origis Development (New Augusta Solar & Storage) LGIA Termination Filing to be effective 3/31/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5290.
Comment Date: 5 p.m. ET 4/21/25.
Docket Numbers: ER25–1831–000.
Applicants: Southwest Power Pool, Inc.
Description: 205(d) Rate Filing: 2236R18 Golden Spread Electric Cooperative, Inc. NITSA NOA to be effective 3/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5291.
Comment Date: 5 p.m. ET 4/21/25.
Docket Numbers: ER25–1832–000.
Applicants: Duke Energy Indiana, LLC.
Description: 205(d) Rate Filing: 2025 Annual Reconciliation filing—DEI Rate Schedule No. 253 to be effective 7/1/2024.
Filed Date: 3/31/25.
Accession Number: 20250331–5296.
Comment Date: 5 p.m. ET 4/21/25.
Docket Numbers: ER25–1833–000.
Applicants: Northern States Power Company, a Minnesota corporation.
Description: 205(d) Rate Filing: 2025–03–27 SEY—SISA to be effective 4/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5298.
Comment Date: 5 p.m. ET 4/21/25.
Docket Numbers: ER25–1834–000.
Applicants: Basin Electric Power Cooperative, Southwest Power Pool, Inc.
Description: 205(d) Rate Filing: Basin Electric Power Cooperative submits tariff filing per 35.13(a)(2)(iii): Basin Electric Power Cooperative Formula Rate Revisions to be effective 1/1/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5329.
Comment Date: 5 p.m. ET 4/21/25.
Docket Numbers: ER25–1835–000.
Applicants: Florida Power & Light Company.
Description: 205(d) Rate Filing: Amendments to NWFL Transmission Formula Rate Template and Procedures to be effective 5/31/2025.
Filed Date: 3/31/25.
Accession Number: 20250331–5425.
Comment Date: 5 p.m. ET 4/21/25.
 Take notice that the Commission received the following electric securities filings:
Docket Numbers: ES25–37–000.
Applicants: PJM Interconnection, L.L.C.

Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of PJM Interconnection, L.L.C.

Filed Date: 3/28/25.

Accession Number: 20250328–5446.

Comment Date: 5 p.m. ET 4/18/25.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

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Dated: March 31, 2025.

Carlos D. Clay,
Deputy Secretary.

[FR Doc. 2025–05823 Filed 4–3–25; 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: RP25–753–000.

Applicants: Sabine Pipe Line LLC.

Description: 4(d) Rate Filing: Normal filing Mar 2025–7.26–4.12 to be effective 4/1/2025.

Filed Date: 3/27/25.

Accession Number: 20250327–5173.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: RP25–754–000.

Applicants: Iroquois Gas

Transmission System, L.P.

Description: 4(d) Rate Filing: 3.27.25

Negotiated Rates—NRG Business

Marketing LLC R–7465–02 to be

effective 4/1/2025.

Filed Date: 3/27/25.

Accession Number: 20250327–5233.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: RP25–755–000.

Applicants: Kern River Gas

Transmission Company.

Description: Annual Gas Compressor

Fuel Report of Kern River Gas

Transmission Company.

Filed Date: 3/28/25.

Accession Number: 20250328–5107.

Comment Date: 5 p.m. ET 4/9/25.

Docket Numbers: RP25–756–000.

Applicants: Northern Natural Gas

Company.

Description: 4(d) Rate Filing:

20250328 Negotiated Rate to be effective

3/31/2025.

Filed Date: 3/28/25.

Accession Number: 20250328–5197.

Comment Date: 5 p.m. ET 4/9/25.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) 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.

Filings in Existing Proceedings

Docket Numbers: PR25–27–001.

Applicants: Southern California Gas Company.

Description: 284.123(g) Rate Filing: Amendment to Previous Statutory Filing to be effective 1/1/2025.

Filed Date: 3/27/25.

Accession Number: 20250327–5206.

Comment Date: 5 p.m. ET 4/17/25.

Docket Numbers: PR25–36–001.

Applicants: Southern California Gas Company.

Description: 284.123(g) Rate Filing: Amendment to Previous Statutory Filing to be effective 2/1/2025.

Filed Date: 3/27/25.

Accession Number: 20250327–5269.

Comment Date: 5 p.m. ET 4/17/25.

Docket Numbers: RP24–1106–003.

Applicants: Adelphia Gateway, LLC.

Description: Compliance filing: Adelphia Gateway Section 4 Rate Case Compliance to Place Revised Rates in Effect to be effective 4/1/2025.

Filed Date: 3/28/25.

Accession Number: 20250328–5122.

Comment Date: 5 p.m. ET 4/9/25.

Docket Numbers: RP25–166–002.

Applicants: Great Lakes Gas

Transmission Limited Partnership.

Description: Compliance filing: Probability of Default—Bid Posting Clarification Compliance to be effective 12/1/2024.

Filed Date: 3/27/25.

Accession Number: 20250327–5238.

Comment Date: 5 p.m. ET 4/8/25.

Docket Numbers: RP25–384–001.

Applicants: MountainWest Pipeline, LLC.

Description: Compliance filing: Order 587–AA Amended Compliance Filing to be effective 8/1/2025.

Filed Date: 3/28/25.

Accession Number: 20250328–5136.

Comment Date: 5 p.m. ET 4/9/25.

Docket Numbers: RP25–385–001.

Applicants: MountainWest Overthrust Pipeline, LLC.

Description: Compliance filing: Order 587–AA Amended Compliance Filing to be effective 8/1/2025.

Filed Date: 3/28/25.

Accession Number: 20250328–5133.

Comment Date: 5 p.m. ET 4/9/25.

Docket Numbers: RP25–386–001.

Applicants: White River Hub, LLC.

Description: Compliance filing: Order 587–AA Amended Compliance Filing to be effective 8/1/2025.

Filed Date: 3/28/25.

Accession Number: 20250328–5138.

Comment Date: 5 p.m. ET 4/9/25.

Docket Numbers: RP25–486–001.

Applicants: Panhandle Eastern Pipe Line Company, LP.

Description: Compliance filing: NAESB 4.0 Compliance—Corrected to be effective 8/1/2025.

Filed Date: 3/28/25.

Accession Number: 20250328–5165.

Comment Date: 5 p.m. ET 4/9/25.

Docket Numbers: RP25–554–001.

Applicants: WestGas InterState, Inc.

Description: Compliance filing: RP25–544–001 587–AA Compliance Correction to be effective 8/1/2025.

Filed Date: 3/28/25.

Accession Number: 20250328–5205.

Comment Date: 5 p.m. ET 4/9/25.

Any person desiring to protest in any of the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

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.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or OPP@ferc.gov.

Dated: March 28, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–05772 Filed 4–3–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CP16–454–000; CP16–455–000; CP20–481–000]

Rio Grande LNG, LLC, Rio Bravo Pipeline Company, LLC; Notice of Availability of the Draft Supplemental Environmental Impact Statement for the Proposed Rio Grande LNG Terminal and Rio Bravo Pipeline Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared a draft supplemental environmental impact statement (EIS) to address the August 6, 2024 opinion issued by the U.S. Court of Appeals for the District of Columbia Circuit (court) regarding the Commission's environmental review of the Rio Grande LNG Terminal and Rio Bravo Pipeline Project proposed by Rio Grande LNG, LLC and Rio Bravo Pipeline Company, LLC, respectively.^{1 2} The court remanded the Commission's April 21, 2023 "Order on Remand and

Amending Section 7 Certificate" that approved the liquefied natural gas (LNG) terminal and pipeline project. The court found that FERC failed to issue a supplemental EIS consistent with the National Environmental Policy Act to discuss impacts on communities with environmental justice concerns, address why the Commission did not use data from a particular air quality monitor in the air analysis, and address a carbon capture and sequestration proposal. As part of the Commission's consideration of the proposed projects on remand, we³ prepared this draft supplemental EIS to assess the issues remanded by the court.

The Commission mailed a copy of the "Notice of Availability" of the draft supplemental EIS to Federal, State, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; potentially affected landowners and other interested individuals and groups; and newspapers and libraries in the project area. The draft supplemental EIS is only available in electronic format. It may be viewed and downloaded from the FERC's website (www.ferc.gov), on the natural gas environmental documents page (<https://www.ferc.gov/industries-data/natural-gas/environment/environmental-documents>). In addition, the draft supplemental EIS may be accessed by using the eLibrary link on the FERC's website. Click on the eLibrary link (<https://elibrary.ferc.gov/eLibrary/search>) select "General Search" and enter the docket number in the "Docket Number" field, excluding the last three digits (i.e., CP16–454, CP16–455, or CP20–481). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

The draft supplemental EIS is not a decision document. It presents Commission staff's independent analysis of the environmental issues for the Commission to consider when addressing the merits of all issues in this proceeding. Any person wishing to comment on the draft supplemental EIS may do so. Your comments should focus on the draft supplemental EIS's disclosure and discussion of potential environmental effects, carbon capture and sequestration alternatives, and measures to avoid or lessen environmental impacts disclosed within

this document. To ensure consideration of your comments on the proposal in the final supplemental EIS, it is important that the Commission receive your comments on or before 5:00 p.m. Eastern Time on May 19, 2025.

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208–3676 or FercOnlineSupport@ferc.gov. Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the eComment feature, which is located on the Commission's website (www.ferc.gov) under the link to FERC Online. Using eComment is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the eFiling feature, which is also on the Commission's website (www.ferc.gov) under the link to FERC Online. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; a comment on a particular project is considered a "Comment on a Filing"; or

(3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the project docket numbers (CP16–454–000; CP16–455–000; and/or CP20–481–000) on your letter. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Any person seeking to become a party to the proceeding must file a motion to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR 385.214). Motions to intervene are more fully described at <https://www.ferc.gov/ferc-online/ferc-online/how-guides>. Only intervenors have the right to seek rehearing or judicial review of the Commission's decision. The Commission grants affected landowners and others with environmental concerns intervenor status upon showing good cause by stating that they have a clear and direct

¹ For tracking purposes under the National Environmental Policy Act, the unique identification number for documents relating to this environmental review is FERC/SEIS–019–20–000–1726224918.

² *City of Port Isabel v. FERC*, 111 F.4th 1198 (D.C. Cir. 2024). On March 18, 2025, the court partially granted rehearing and remanded the case without vacatur.

³ "We," "us," and "our" refer to the environmental and engineering staff of the FERC's Office of Energy Projects.

interest in this proceeding which no other party can adequately represent. Simply filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered.

Questions?

Additional information about the projects is available from the Commission's Office of External Affairs, at (866) 208-FERC, or on the FERC website at www.ferc.gov using the eLibrary link. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

In addition, the Commission offers a free service called eSubscription that allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notifications of these filings, document summaries, and direct links to the documents. Go to <https://www.ferc.gov/ferc-online/overview> to register for eSubscription.

Dated: March 28, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025-05771 Filed 4-3-25; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL OP-OFA-172]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information 202-564-5632 or <https://www.epa.gov/nepa>. Weekly receipt of Environmental Impact Statements (EIS)

Filed March 24, 2025 10 a.m. EST

Through March 31, 2025 10 a.m. EST Pursuant to 40 CFR 1506.9.

Notice: Section 309(a) of the Clean Air Act requires that EPA make public its

comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <https://cdxapps.epa.gov/cdx-enepa-II/public/action/eis/search>.

EIS No. 20250034, Draft Supplement, FERC, TX, Rio Grande LNG Terminal and Rio Bravo Pipeline Project, Comment Period Ends: 05/19/2025, Contact: Office of External Affairs 866-208-3372.

EIS No. 20250035, Draft Supplement, FERC, TX, Texas LNG Brownsville LLC's Texas LNG Project, Comment Period Ends: 05/19/2025, Contact: Office of External Affairs 866-208-3372.

EIS No. 20250036, Draft Supplement, GSA, AZ, Expansion and Modernization of the Raul Hector Castro Land Port of Entry and Proposed Commercial Land Port of Entry in Douglas, Arizona, Comment Period Ends: 05/19/2025, Contact: Osmahn Kadri 415-522-3617.

EIS No. 20250037, Final, FERC, AL, R.L. Harris Hydroelectric Project, Review Period Ends: 05/05/2025, Contact: Office of External Affairs 866-208-3372.

Dated: March 31, 2025.

Nancy Abrams,

Associate Director, Office of Federal Activities.

[FR Doc. 2025-05805 Filed 4-3-25; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2023-0398; FRL-8944-02-OCSPJ]

Pesticide Registration Notice 2025-1; Revised Procedures for Citing Data To Support Pesticide Registrations (EPA Forms No. 8570-34 and 8570-35); Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA or Agency) is announcing the availability of Pesticide Registration Notice (PR Notice) 2025-1, entitled "Revised Procedures for Citing Data to Support Pesticide Registrations (EPA Forms No. 8570-34 and 8570-35)." PR Notices are issued by the Office of Pesticide Programs (OPP) to inform pesticide registrants and other interested persons about important policies, procedures, and registration related decisions, and serve to provide guidance to pesticide registrants and OPP personnel. This PR Notice

supersedes PR Notice 98-5, entitled "New forms for the Certification with Respect to Citation of Data" dated June 12, 1998. The revised procedures eliminate the requirement to submit two paper versions of the completed data matrix form and establishes electronic online submissions. EPA anticipates that these changes will reduce burden for the registrants and the Agency.

DATES: PR Notice 2025-1 is effective upon signature.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2023-0398, is available online at <https://www.regulations.gov>. Additional instructions for visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Earl Ingram, Office of Chemical Safety and Pollution Prevention (7603M), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 566-1381; email address: ingram.earl@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. 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:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

If you have any questions regarding the applicability of this proposed action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

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

Pesticide registration activities are governed by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136 *et seq.*

C. What action is the Agency taking?

EPA is announcing the availability of PR Notice 2025-1, entitled "Revised

Procedures for Citing Data to Support Pesticide Registrations (EPA Forms No. 8570–34 and 8570–35).” PR Notices are issued by the Office of Pesticide Programs (OPP) to inform pesticide registrants and other interested persons about important policies, procedures, and registration related decisions, and serve to provide guidance to pesticide registrants and OPP personnel.

This PR Notice provides updated guidance to registrants and applicants (both of which are referred to in this notice as “registrants”) concerning their submission of the forms used for citing data to support pesticide registrations. This PR Notice will supersede PR Notice 98–5, entitled “New forms for the Certification with Respect to Citation of Data” dated June 12, 1998, that announced the availability of these forms to use for citation of data to support pesticide registrations, which were newly established in 1998 to streamline the forms previously used. With this PR Notice, OPP is revising the procedures established in 1998. Specifically, OPP is eliminating the instruction in PR Notice 98–5 that registrants submit two versions of EPA Form 8570–35 (“Data Matrix”), *i.e.*, one the “Internal Agency Use Copy” and the other the “Public File Copy”. Consistent with federal mandates that direct agencies to adopt electronic submissions, OPP is also eliminating the instruction to use paper submissions as described in PR Notice 98–5 because these forms can be completed and submitted electronically.

Pursuant to existing regulations none of the information provided on EPA Form No. 8570–35 is confidential. EPA regulations at 40 CFR 152.119(c) require that, when requested, the Agency provides the form to the public for inspection after a product is registered. The information in the data matrix form is specified by EPA regulations at 40 CFR 152.119(b):

“Materials that will be publicly available include an applicant’s list of data requirements, the method used by the applicant to demonstrate compliance for each data requirement, and the applicant’s citations of specific studies in the Agency’s possession if applicable.”

CBI claims for information submitted under EPA’s data requirements in 40 CFR part 158 is strictly limited in 40 CFR 158.33 to manufacturing or quality control processes, the details of any methods for testing, detecting, or measuring the quantity of any deliberately added inert ingredient of a pesticide, and the identity or percentage quantity of any deliberately added inert ingredient of a pesticide, pursuant to FIFRA section 10(d)(1) (A) through (C).

None of this information is reported in the data matrix form.

In addition, OPP is eliminating the instruction to use paper submissions as described in PR Notice 98–5 because these forms can be completed and submitted electronically. This PR Notice provides updated instructions for completing and submitting these forms electronically through the Pesticide Submission Portal (PSP) that OPP established to allow registrants to create and submit packages electronically in lieu of submitting multiple paper copies. The PSP is accessed through the EPA’s Central Data Exchange (CDX) Network (<https://cdx.epa.gov/>), which is a web-based system used for various electronic environmental data submissions to EPA.

The changes in procedure presented in this PR Notice are necessary updates to reflect current operations established to help reduce the burden associated with completing, submitting and processing these forms for both applicants and the Agency, as well as to provide improved efficiencies for providing public access to the information without the extra burden associated with the use of formal requests for the additional information contained in the “Internal Agency Use Copy” of EPA Form 8570–35 (“Data Matrix”). In 2024, OPP received a total of 3,309 Data Matrices. The current process for submitting Data Matrices requires respondents to fill out and submit a secondary copy of EPA Form 8570–34. According to the Form’s PRA Burden statement it takes anywhere between 0.25 to 1.25 hours to fill out the form. In 2024, the total burden sum of all respondents was a total range of 1,654.5 to 8,273 hours to fill out and submit the forms. With this PRN, respondents will only need to submit just one form instead of two, halving the total sum burden by 50% between 827.25 and 4,136.5 hours.

II. Background

In the **Federal Register** of June 10, 2024 (89 FR 48893; FRL–8944–01–OCSP), EPA solicited public comments on the draft PR Notice. EPA received two public comments: Bayer CropScience (Bayer) provided comments that are addressed in this unit. The other comment was not relevant to this PR Notice, so EPA is not providing a specific response to that comment.

Comment: Bayer requested clarity as to how the Agency plans to administer the update of data matrices in existing registration jackets and asked if there will there be a need for registrants to provide updated data matrices.

Response: There is no need for registrants to provide updated data matrices. This PR applies only to data matrices going forward. The existing data matrices will not be considered obsolete but will be used by OPP staff as needed.

Comment: Bayer asked why EPA previously required a redacted form when we claim there is no CBI on the form.

Response: There is no historical evidence for why this was done; however, it led to confusion as registrants thought the material on the form might be CBI. Since the Agency does not now believe that there is a need for separate internal use and public file copies of the data matrix, EPA is now clarifying this to prevent continued confusion.

Comment: Bayer requested that we be more careful with use of the terms “registrant” and “applicant” and revise the PR Notice to replace “registrant” with “applicant.”

Response: The FR notice and the PR notice expressly use the term “registrant” to cover both registrants and applicants.

Comment: Bayer requested clearer language on page 3 of the proposed PR Notice to indicate whether both the Data Matrix and Certification with Respect to Citation of Data forms need to be submitted electronically.

Response: In response to this comment, EPA edited the language on page 3 to clarify that both forms will now be submitted electronically.

Comment: Bayer commented that they believe the Agency has misinterpreted what qualifies for CBI claims, with EPA referencing only the regulations implemented under 40 CFR 158.33 related to manufacturing or quality controls processes and inert ingredients. Bayer stated the following sections should also qualify for protection as confidential: (1) Information submitted in connection with an application for tolerance or exemption to the same extent (40 CFR 158.33(b)(2)); (2) Information related to plant incorporated protectants substantiated at the time of application (40 CFR 158.33(b)(1)); and (3) Properly designated safety and efficacy information (40 CFR 158.33(d)(1)).

Response: Bayer misreads 40 CFR 158.33(b)(2)), which merely provides that information submitted with an application for a tolerance or exemption is subject to the same confidentiality provisions as information submitted under FIFRA. Likewise, Bayer misreads 40 CFR 158.33(d)(1), which (in part) subjects allowable CBI claims pertaining to plant-incorporated protectants to an

upfront substantiation requirement. Lastly, EPA agrees that under 40 CFR 158 section 158.33(d)(1), information properly designated by the submitter as FIFRA section 10(d)(1)(A), (B), or (C) may be considered for confidential protection; however, as discussed in the draft PR notice, none of the information provided on EPA Form No. 8570–35 is within the scope of FIFRA section 10(d)(1) (A), (B), or (C).

III. Do PR Notices contain binding requirements?

The PR Notice discussed in this document is intended to provide guidance to EPA personnel and decision makers and to pesticide registrants. While the requirements in the statutes and Agency regulations are binding on EPA and the applicants, this PR Notice is not binding on either EPA or pesticide registrants, and EPA may depart from the guidance where circumstances warrant and without prior notice. Likewise, pesticide registrants may assert that the guidance is not appropriate generally or not applicable to a specific pesticide or situation.

IV. Are these forms approved under the 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 approval under the PRA, unless it has been approved by the Office of Management and Budget (OMB) and displays a currently valid OMB control number. The information collection activities associated with EPA Forms 8570–34 and 8570–35 and the activities described in this PR Notice are already approved by OMB under the PRA and are contained in the Information Collection Requests (ICRs) entitled “Consolidated Pesticide Registration Submission Portal” identified as EPA ICR No. 2624.01 and approved under OMB Control No. 2070–0226; and the “Pesticide Data Call-in Program” identified as EPA ICR No. 2288 and approved under OMB Control No. 2070–0174. For additional information about these ICRs, go to <https://www.reginfo.gov/public/> and search on the applicable OMB control number.

Authority: 7 U.S.C. 136 *et seq.*

Dated: March 28, 2025.

Edward Messina,

Director, Office of Pesticide Programs.

[FR Doc. 2025–05866 Filed 4–3–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2025–0077; FRL–12476–01–OCSPP]

Certain New Chemicals or Significant New Uses; Statements of Findings for January 2025

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Toxic Substances Control Act (TSCA) requires EPA to publish in the **Federal Register** a statement of its findings after its review of certain TSCA submissions when EPA makes a finding that a new chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment. Such statements apply to premanufacture notices (PMNs), microbial commercial activity notices (MCANs), and significant new use notices (SNUNs) submitted to EPA under TSCA. This document presents statements of findings made by EPA on such submissions during the period from January 1, 2025 to January 31, 2025. This document also presents statements of findings on submissions made by EPA during earlier time periods that were inadvertently omitted from notices for those time periods that were identified during a quality control review.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPPT–2025–0077, is available online at <https://www.regulations.gov>. Additional information about dockets generally, along with instructions for visiting the docket in-person, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

For technical information contact: Rebecca Edelstein, New Chemical Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–1667; email address: edelstein.rebecca@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. Executive Summary

A. Does this action apply to me?

This action provides information that is directed to the public in general.

B. What action is the Agency taking?

This document lists the statements of findings made by EPA after review of submissions under TSCA section 5(a) that certain new chemical substances or significant new uses are not likely to present an unreasonable risk of injury to health or the environment. This document presents statements of findings made by EPA during the reporting period, and several made by EPA during earlier time periods that were inadvertently omitted from notices for those time periods that were identified during a quality control review.

C. What is the Agency’s authority for taking this action?

TSCA section 5(a)(3) requires EPA to review a submission under TSCA section 5(a) and make one of several specific findings pertaining to whether the substance may present unreasonable risk of injury to health or the environment. Among those potential findings is that the chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment per TSCA Section 5(a)(3)(C).

TSCA section 5(g) requires EPA to publish in the **Federal Register** a statement of its findings after its review of a submission under TSCA section 5(a) when EPA makes a finding that a new chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment. Such statements apply to PMNs, MCANs, and SNUNs submitted to EPA under TSCA section 5.

Anyone who plans to manufacture (which includes import) a new chemical substance for a non-exempt commercial purpose and any manufacturer or processor wishing to engage in a use of a chemical substance designated by EPA as a significant new use must submit a notice to EPA at least 90 days before commencing manufacture of the new chemical substance or before engaging in the significant new use.

The submitter of a notice to EPA for which EPA has made a finding of “not likely to present an unreasonable risk of injury to health or the environment” may commence manufacture of the chemical substance or manufacture or processing for the significant new use notwithstanding any remaining portion of the applicable review period.

II. Statements of Findings Under TSCA Section 5(a)(3)(C)

In this unit, EPA identifies the PMNs, MCANs and SNUNs for which EPA has made findings under TSCA section 5(a)(3)(C) that the new chemical substances or significant new uses are not likely to present an unreasonable risk of injury to health or the environment.

For the findings made during this period, the following list provides the EPA case number assigned to the TSCA section 5(a) submission and the chemical identity (generic name if the specific name is claimed as Confidential Business Information (CBI)), and the date the findings were made:

- P-24-0124, Alkyl alkenoic acid, alkyl ester, polymer with substituted carbomonocycle, substituted alkyl alkyl alkenoate phosphate, substituted alkyl alkyl alkenoate, alkyl alkenoate, heteromonocycle polymer, substitutes alkenyl substituted alkyl ester, alkyl substituted alkyl alkenoate initiated (Generic Name); Decision date: 01/29/2025.

In addition, the following list provides the same information for those cases where EPA made the findings during earlier time periods that were inadvertently omitted from notices for those time periods as identified during a quality control review:

- J-19-0026-0027, Biofuel-producing modified microorganism(s), with chromosomally-borne modifications (Generic Name). Decision date: 01/23/2020.
- J-23-0005-0006, Microorganisms genetically transformed to express an enzyme (Generic Name). Decision date: 11/27/2023.
- P-23-0028, Gelatin and maltodextrin crosslinked with linear and cyclic aliphatic polyisocyanates (Generic Name). Decision date: 12/14/2023.
- P-23-0101, Glycerides from fermentation of genetically modified microorganism, epoxidized (Generic Name). Decision date: 11/13/2024.
- P-23-0102, Glycerides from fermentation of genetically modified microorganism (Generic Name). Decision date: 06/07/2024.
- P-23-0103, Glycerides from fermentation of genetically modified microorganism, epoxidized, reaction products with ethanol (Generic Name). Decision date: 11/13/2024.
- P-23-0143, L-Lysine, N-(3-carboxy-1-oxopropyl) derivs., sodium salts; CASRN 1917323-94-4. Decision date: 08/22/2024.
- P-24-0005, [1,1'-Biphenyl]-4,4'-diol, reaction products with 4-

cyclohexylphenol and 2,4,6-trichloro-1,3,5-triazine; CASRN 2561414-35-3. Decision date: 07/16/2024.

- P-24-0106-0107, Glycerides, alkyl, epoxidized, alkyl esters (Generic Name). Decision date: 12/19/2024.

To access EPA's decision document describing the basis of the "not likely to present an unreasonable risk" finding made by EPA under TSCA section 5(a)(3)(C), look up the specific case number at <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/chemicals-determined-not-likely>.

Authority: 15 U.S.C. 2601 *et seq.*

Dated: March 25, 2025.

Shari Z. Barash,

Director, New Chemicals Division, Office of Pollution Prevention and Toxics.

[FR Doc. 2025-05821 Filed 4-3-25; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0010; FR ID 287162]

Information Collection Being Submitted for Review and Approval to Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Pursuant to the Small Business Paperwork Relief Act of 2002, the FCC seeks specific comment on how it might "further reduce the information collection burden for small business concerns with fewer than 25 employees."

DATES: Written comments and recommendations for the proposed information collection should be submitted on or before May 5, 2025.

ADDRESSES: Comments should be sent 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. Your comment must be submitted into www.reginfo.gov per the above instructions for it to be considered. In addition to submitting in

www.reginfo.gov also send a copy of your comment on the proposed information collection to Cathy Williams, FCC, via email to PRA@fcc.gov and to Cathy.Williams@fcc.gov. Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy Williams at (202) 418-2918. To view a copy of this information collection request (ICR) submitted to OMB: (1) go to the web page <http://www.reginfo.gov/public/do/PRAMain>, (2) look for the section of the web page called "Currently Under Review," (3) click on the downward-pointing arrow in the "Select Agency" box below the "Currently Under Review" heading, (4) select "Federal Communications Commission" from the list of agencies presented in the "Select Agency" box, (5) click the "Submit" button to the right of the "Select Agency" box, (6) when the list of FCC ICRs currently under review appears, look for the Title of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), the FCC invited the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. Pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4), the FCC seeks specific comment on how it might "further

reduce the information collection burden for small business concerns with fewer than 25 employees.”

OMB Control Number: 3060–0010.

Title: Ownership Report for Commercial Broadcast Stations, FCC Form 323; Section 73.3615, Ownership Reports; Section 74.797, Biennial Ownership Reports.

Form Number: FCC Form 323.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities; not-for-profit institutions; State, Local, or Tribal Governments.

Number of Respondents: 4,340 respondents; 4,340 responses.

Estimated Time per Response: 1.5 to 2.5 hours.

Frequency of Response: On occasion reporting requirement; biennial reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for these collections are contained in 47 U.S.C. 151, 152(a), 154(i), 257, 303(r), 307, 309, and 310.

Total Annual Burden: 9,620 hours.

Total Annual Cost: \$10,220,980.

Needs and Uses: On January 20, 2016, the Commission released a Report and Order, Second Report and Order, and Order on Reconsideration in MB Docket Nos. 07–294, 10–103, and MD Docket No. 10–234 (Second Report and Order). The Second Report and Order refines the collection of data reported on FCC Form 323, Ownership Report for Commercial Broadcast Stations, and FCC Form 323–E, Ownership Report for Noncommercial Broadcast Stations. Specifically, the Second Report and Order implements a Restricted Use FRN (RUFRN) within the Commission’s Registration System (CORES) that individuals may use solely for the purpose of broadcast ownership report filings; eliminates the availability of the Special Use FRN (SUFRN) for broadcast station ownership reports, except in very limited circumstances; prescribes revisions to Form 323–E that conform the reporting requirements for noncommercial educational (NCE) broadcast stations more closely to those for commercial stations; and makes a number of significant changes to the Commission’s reporting requirements that reduce the filing burdens on broadcasters, streamline the process, and improve data quality. These

enhancements enable the Commission to obtain data reflecting a useful, accurate, and thorough assessment of minority and female broadcast station ownership in the United States while reducing certain filing burdens.

Currently, Form 323, Section II–A/II–B, Question 2.c asks “Does the Respondent or any interest holder reported in response to Question 2(a) hold an attributable interest in any newspaper entities in the same market as any station for which this report is filed, as defined in 47 CFR 73.3555?” This question was relevant to the Commission’s Newspaper/Broadcast Cross-Ownership Rule, which prohibited common ownership of a full-power broadcast station and a daily newspaper if the station’s contour (defined separately by type of station) completely encompassed the newspaper’s city of publication and the station and newspaper were in the same relevant Nielsen market. On November 20, 2017, the Commission released an Order on Reconsideration and Notice of Proposed Rulemaking in MB Docket Nos. 04–256, 07–294, 09–182, 14–50, and 17–289 (Order on Reconsideration). Among other things, the Order on Reconsideration repealed the Newspaper/Broadcast Cross-Ownership Rule. Accordingly, Section II–A/II–B, Question 2.c will be eliminated from Form 323.

Licensees of commercial AM, FM, and full power television broadcast stations, as well as licensees of Class A and Low Power Television stations, must file FCC Form 323 every two years. Biennial Ownership Reports shall provide information accurate as of October 1 of the year in which the Report is filed. Form 323 shall be filed by December 1 in all odd-numbered years.

In addition, Licensees and Permittees of commercial AM, FM, and full power television stations must file Form 323 following the consummation of a transfer of control or an assignment of a commercial AM, FM, or full power television station license or construction permit; a Permittee of a new commercial AM, FM, or full power television station must file Form 323 within 30 days after the grant of the construction permit; and a Permittee of a new commercial AM, FM, or full power television broadcast station must file Form 323 to update the

initial report or to certify the continuing accuracy and completeness of the previously filed report on the date that the Permittee applies for a license to cover the construction permit.

In the case of organizational structures that include holding companies or other forms of indirect ownership, a separate Form 323 must be filed for each entity in the organizational structure that has an attributable interest in the Licensee or Permittee.

We request two non-substantive changes to Section II–B, Question 2(a) (see page 6 of the updated form for the collection). Specifically, we ask to change the text that currently reads “Citizenship, Gender, Ethnicity, and Race Information” to read “Citizenship, Sex, Ethnicity, and Race Information.” Similarly, we ask to change prompt to the right that reads “Gender” to read “Sex” instead. We also request to make parallel modifications to the form’s instructions for Section II–B, Question 2(a) (see top of second column of page 14 of the updated Instructions), replacing the two instances of the word “gender” with the word “sex.” We request the foregoing non-substantive changes to comply with President Trump’s recent Executive Order 14168, *Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government* (Jan. 20, 2025).

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2025–05786 Filed 4–3–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Termination of Receiverships

The Federal Deposit Insurance Corporation (FDIC or Receiver), as Receiver for each of the following insured depository institutions, was charged with the duty of winding up the affairs of the former institutions and liquidating all related assets. The Receiver has fulfilled its obligations and made all dividend distributions required by law.

NOTICE OF TERMINATION OF RECEIVERSHIPS

Fund	Receivership name	City	State	Termination date
10054	First Bank of Beverly Hills	Calabasas	CA	04/01/2025
10273	Liberty Bank	Eugene	OR	04/01/2025

The Receiver has further irrevocably authorized and appointed FDIC-Corporate as its attorney-in-fact to execute and file any and all documents that may be required to be executed by the Receiver that FDIC-Corporate, in its sole discretion, deems necessary, including but not limited to releases, discharges, satisfactions, endorsements, assignments, and deeds. Effective on the termination dates listed above, the Receiverships have been terminated, the Receiver has been discharged, and the Receiverships have ceased to exist as legal entities.

(Authority: 12 U.S.C. 1819)

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on April 1, 2025.

Jennifer M. Jones,

Deputy Executive Secretary.

[FR Doc. 2025-05841 Filed 4-3-25; 8:45 am]

BILLING CODE 6714-01-P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551-0001, not later than April 21, 2025.

A. Federal Reserve Bank of Chicago (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690-1414. Comments can also be sent electronically to

Comments.applications@chi.frb.org:

1. *Glenn E. Mensching, Jr., Teresa B. Mensching, both of Frankfort, Michigan; Jack E. Mensching, Kathleen G. Mensching, James R. Mensching, and Lynnea G. Mensching, all of Itasca, Illinois; Julie Mensching Hrejsa, Elmhurst, Illinois;* to join the Mensching Family Group, a group acting in concert, to acquire the voting shares of Itasca Bancorp, Inc., and thereby indirectly acquire voting shares of Itasca Bank & Trust Co., both of Itasca, Illinois.

Additionally, *Seth D. Mensching, Henry Cira Mensching, both of Ann Arbor, Michigan; Jack E. Mensching IRA, Itasca, Illinois; Michael Francis Gara, Mary Gara, both of Waterford, Wisconsin; Jeffrey Hrejsa, Elmhurst, Illinois; Julie Mensching Hrejsa as custodian for a minor child, Elmhurst, Illinois; Susan G. Kolosovsky, Jonathan G. Kolosovsky, both of Itasca, Illinois; and Susan G. Kolosovsky as custodian for minor children, Itasca, Illinois; James R. Mensching Beneficiary IRA, Itasca, Illinois; Emily Grace Mensching, Ft. Lauderdale, Florida; and Devon Elise Mensching Schubert, Pflugerville, Texas;* to join the Mensching Family Group, a group acting in concert, to retain the voting shares of Itasca Bancorp, Inc., and thereby indirectly retain voting shares of Itasca Bank & Trust Co., both of Itasca, Illinois.

B. Federal Reserve Bank of Minneapolis (Mark Nagle, Assistant Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480-0291. Comments can also be sent electronically to *MA@mpls.frb.org:*

1. *The Harold G. Wahlquist Revocable Trust, Eden Prairie, Minnesota, Harold G. Wahlquist Jr., Eden Prairie, Minnesota, and Katherine M. Wahlquist, St. Louis Park, Minnesota, individually and as co trustees, Charles P. Wahlquist, West End, North Carolina, and Andrew C. Wahlquist, Plymouth, Minnesota;* to become members of the Wahlquist Family Group, a group acting in concert, to retain voting shares of Midwest Bancorporation Inc., Eden Prairie, Minnesota, and thereby indirectly retain

voting shares of Star Bank, Maple Lake, Minnesota.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025-05849 Filed 4-3-25; 8:45 am]

BILLING CODE 6210-01-P

GENERAL SERVICES ADMINISTRATION

[Notice-PBS-2025-1; Docket No. 2025-0002; Sequence No.3; UNIQUE IDENTIFIER: SEIS-023-00-009-1727281974]

Notice of Availability for a Draft Supplemental Environmental Impact Statement and Floodplain Assessment and Statement of Findings for the Expansion and Modernization of the Raul Hector Castro Land Port of Entry and Proposed Commercial Land Port of Entry in Douglas, Arizona

AGENCY: Public Buildings Service (PBS), General Services Administration (GSA).

ACTION: Notice of Availability (NOA); announcement of public meeting.

SUMMARY: Pursuant to the requirements of the National Environmental Policy Act of 1969 (NEPA) and the GSA Public Buildings Service NEPA Desk Guide, GSA is issuing this notice to announce the availability of the Draft Supplemental Environmental Impact Statement (DSEIS), which evaluates potential environmental impacts from proposed flood control and utility upgrades in support of the Raul Hector Castro (RHC) Land Port of Entry (LPOE) Expansion and Modernization Project in Douglas, Arizona.

DATES:

Public Comment Period—The Public Comment Period begins with publication of this NOA in the **Federal Register** and will last for 45 days until Monday, May 19, 2025 (see **ADDRESSES** section of this NOI on how to submit comments). After the comment period, GSA will prepare the Final SEIS.

Meeting Date—A public meeting will be held on Wednesday, May 7, 2025 from 4:00 p.m. to 6:00 p.m., Mountain Time. The meeting will be held in the Douglas Visitor Center (see **ADDRESSES** section for location address), where interested parties are invited to join and provide verbal or written comments on the DSEIS and Floodplain Assessment and Statement of Findings. The meeting will be an informal open house, where visitors may come, receive information, and provide written comments. No formal presentation will be provided.

ADDRESSES:

Meeting Location—A public meeting will be held at the Douglas Visitor Center, 345 16th St, Douglas, AZ 85607.

Public Comments—You may submit written comments, identified by Docket No. 2025–0002, by one of the following methods:

- **Public Meeting:** Attend the public meeting and submit written comments using a form provided by GSA.

- **Email:** Osmahn.Kadri@gsa.gov. Include Docket No. 2025–0002 in the subject line of the message.

- **Mail:** Attention: Osmahn Kadri, NEPA Program Manager, U.S. General Services Administration, c/o Potomac-Hudson Engineering, Inc., 77 Upper Rock Circle, Suite 302, Rockville, MD 20850.

FOR FURTHER INFORMATION CONTACT:

Osmahn Kadri, 415–522–3617, Osmahn.Kadri@gsa.gov. Please call the number if special assistance is needed to attend and participate in the public meeting.

SUPPLEMENTARY INFORMATION: The DSEIS describes the purpose and need for the project; alternatives considered; the existing environment that could be affected; the potential impacts resulting from each of the alternatives; and proposed best management practices and impact reduction and mitigation measures. The DSEIS also includes the Draft Finding of No Practicable Alternative (FONPA), which provides a floodplain assessment and statement of findings as a result of construction in a floodplain in the project area.

Public Comment Period

The views and comments of the public are necessary in helping GSA in its decision-making process with impacts to environmental and cultural impacts. The meeting will be an informal open house, where visitors may speak with GSA representatives and provide written comments. No formal presentation will be provided. All comments received will be considered equally and will become part of the public record. Further information on the project, including an electronic copy of the DSEIS, may also be found online at the following website: <https://www.gsa.gov/about-us/regions/welcome-to-the-pacific-rim-region-9/land-ports-of-entry/raul-hector-castro-land-port-of-entry>.

Russell Larson,

Director, Portfolio Management Division, Pacific Rim Region, Public Buildings Service, U.S. General Services Administration.

[FR Doc. 2025–05425 Filed 4–3–25; 8:45 am]

BILLING CODE 6820–YF–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meeting

Pursuant to section 1009 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: Cell Biology Integrated Review Group; Cell Structure and Function 1 Study Section.

Date: June 3–4, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Jessica Smith, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–402–3717, jessica.smith6@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: March 31, 2025.

Sterlyn H. Gibson,

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–05788 Filed 4–3–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health & Human Development; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Board of Scientific Counselors Eunice Kennedy Shriver National Institute of Child Health and Human Development, June 6, 2025,

10:00 a.m. to June 6, 2025, 3:45 p.m., Eunice Kennedy Shriver National Institute of Child, 31 Center Drive, Bethesda, MD, 20892 which was published in the **Federal Register** on March 19, 2025, 90 FR 12750.

The meeting notice is amended to change from closed session to open and closed session. The meeting is partially closed to the public.

Dated: April 1, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–05834 Filed 4–3–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Notice of Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Advisory Mental Health Council.

The meeting will be held as a virtual meeting and is partially open to the public. Individuals who plan to view the virtual meeting and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting. The open session will be videocast and can be accessed from the NIH Videocasting website (<http://videocast.nih.gov/>). Registration is not required to access the videocast.

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/or contract proposals 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 and/or contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Advisory Mental Health Council.

Date: June 17, 2025.

Open: 12:00 p.m. to 1:00 p.m.

Agenda: Presentation of the NIMH Director's Report and Discussion of NIMH programs.

Meeting Format: Virtual Meeting.

Address: National Institute of Mental Health, National Institutes of Health,

Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852..

Closed: 1:15 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications and/or proposals.

Meeting Format: Virtual Meeting.

Address: National Institute of Mental Health, National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852.

Contact Person: Tracy L. Waldeck, Ph.D., Director, Division of Extramural Activities, National Institute of Mental Health, NIH, DHHS, Neuroscience Center, 6001 Executive Boulevard, Bethesda, MD 20892, email: nimh.advisorycouncil@mail.nih.gov.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

Information is also available on the Institute's/Center's home page: www.nimh.nih.gov/about/advisory-boards-and-groups/namhc, where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: April 1, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–05835 Filed 4–3–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Advisory Mental Health Council.

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 intramural programs and projects as well as the grant applications and/or contract proposals 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 and/or contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Advisory Mental Health Council.

Date: June 17, 2025.

Time: 10:00 a.m. to 10:45 a.m.

Agenda: To review and evaluate personnel qualifications and performance, and competence of individual investigators.

Meeting Format: Virtual Meeting.

Address: National Institute of Mental Health, National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 Virtual Meeting.

Time: 11:00 a.m. to 11:15 a.m.

Agenda: To review and evaluate grant applications and/or proposals.

Meeting Format: Virtual Meeting.

Address: National Institute of Mental Health, National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852.

Contact Person: Tracy L. Waldeck, Ph.D., Director, Division of Extramural Activities, National Institute of Mental Health, NIH, DHHS, Neuroscience Center, 6001 Executive Boulevard, Bethesda, MD 20892, email: nimh.advisorycouncil@mail.nih.gov.

Information is also available on the Institute's/Center's home page: www.nimh.nih.gov/about/advisory-boards-and-groups/namhc, where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: April 1, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–05833 Filed 4–3–25; 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 1009 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 contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, 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; HHS–NIH–CDC–SBIR PHS 2025–1, Phase I/II: Development of Medical

Interventions for Treating Non-Tuberculosis Mycobacterial (NTM) Infections (Topic 144).
Date: May 2, 2025.

Time: 11:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate contract proposals.

Address: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G62A, Rockville, MD 20892.

Meeting Format: Video Assisted Meeting.

Contact Person: Lindsey M. Pujanandez, Ph.D., Scientific Review Officer, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Rockville, MD 20892, 240–627–3206, lindsey.pujanandez@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: April 1, 2025.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–05831 Filed 4–3–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of General Medical Sciences; Notice of Closed Meetings

Pursuant to section 1009 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: National Institute of General Medical Sciences Special Emphasis Panel; Review of Tribal Institutional Review Board Establishment and Enhancement (TIRBEE) Award (R24).

Date: July 1, 2025.

Time: 10:00 a.m. to 6:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, National Institute of General Medical Sciences, Natcher Building, 45 Center Drive, Bethesda, Maryland 20892.

Meeting Format: Virtual Meeting.

Contact Person: Kimberly Hammer, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute of General Medical

Sciences, National Institutes of Health, 45 Center Drive, MSC 6200, Bethesda, Maryland 20892, 301-594-2849, kimberly.hammer@nih.gov.

Name of Committee: National Institute of General Medical Sciences Special Emphasis Panel; Review of the Centers of Biomedical Research Excellence (COBRE) Phase 1.

Date: July 9–10, 2025.

Time: 9:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, National Institute of General Medical Sciences, Natcher Building, 45 Center Drive, Bethesda, Maryland 20892.

Meeting Format: Virtual Meeting.

Contact Person: Kimberly Hammer, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, MSC 6200, Bethesda, Maryland 20892, 301-594-2849, kimberly.hammer@nih.gov.

(Catalogue of Federal Domestic Assistance Program No. 93.859, Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: April 1, 2025.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-05832 Filed 4-3-25; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2025-0002]

Final Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Notice.

SUMMARY: Flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final for the communities listed in the table below.

The FIRM and FIS report are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having an effect in order to qualify or remain qualified for participation in the Federal Emergency Management Agency's (FEMA's) National Flood Insurance Program (NFIP).

DATES: The date of August 5, 2025 has been established for the FIRM and, where applicable, the supporting FIS report showing the new or modified flood hazard information for each community.

ADDRESSES: The FIRM, and if applicable, the FIS report containing the final flood hazard information for each community is available for inspection at the respective Community Map Repository address listed in the tables below and will be available online through the FEMA Map Service Center at <https://msc.fema.gov> by the date indicated above.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Risk Analysis, Planning & Information Directorate, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbibit@fema.dhs.gov; or visit the FEMA

Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the new or modified flood hazard information for each community listed. Notification of these changes has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

This final notice is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the new or revised FIRM and FIS report available at the address cited below for each community or online through the FEMA Map Service Center at <https://msc.fema.gov>.

The flood hazard determinations are made final in the watersheds and/or communities listed in the table below.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Kristin E. Fontenot,

Assistant Administrator, Risk Analysis, Planning & Information Directorate, Federal Emergency Management Agency, Department of Homeland Security.

Community	Community map repository address
Nelson County, Virginia (All Jurisdictions) Docket No.: FEMA-B-2412	
Unincorporated Areas of Nelson County	Nelson County Planning and Zoning Department, 80 Front Street, Lovingson, VA 22949.

[FR Doc. 2025-05868 Filed 4-3-25; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2025-0002]

Final Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Notice.

SUMMARY: Flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final for the communities listed in the table below.

The FIRM and FIS report are the basis of the floodplain management measures

that a community is required either to adopt or to show evidence of having an effect in order to qualify or remain qualified for participation in the Federal Emergency Management Agency's (FEMA's) National Flood Insurance Program (NFIP).

DATES: The date of August 19, 2025 has been established for the FIRM and, where applicable, the supporting FIS report showing the new or modified flood hazard information for each community.

ADDRESSES: The FIRM, and if applicable, the FIS report containing the final flood hazard information for each community is available for inspection at the respective Community Map Repository address listed in the tables below and will be available online through the FEMA Map Service Center at <https://msc.fema.gov> by the date indicated above.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services

Branch, Risk Analysis, Planning & Information Directorate, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbibit@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the new or modified flood hazard information for each community listed. Notification of these changes has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

This final notice is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973,

42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the new or revised FIRM and FIS report available at the address cited below for each community or online through the FEMA Map Service Center at <https://msc.fema.gov>.

The flood hazard determinations are made final in the watersheds and/or communities listed in the table below.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Kristin E. Fontenot,

Assistant Administrator, Risk Analysis, Planning & Information Directorate, Federal Emergency Management Agency, Department of Homeland Security.

Community	Community map repository address
Escambia County, Florida and Incorporated Areas Docket Nos.: FEMA-B-2152 and B-2423	
City of Pensacola	Inspection Services, 222 West Main Street, Pensacola, FL 32502.
Pensacola Beach-Santa Rosa Island Authority	Pensacola Beach-Santa Rosa Island Authority Administrative Offices, 1 Via de Luna Drive, Pensacola Beach, FL 32561.
Town of Century	Planning and Zoning, 7995 North Century Boulevard, Century, FL 32535.
Unincorporated Areas of Escambia County	Escambia County Development Services Department, 3363 West Park Place, Pensacola, FL 32505.
Tift County, Georgia and Incorporated Areas Docket No.: FEMA-B-2422	
City of Omega	City Hall, 5518 North Alabama Avenue, Omega, GA 31775.
City of Tifton	City Hall, 130 1st Street East, Tifton, GA 31794.
City of Ty Ty	City Hall, 141 East Elman Street, Ty Ty, GA 31795.
Unincorporated Areas of Tift County	Tift County Office, 225 North Tift Avenue, Building D, Tifton, GA 31794.
Turner County, Georgia and Incorporated Areas Docket No.: B-2420	
City of Ashburn	City Hall, 259 East Washington Avenue, Ashburn, GA 31714.
City of Sycamore	City Hall, 39 East Willis Street, Sycamore, GA 31790.
Unincorporated Areas of Turner County	Turner County Courthouse Annex, 208 East College Avenue, Ashburn, GA 31714.
Worth County, Georgia and Incorporated Areas Docket No.: B-2420	
City of Poulan	City Hall, 204 Hunton Street Southwest, Poulan, GA 31781.
City of Sylvester	Community Development, 102 South Main Street, Sylvester, GA 31791.
Town of Sumner	Town Hall, 706 Walnut Street, Sumner, GA 31789.
Unincorporated Areas of Worth County	Worth County Building and Zoning, 204 East Franklin Street, Suite 16, Sylvester, GA 31791.
Granite County, Montana and Incorporated Areas Docket No.: FEMA-B-2428	
Town of Drummond	Town Hall, 114 A Street, Drummond, MT 59832.
Unincorporated Areas of Granite County	Granite County Courthouse, 220 North Sansome Street, Philipsburg, MT 59858.

Community	Community map repository address
Morris County, New Jersey (All Jurisdictions) Docket No.: FEMA-B-2421	
Borough of Butler	Borough Municipal Building, 1 Ace Road, Butler, NJ 07405.
Borough of Kinnelon	Borough Municipal Building, 130 Kinnelon Road, Kinnelon, NJ 07405.
Borough of Lincoln Park	Borough Hall, 34 Chapel Hill Road, Lincoln Park, NJ 07035.
Borough of Riverdale	Borough Municipal Building, 91 Newark-Pompton Turnpike, Riverdale, NJ 07457.
Township of East Hanover	Township Municipal Building, Construction Department, 411 Ridgedale Avenue, East Hanover, NJ 07936.
Township of Montville	Township Municipal Building, Engineering Department, 195 Changebridge Road, Montville, NJ 07045.
Township of Parsippany-Troy Hills	Parsippany-Troy Hills Township Hall, 1001 Parsippany Boulevard, Parsippany, NJ 07054.
Township of Pequannock	Pequannock Township Department of Public Works, 99 Alexander Avenue, Pompton Plains, NJ 07444.
Monroe County, Illinois and Incorporated Areas) Docket No.: FEMA-B-2345	
City of Columbia	City Hall, 208 South Rapp Avenue, Columbia, IL 62236.
City of Waterloo	City Hall, 100 West Fourth Street, Waterloo, IL 62298.
Unincorporated Areas of Monroe County	Monroe County Courthouse, 100 South Main Street, Waterloo, IL 62298.
Village of Fuels	Village Hall, 180 Church Street, Fuels, IL 62244.
Village of Maestown	Village Hall, 1030 Mill Street, Maestown, IL 62256.
Village of Valmeyer	Village Hall, 260 Knobloch Boulevard, Valmeyer, IL 62295.

[FR Doc. 2025-05869 Filed 4-3-25; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY**U.S. Citizenship and Immigration Services**

[CIS No. 2802-25; DHS Docket No. USCIS-2021-0020]

RIN 1615-ZB90

Implementation of Employment Authorization for Individuals Covered by Deferred Enforced Departure for Hong Kong

AGENCY: U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security (DHS).

ACTION: Notice.

SUMMARY: On January 15, 2025, former President Joseph Biden issued a memorandum to the Secretary of State and the Secretary of Homeland Security (Secretary) determining it was in the foreign policy interest of the United States to expand and extend the deferral of removal of certain Hong Kong residents present in the United States through February 5, 2027, and to provide them with employment authorization documentation. This notice provides information about Deferred Enforced Departure (DED) for eligible Hong Kong residents and how eligible individuals may apply for DED-

based Employment Authorization Documents (EADs) with USCIS, as well as for travel authorization.

DATES: DED and employment authorization for aliens covered by DED for Hong Kong residents is effective January 15, 2025, through February 5, 2027.

FOR FURTHER INFORMATION CONTACT: Rená Cutlip-Mason, Chief, Humanitarian Affairs Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security, by mail at 5900 Capital Gateway Drive, Camp Springs, MD 20746, or by phone at 240-721-3000.

For further information on DED, including additional information on eligibility, please visit the USCIS DED web page at <https://www.uscis.gov/humanitarian/deferred-enforced-departure>. You can find specific information about DED for Hong Kong by selecting “DED—Certain Hong Kong Residents” from the menu on the left of the DED web page.

If you have additional questions about DED, please visit <https://www.uscis.gov/tools>. Our online virtual assistant, Emma, can answer many of your questions and point you to additional information on our website. If you are unable to find your answers there, you may also call our USCIS Contact Center at 800-375-5283 (TTY 800-767-1833).

Applicants seeking information about the status of their individual Form I-765, Application for Employment

Authorization, or Form I-131, Application for Travel Documents, Parole Documents, and Arrival/Departure Records, may check Case Status Online, available on the USCIS website at <https://www.uscis.gov>, or visit the USCIS Contact Center at <https://www.uscis.gov/contactcenter>.

You can also find more information at local USCIS offices, listed on the USCIS website at <https://www.uscis.gov/about-us/find-a-uscis-office>, after this notice is published.

SUPPLEMENTARY INFORMATION:**Table of Abbreviations**

CFR—Code of Federal Regulations
DED—Deferred Enforced Departure
DHS—U.S. Department of Homeland Security
DoS—Department of State
EAD—Employment Authorization Document
FNC—Final Non-confirmation
Form I-131—Application for Travel Documents, Parole Documents, and Arrival/Departure Records
Form I-765—Application for Employment Authorization
Form I-797—Notice of Action
Form I-9—Employment Eligibility Verification
Form I-912—Request for Fee Waiver
Form I-94—Arrival/Departure Record
FR—Federal Register
Government—U.S. Government
IER—U.S. Department of Justice, Civil Rights Division, Immigrant and Employee Rights Section
INA—Immigration and Nationality Act
PRC—People’s Republic of China
SAVE—USCIS Systematic Alien Verification for Entitlements Program
Secretary—Secretary of Homeland Security

TTY—Text Telephone
 USCIS—U.S. Citizenship and Immigration
 Services
 U.S.C.—United States Code

Definitions

For the purposes of this Notice, a Hong Kong resident is defined as an individual of any nationality, or without nationality, who has met the requirements for, and been granted, a Hong Kong Special Administrative Region Passport, a British National Overseas Passport, a British Overseas Citizen Passport, a Hong Kong Permanent Identity card, or a Hong Kong Special Administrative Region Document of Identity for Visa Purposes.

Purpose of This Action

Under the President's constitutional authority to conduct the foreign relations of the United States, former President Biden determined that it is in the foreign policy interest of the United States to defer through February 5, 2027, the removal of certain Hong Kong residents, regardless of country of birth, who have been present in the United States since January 15, 2025.¹ Through this Notice, DHS is establishing procedures for individuals covered by DED for Hong Kong to apply for EADs valid through February 5, 2027, and automatically extends through February 5, 2027, the validity of DED-based EADs bearing a Category Code of A11 and a "Card Expires" date of February 5, 2023, or February 5, 2025. Additionally, this notice provides instructions on how to request advance travel authorization for eligible residents of Hong Kong in the United States.

What is Deferred Enforced Departure (DED)?

- DED is an administrative deferral of removal ordered by the President. The authority to extend DED arises from the President's constitutional authority to conduct the foreign relations of the United States. DED has been authorized in situations where certain groups of aliens may face danger if required to return to countries, or any part of such countries, experiencing political instability, conflict, or other unsafe conditions, or when there are other foreign policy reasons for allowing a designated group of aliens to remain in the United States temporarily.
- Although DED is not a specific immigration status and does not require residents of Hong Kong to file an application with USCIS, individuals covered by DED are not subject to

removal from the United States, usually for a designated period. Furthermore, the President may direct the Secretary to provide certain benefits that are authorized under the immigration laws, such as employment authorization, to aliens covered by the DED directive during the designated period.

- USCIS publishes a **Federal Register** notice to inform the covered population how to apply for any benefits provided. See instructions for Form I-765.

- The eligibility requirements for individuals who are covered by DED are based on the terms of the President's memorandum regarding DED and any relevant implementing requirements established by DHS. Since DED is a directive to defer removal of an individual, rather than a specific immigration status like Temporary Protected Status, there is no DED application form required for an individual to be covered by DED. If an individual covered by DED wants to apply for an EAD, they must file Form I-765. Similarly, if an individual covered by DED wants to apply for advance travel authorization, they must file Form I-131.

Background

Former President Biden determined that there are compelling foreign policy reasons to extend and expand DED for certain Hong Kong residents. In his January 15, 2025, memorandum, he explained that "[t]he United States is committed to a foreign policy that unites our democratic values with our foreign policy goals, which is centered on the defense of democracy and the promotion of human rights around the world. Offering safe haven to Hong Kong residents who have been deprived of their guaranteed freedoms in Hong Kong furthers United States interests in the region."

Kika M. Scott,

Senior Official Performing the Duties of the Director, U.S. Citizenship and Immigration Services.

Eligibility and Employment Authorization for DED

How will I know if I am eligible for employment authorization under the DED presidential memorandum for Hong Kong residents?

The procedures for employment authorization in this Notice apply to aliens who are Hong Kong residents (regardless of their country of birth), who are present in the United States and who were covered by DED until February 5, 2025, as well as Hong Kong residents who have been present in the

United States since January 15, 2025, except for aliens:

- Who have voluntarily returned to Hong Kong or the People's Republic of China (PRC) after January 15, 2025;
- Who have not continuously resided in the United States since January 15, 2025, except for aliens who applied for and received travel authorization covering their absence from the United States;
- Who are inadmissible under section 212(a)(3) of the Immigration and Nationality Act (INA) (8 U.S.C. 1182(a)(3)) or deportable under section 237(a)(4) of the INA (8 U.S.C. 1227(a)(4));
- Who have been convicted of any felony or two or more misdemeanors committed in the United States, or who meet any of the criteria set forth in section 208(b)(2)(A) of the INA (8 U.S.C. 1158(b)(2)(A));
- Who are subject to extradition;
- Whose presence in the United States the Secretary of Homeland Security has determined is not in the interest of the United States or presents a danger to public safety; or
- Whose presence in the United States the Secretary of State has reasonable grounds to believe would have potentially serious adverse foreign policy consequences for the United States.

What will I need to file if I am covered by DED and would like to obtain an EAD?

If you are a resident of Hong Kong covered by DED and want a DED-based EAD, you must file Form I-765. Please carefully follow the Form I-765 instructions when completing the application for an EAD. When filing Form I-765, you must:

- Indicate that you are eligible for DED by entering "(a)(11)" in response to Question 27 on Form I-765; and
- Submit the fee for Form I-765 (or request a fee waiver,² which you may submit on Form I-912, Request for Fee Waiver). See Fee Schedule (Form G-1055).

If you currently have a DED-based EAD bearing a Category Code of A11 and a "Card Expires" date of February 5, 2023, or February 5, 2025, and are covered by DED under the January 15, 2025, Presidential Memorandum, your EAD is automatically extended through February 5, 2027, even though the expiration date stated on the front of the card has passed.

¹ See Extending and Expanding Eligibility for Deferred Enforced Departure for Certain Hong Kong Residents, 90 FR 6749 (Jan. 17, 2025).

² For information about filing fee waiver requests including through Form I-912, Request for Fee Waiver, see <https://www.uscis.gov/forms/filing-fees/additional-information-on-filing-a-fee-waiver>.

Supporting Documentation

The filing instructions on Form I-765 list all the documents needed to apply. You may also find information on the initial required documents on the USCIS website at <https://www.uscis.gov/i-765>. If USCIS determines after reviewing your submission that it needs additional information, we will send you a request for evidence.

How will I know if I must submit my biometrics to USCIS?

If USCIS needs biometrics after you apply, we will send you a biometric

services appointment notice with the time and location of your appointment. You can prepare for your biometrics appointment by visiting the *Preparing for Your Biometric Services Appointment* web page at <https://www.uscis.gov/forms/filing-guidance/preparing-for-your-biometric-services-appointment>. Be sure to bring valid photo identification to your appointment.

Where do I find the fees for DED applicants?

You can find the most current filing fees for individuals covered by DED

filing Form I-765 and Form I-131 by visiting the Form G-1055, Fee Schedule at <https://www.uscis.gov/g-1055>. No biometrics fees are required when you file.

Where do I submit my completed DED-based Form I-765?

For a DED-based EAD, mail your completed Form I-765 and supporting documentation to the proper address in Table 1.

TABLE 1—MAILING ADDRESSES

If you are . . .	Mail your completed form to . . .
Using the U.S. Postal Service (USPS)	USCIS, Attn: DED Hong Kong, P.O. Box 805283, Chicago, IL 60680-5283.
Using FedEx, UPS, or DHL	USCIS, Attn: DED Hong Kong (Box 805283), 131 S Dearborn St., 3rd Floor, Chicago, IL 60603-5517.

You may file Form I-765 and Form I-131 together or separately. If you are filing multiple applications, petitions, or requests, USCIS recommends sending separate payments for each application. If you submit one payment covering all your applications and we reject one of the applications, petitions, or requests, we will need to reject all the others as well. Find more information below on filing Form I-131.

Can I file my DED-based Form I-765 electronically?

No. Electronic filing is not available to file a DED-based Form I-765.

What happens after February 5, 2027, to DED-based EADs?

This DED authorization is set to end on February 5, 2027. After that date, employers can no longer accept EADs with the Category A11 and a Card Expires date of February 5, 2023; February 5, 2025; or February 5, 2027. You will need to present other evidence of continued employment authorization, if any, to your employer by February 6, 2027.

Travel

Hong Kong residents covered by DED may also apply for and be granted travel authorization as a matter of discretion. You must file for travel authorization if you wish to travel outside of the United States and be eligible to reenter the United States. If USCIS grants travel authorization, it gives you permission to leave the United States and to return to a U.S. port of entry to request reentry during a specific period. To request travel authorization, you must file Form

I-131, available at <https://www.uscis.gov/i-131>. You may file Form I-131 together with your Form I-765 or separately. When you file Form I-131, you must:

- Select Item Number 5.D. in Part 1 on Form I-131; and
- Submit the fee for Form I-131.

If you leave the United States without first receiving travel authorization, you may no longer be eligible for DED and may not be permitted to reenter the United States. Please also be advised that if you return to Hong Kong or other parts of the PRC, even with advance travel authorization, you may not be permitted to resume DED in the United States since the presidential memorandum providing for DED for Hong Kong excludes individuals who have voluntarily returned to Hong Kong or other parts of the PRC after the date of the memorandum.³

Mailing Information

Mail your completed Form I-131 to the proper address provided in Table 1.

Supporting Documentation

The filing instructions for Form I-131 list all the documents you need to include with your application. You may also find information on the acceptable documentation and DED eligibility on the USCIS website at <https://www.uscis.gov/humanitarian/deferred-enforced-departure>. If USCIS needs additional evidence, we will send you a request for evidence.

General Employment-Related Information for Individuals With DED-Based EADs and Their Employers

How can I obtain information on the status of my EAD request?

To get case status information about your DED-based EAD request, you can check Case Status Online at <https://www.uscis.gov> or visit the USCIS Contact Center at <https://www.uscis.gov/contactcenter>. If you still need assistance, you may ask a question about your case online at <https://egov.uscis.gov/e-request/Intro.do> or call the USCIS Contact Center at 800-375-5283 (TTY 800-767-1833).

When I am hired, what documentation may I show to my employer as evidence of identity and employment authorization when completing Form I-9?

You can find the Lists of Acceptable Documents on Form I-9, Employment Eligibility Verification, as well as the Acceptable Documents web page at <https://www.uscis.gov/i-9-central/acceptable-documents>. Employers must complete Form I-9 to verify the identity and employment authorization of all new employees. Within three business days of hire, employees must present acceptable documents to their employers as evidence of identity and employment authorization to satisfy Form I-9 requirements.⁴

You may present any documentation from List A (which provides evidence of both identity and employment

⁴ For employment that will last less than three days, Section 2 of the Form I-9 must be completed no later than the first day of work for pay.

³ See 90 FR 6749.

authorization) or documentation from List B (which provides evidence of your identity) together with documentation from List C (which provides evidence of employment authorization), or you may present an acceptable receipt as described in the Form I-9 Instructions. Employers may not reject a document based on a future expiration date. You can find additional information about Form I-9 on the I-9 Central web page at <https://www.uscis.gov/I-9Central>. An EAD is an acceptable document under List A.

If I have an EAD based on another immigration status, can I obtain a new DED-based EAD?

Yes, if you are covered by DED, you can obtain a new DED-based EAD, even if you already have an EAD or employment authorization based on another immigration status or category. If you want to obtain a DED-based EAD valid through February 5, 2027, you must file Form I-765 and pay the associated fee (unless USCIS grants your fee waiver request).

Can my employer require that I provide any other documentation to complete Form I-9, such as evidence of my status or proof of my Hong Kong residency?

No. When completing Form I-9, employers must accept any unexpired documentation that appears on the Form I-9 Lists of Acceptable Documents that reasonably appears to be genuine and that relates to you, or an acceptable List A, List B, or List C receipt. Employers may not request proof of Hong Kong residency when completing Form I-9 for new hires or reverifying the employment authorization of current employees. Refer to the “Note to Employees” section of this **Federal Register** notice for important information about your rights if your employer rejects lawful documentation, or otherwise discriminates against you based on your citizenship or immigration status, or your national origin.

Note to All Employers

Employers are reminded that the laws requiring proper employment eligibility verification and prohibiting unfair immigration-related employment practices remain in full force. This **Federal Register** notice does not supersede or in any way limit applicable employment verification rules and policy guidance, including those rules listing reverification requirements. For general questions about the employment eligibility verification process, employers may call

USCIS at 888-464-4218 (TTY 877-875-6028) or email USCIS at I-9Central@uscis.dhs.gov. For questions about avoiding discrimination during the employment eligibility verification process (Form I-9 and E-Verify), employers may call the U.S. Department of Justice, Civil Rights Division, Immigrant and Employee Rights Section (IER) Employer Hotline at 800-255-8155 (TTY 800-237-2515). Employers may also email IER at IER@usdoj.gov or get more information online at <https://www.justice.gov/ier>.

Note to Employees

For general questions about the employment eligibility verification process, employees may call USCIS at 888-897-7781 (TTY 877-875-6028) or email USCIS at I-9Central@uscis.dhs.gov. Employees or applicants may also call the IER Worker Hotline at 800-255-7688 (TTY 800-237-2515) for information regarding employment discrimination based on citizenship, immigration status, or national origin, including discrimination related to Form I-9 and E-Verify.

To comply with the law, employers must accept any document or combination of documents from the Lists of Acceptable Documents if the documentation reasonably appears to be genuine and to relate to the employee, or an acceptable List A, List B, or List C receipt as described in the Form I-9 instructions. Employers may not require extra or additional documentation beyond what is required for Form I-9 completion. Further, employers participating in E-Verify who receive an E-Verify case result of “Tentative Non-confirmation” (mismatch) must promptly inform employees of the mismatch and give such employees an opportunity to resolve the mismatch. A mismatch means that the information entered into E-Verify from Form I-9 differs from records available to DHS.

Employers may not terminate, suspend, delay training, withhold or lower pay, or take any adverse action against an employee because of a mismatch while the case is still pending with E-Verify. A Final Non-confirmation (FNC) case result occurs if E-Verify cannot confirm an employee's employment eligibility. An employer may terminate employment based on a case result of FNC. Employment-authorized employees who receive an FNC may call USCIS for assistance at 888-897-7781 (TTY 877-875-6028). For more information about E-Verify-related discrimination or to report an employer for discrimination in the E-Verify process based on citizenship, immigration status, or national origin,

contact IER's Worker Hotline at 800-255-7688 (TTY 800-237-2515). Additional information about proper nondiscriminatory Form I-9 and E-Verify procedures is available on the IER website at <https://www.justice.gov/ier> and the USCIS and E-Verify websites at <https://www.uscis.gov/i-9-central> and <https://www.e-verify.gov>.

Note Regarding Federal, State, and Local Government Agencies (Such as Departments of Motor Vehicles)

If you are applying for a Federal, state, or local government benefit, you may need to provide the government agency with documents that show you are covered under DED or authorized to work based on DED or both. Check with the government agency requesting documentation about which documents the agency will accept.

Some government agencies use SAVE, <https://www.uscis.gov/save>, to confirm the current immigration status of applicants for public benefits and licenses. SAVE can verify that an individual is covered by DED based on an EAD with Category A11 or a Form I-797, Notice of Action, reflecting approval of your Form I-765 for an EAD with a DED category code of (a)(11). In most cases, SAVE provides an automated electronic response to benefit-granting agencies within seconds, but occasionally verification can be delayed.

You can check the status of your SAVE verification by using CaseCheck at <https://www.uscis.gov/save/save-casecheck>. CaseCheck is a free service that lets you follow the progress of your SAVE verification case using your date of birth and one immigration identifier number (such as your A-Number or USCIS number) or Verification Case Number. If an agency has denied your application based solely or in part on a SAVE response, the agency must allow you to appeal the decision in accordance with the agency's procedures. If the agency has received and acted on or will act on a SAVE verification, and you do not believe the SAVE response is correct, the SAVE website, <https://www.uscis.gov/save/for-benefit-applicants>, has detailed information on how to correct or update your immigration record, make an appointment, or submit a written request to correct records.

[FR Doc. 2025-05903 Filed 4-3-25; 8:45 am]

BILLING CODE 9111-97-P

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT****[Docket No. FR-6528-N-01]****Credit Watch Termination Initiative;
Termination of Direct Endorsement
(DE) Approval****AGENCY:** Office of the Assistant Secretary for Housing—Federal Housing Commissioner, Department of Housing and Urban Development (HUD).**ACTION:** Notice.**SUMMARY:** This notice advises of the cause and effect of termination of Direct Endorsement (DE) approval taken by HUD's Federal Housing Administration (FHA) against HUD-approved mortgagees through the FHA Credit Watch Termination Initiative. This notice includes a list of mortgagees that have had their DE Approval terminated.**FOR FURTHER INFORMATION CONTACT:** John Higgins, Director, Quality Assurance Division, Office of Housing, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, DC 20410-8000; telephone (202) 402-6730 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.**SUPPLEMENTARY INFORMATION:** HUD has the authority to address deficiencies in the performance of lenders' loans as provided in HUD's mortgagee approval regulations at 24 CFR 202.3. On May 17, 1999, HUD published a notice (64 FR 26769) on its procedures for terminating Origination Approval Agreements with FHA lenders and placement of FHA lenders on Credit Watch status (an evaluation period). In the notice, HUDadvised that it would publish in the **Federal Register** a list of mortgagees that have had their Approval Agreements terminated. HUD Handbook 4000.1 section V.E.3.a.iii outlines current procedures for terminating Underwriting Authority of Direct Endorsement mortgagees.**Termination of Direct Endorsement Approval:** HUD approval of a DE mortgagee authorizes the mortgagee to underwrite single family mortgage loans and submit them to FHA for insurance endorsement. The approval may be terminated on the basis of poor performance of FHA-insured mortgage loans underwritten by the mortgagee. The termination of a mortgagee's DE Approval is separate and apart from any action taken by HUD's Mortgagee Review Board under HUD regulations at 24 CFR part 25.**Cause:** HUD regulations and policy permit HUD to terminate the DE Approval of any mortgagee having a default and claim rate for loans endorsed within the preceding 24 months that exceeds 200 percent of the default and claim rate within the geographic area served by a HUD field office, and that exceeds the national default and claim rate for insured mortgagees.**Effect:** Termination of DE Approval precludes the mortgagee from underwriting FHA-insured single-family mortgages within the HUD field office jurisdiction(s) listed in this notice. Mortgagees authorized to hold or service FHA-insured mortgages may continue to do so.

Loans that closed or were approved before the termination became effective may be submitted for insurance endorsement. Approved loans are those already underwritten and approved by a DE underwriter and cases covered by a firm commitment issued by HUD. Cases at earlier stages of processing cannot be submitted for insurance by the

terminated mortgagee; however, the cases may be transferred for completion of processing and underwriting to another mortgagee with DE Approval in that geographic area. Mortgagees must continue to pay existing insurance premiums and meet all other obligations associated with insured mortgages.

A terminated mortgagee may apply for reinstatement if their DE Approval in the affected area or areas has been terminated for at least six months and the mortgagee continues to be an approved mortgagee meeting the requirements of 24 CFR 202.5, 202.6, 202.7, 202.10 and 202.12. The mortgagee's application for reinstatement must be in a format prescribed by the Secretary and signed by the mortgagee. In addition, the application must be accompanied by an independent analysis of the terminated office's operations as well as its mortgage production, specifically including the FHA-insured mortgages cited in its termination notice. This independent analysis shall identify the underlying cause for the mortgagee's high default and claim rate. The analysis must be prepared by an independent Certified Public Accountant (CPA) qualified to perform audits under Government Auditing Standards as provided by the Government Accountability Office. The mortgagee must also submit a written corrective action plan to address each of the issues identified in the CPA's report, along with evidence that the plan has been implemented. The application for reinstatement must be submitted through the Lender Electronic Assessment Portal (LEAP). The application must be accompanied by the CPA's report and the corrective action plan.

Action: The following mortgagees have had their DE Approval terminated by HUD:

Mortgagee name	Mortgagee home office address	HUD office jurisdiction	Termination effective date	Homeownership center
Residential Acceptance Corporation	5027 W Laurel St., Tampa, FL 33607-3816.	New Orleans	3/7/2025	Denver.

Jeffrey Little,

General Deputy Assistant Secretary for Housing.

[FR Doc. 2025-05861 Filed 4-3-25; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-7092-N 11]

30-Day Notice of Proposed Information Collection: Community Development Block Grant Entitlement Program; OMB Control No.: 2506-0077

AGENCY: Office of Policy Development and Research, Chief Data Officer, HUD.
ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comments from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 30 days of public comment.

DATES: Comments Due Date: May 5, 2025.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. 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: Anna Guido, Clearance Officer, Paperwork Reduction Act Division, PRAD, Department of Housing and Urban Development, 451 7th Street SW, Room 8210, Washington, DC 20410; email at Anna.P.Guido@hud.gov, telephone (202) 402-5535. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an

accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

Copies of available documents submitted to OMB may be obtained from Ms. Guido.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A. The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on October 15, 2024 at 89 FR 83039.

A. Overview of Information Collection

Title of Information Collection: Community Development Block Grant Entitlement Program.
OMB Approval Number: 2506-0077.
Type of Request: Reinstatement with change.
Form Number: N/A.
Description of the need for the information and proposed use:

Information collection	Number of respondents	Frequency of Response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
Current Inventory: Recordkeeping Pursuant to 24 CFR 570.506	1,237	1	1,237	120.00	148,440	48.59	7,212,699.60
Reporting pursuant to 24 CFR 570.507, 24 CFR 570.200(e) and 570.506(c)	1,237	4	4,948	78.50	388,418.00	48.59	18,873,230.62
Entitlement communities maintain required documentation	1,237	1	1,237	25.00	30,925.00	48.59	1,502,645.75
PR 29 Cash on Hand Quarterly Report	1,237	4	4,948	0.75	3,711.00	48.59	180,317.49
Total	1,237	.....	.....	.....	571,494	.....	27,768,893.46

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) 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) The accuracy of the agency’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 those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 2 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Anna Guido,
Department Clearance Officer, Office of Policy Development and Research, Chief Data Officer.
[FR Doc. 2025-05793 Filed 4-3-25; 8:45 am]
BILLING CODE 4210-67-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R1-NWRS-2024-N042; FXRS12610100000-256-FF01R07000]

Mariana Arc of Fire National Wildlife Refuge and Mariana Trench Marine National Monument; Corrections

AGENCY: Fish and Wildlife Service, Interior.
ACTION: Notice of correction.

SUMMARY: We, the U.S. Fish and Wildlife Service, announce corrections to the spelling of the Mariana Trench Marine National Monument and to the

coordinates of geographic features (hydrothermal vent fields) within the Mariana Arc of Fire National Refuge. This notice corrects the spelling “Marianas Trench Marine National Monument” to “Mariana Trench Marine National Monument” for consistency in official documents and other publications. It also makes corrections to coordinates of hydrothermal vent fields. This will ensure proper mapping and data management and facilitate enforcement of protections within the Refuge boundaries. These corrections are nonsubstantive.

DATES: These corrections are effective April 4, 2025.

ADDRESSES: Background documents, including the 2009 Presidential proclamation establishing the Monument, the 2011 **Federal Register** notice announcing the Service’s and the National Oceanic and Atmospheric Administration’s (NOAA’s) intent to prepare a draft monument management plan (MMP), and the 2020 draft MMP, which was announced for public comment in 2021, are available at <https://www.regulations.gov> in Docket

No. NOAA–NMFS–2021–0003. However, the agencies are no longer taking comments on these documents. The final environmental assessment (EA) is available at <https://www.fws.gov/national-monument/mariana-trench-marine>.

FOR FURTHER INFORMATION CONTACT:

Sean Macduff, Superintendent, Mariana Trench Marine National Monument, by phone at 670–234–7207, extension 4003, or by email at sean_macduff@fws.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: We are correcting the spelling of the Mariana Trench Marine National Monument and the coordinates of geographic features (hydrothermal vent fields) within the Mariana Arc of Fire National Refuge. This notice corrects the spelling “Marianas Trench Marine National Monument” to “Mariana Trench Marine National Monument” for consistency in official documents and other publications. It also makes corrections to coordinates of hydrothermal vent fields. This will ensure proper mapping and data management and facilitate enforcement of protections within the Refuge boundaries. The corrections make no substantive changes to existing regulations and do not expand or otherwise alter the size of the Monument.

As the lead Federal agency for promulgation of fisheries regulations, NOAA will publish the corrected Monument name and Refuge coordinates as part of updating fisheries regulations for the Mariana Trench Marine National Monument.

Background

The Mariana Trench Marine National Monument was established by Presidential Proclamation 8335 (Proclamation), signed by President George W. Bush on January 6, 2009 (74 FR 1557, January 12, 2009). The Secretaries of the Interior and Commerce (Secretaries) share responsibility for managing the Monument. The Proclamation required the Secretaries to prepare management plans within their respective authorities and promulgate implementing regulations to address specific actions necessary for the proper care and management of the Monument.

On April 5, 2011, the Service and NOAA published a **Federal Register** notice announcing the intent to prepare a draft monument management plan (MMP) for the Monument (76 FR 18773). The MMP would also satisfy the Service’s comprehensive conservation plan (CCP) requirements for two units of the National Wildlife Refuge System (NWRS) within the Monument. In the notice, the Service and NOAA requested suggestions and information on the scope of issues to consider during the planning process and announced that, under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*), an EA to evaluate the potential effects of various management alternatives would be prepared. The EA would provide resource managers with the information needed to determine whether the potential effects may be significant and warrant preparation of an environmental impact statement, or if the potential impacts would lead to a finding of no significant impact (FONSI).

On February 24, 2021, the Service and NOAA published a **Federal Register** notice announcing the availability of the draft MMP and EA (86 FR 11238). The draft MMP included elements similar to a NWRS CCP, and the agencies conducted the planning process for those elements in a manner similar to the CCP planning and public involvement process. The National Wildlife Refuge System Administration Act of 1966 (Refuge Administration Act; 16 U.S.C. 668dd–668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997, requires the Service to develop a CCP for each national wildlife refuge. The draft MMP incorporated CCP requirements and defined each agency’s management roles and responsibilities. The draft MMP included an EA of the potential impacts of the MMP on the human environment. The draft MMP, EA, and public comments received on the documents were made publicly available at <https://www.regulations.gov> in Docket No. NOAA–NMFS–2021–0003. The comment period ended on May 25, 2021; however, on May 24, 2021, the agencies published a notice extending the comment period by 60 days, through July 26, 2021 (86 FR 27834).

Subsequently, the Service and NOAA were made aware of nonsubstantive errors in the draft MMP. The Service publishes this notice to announce corrections. The Service originally published maps for the Mariana Arc of Fire National Wildlife Refuge and the Mariana Trench Marine National Monument in accordance with a map accompanying the Proclamation. (The

map made available with the Proclamation is available at <https://www.govinfo.gov/content/pkg/FR-2009-01-12/pdf/E9-496.pdf>.) Upon review of the draft MMP, deep sea researchers noticed that some of the coordinates for Monument features (hydrothermal vent fields) did not match published coordinates in the scientific literature. This notice corrects those errors. This action also makes corrections to the spelling of Mariana Trench for consistency in future publications.

These corrections will ensure proper mapping and facilitate enforcement of protections within the Refuge boundaries. These corrections make no substantive changes to existing regulations and do not expand or otherwise alter the size of the monument.

In June 2024, the Service and NOAA, along with the Commonwealth of the Northern Mariana Islands (CNMI), announced the availability of the final EA, with an MMP as an appendix, which describes goals, objectives, and strategies for managing the Monument over a 15-year period. These corrections were incorporated in the final MMP. You may obtain a copy of the MMP and EA at <https://www.fws.gov/national-monument/mariana-trench-marine>.

Corrections

Mariana Arc of Fire National Wildlife Refuge—Coordinates Corrections

The Mariana Arc of Fire National Wildlife Refuge (Refuge; formerly known as the “Volcanic Unit” or “Vents Unit”) is one of three units of the Mariana Trench Marine National Monument. The Refuge comprises 21 hydrothermally active submarine volcanoes and hydrothermal vent fields. The boundaries of the Refuge are made up of circles drawn with a 1-nautical-mile radius centered on each of the 16 submarine volcanoes and 5 hydrothermal vent fields. Only the submerged lands and features within each of the 21 circles are included in the Refuge (not the overlying water column). Errors were made in the table of coordinates on the map accompanying the Proclamation and in subsequent publications. Consequently, the coordinates for Alice Springs and Mariana Central Trough vent fields do not match the descriptions in scientific literature or in the most recent sonar mapping and remotely operated vehicle (ROV) dives at the sites.

The authoritative source for the positions of the Alice Springs and Mariana Central Trough vent fields is the InterRidge Vent Database, a database of all the known active hydrothermal

vents in the world. It is downloadable as a standalone database here:

Beaulieu, S.E., and K.M. Szafranski (2020). InterRidge Global Database of Active Submarine Hydrothermal Vent Fields Version 3.4. PANGAEA. Accessible at <https://doi.pangaea.de/10.1594/PANGAEA.917894>.

The database is described in this journal publication:

Beaulieu, S.E., E.T. Baker, C.R. German, and A. Maffei (2013). An authoritative global database for active submarine hydrothermal vent fields. *Geochemistry, Geophysics, Geosystems* 14(11): 4892–4905.

The correct coordinates for the Alice Springs vent field are 18.2103° N, 144.7073° E (<https://vents-data.interridge.org/ventfield/alice-springs-field>). The correct coordinates of the Mariana Central Trough vent field are 18.0467° N, 144.7533° E (<https://vents-data.interridge.org/ventfield/mariana-trough-central-trough>). These coordinates are recorded in the InterRidge Vent Database and are consistent with the earlier published scientific papers based on the vent fields initial discovery during Alvin submersible dives in 1987.

The applicable scientific papers are the following:

- Hessler, R., P.F. Lonsdale, and J. Hawkins (1988). Patterns on the ocean floor. *New Scientist* 24: 47–51.
- Hessler, R.R., and J.W. Martin (1989). *Austino-graea williamsi*, new genus, new species, a hydrothermal vent crab (Decapoda: Bythograeidae) from the Mariana Back-Arc Basin, western Pacific. *Journal of Crustacean Biology* 9(4): 645–661.
- Hessler, R., and P.F. Lonsdale (1991). Biogeography of Mariana Trough hydrothermal vent communities. *Deep-Sea Research* 38(2): 185–199.

These corrections are also consistent with the most recent sonar mapping and ROV dives at the site, summarized in NOAA's FK151121 (2015) and FK161129 (2016) cruise reports, which are available at https://www.pmel.noaa.gov/eoi/marianas_site.html.

Mariana Trench Marine National Monument—Spelling Correction

In the Proclamation, two different spellings appeared for the Mariana Trench; this was also true for the accompanying map (*i.e.*, “Mariana” and “Marianas” were used interchangeably). Undersea feature names are documented on the GEOnet Names Server, which was developed and is maintained by the National Geospatial-Intelligence Agency. “Mariana Trench” is the approved name in that database,

whereas “Marianas Trench” is listed as a variant. This notice corrects the spelling “Marianas Trench Marine National Monument” to “Mariana Trench Marine National Monument” for consistency in official documents and other publications. This change is a clarification rather than a substantive change and has no substantive impact. The substance of the feature descriptions remains unchanged.

Authority

We provide this notice under section 2 of the Antiquities Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431), the National Wildlife Refuge System Administration Act (16 U.S.C. 668dd *et seq.*), and the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*).

Hugh Morrison,

Regional Director, Pacific Region.

[FR Doc. 2025–05802 Filed 4–3–25; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039840; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: University of California, Riverside, Riverside, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of California, Riverside intends to repatriate certain cultural items that meet the definition of objects of cultural patrimony and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after May 5, 2025.

ADDRESSES: Megan Murphy, University of California, Riverside, 900 University Avenue, Riverside, CA 92517–5900, telephone (951) 827–6349, email megan.murphy@ucr.edu.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the University of California, Riverside, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The

National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 60 cultural items have been requested for repatriation. The 60 of objects of cultural patrimony are four lots of ceramics, 13 lots of grinding stones, 14 lots of lithics, one lot of ochre, two lots of pendants, four lots of metal objects, five lots of glass, seven lots of animal bone, two lots of discoidal stones, one lot of quartz crystals, one lot of stone bowls, two lots of botanical materials, two lots of unmodified shell, one lot of geological materials, and one lot of pipes.

In 1964 an archaeological field school for the University of California Department of Anthropology was led by Makoto Kowta. The class excavated archaeological site CA–RIV–265 (also known as the Ford Site), which is located between the Bernasconi Hills and Mount Russel in Riverside County. The project began on October 3rd with a surface survey and was followed by the excavation of three pits measuring 6 x 6 feet. The features uncovered were bedrock mortars and a midden deposit. This area is known to the Luiseno tribes as *Páavo'* and is identified as part of their ancestral lands. Through catalog verification it was determined that objects were missing from the collection; should these objects be located in the future they will be considered as part of this repatriation and will be transferred to the Tribe. During tribal consultation, the Pechanga Band of Indians identified objects of cultural patrimony including ceramics, manos, lithics (points, flakes, scrapers), ochre, a slate pendant fragment, and historic bullet shells.

In 1975, a volunteer field school from the University of California, Riverside was led by Garth Portillo for the Department of Transportation ahead of a project to widen Highway 74 under Highway Project 08–Riv–15. Archaeological materials were collected from the surface and 178 units measuring 10 x 10m and 12 units were excavated to an average depth of 25cm. A total of 369 objects were removed from archaeological site CA–RIV–659 including lithic materials, ground stone, faunal remains, metal objects, and ceramics. The collection was subsequently housed at UCR under accession number 39 and findings were published in UCR Archaeological Research Unit Report #139, “Final Report: Mitigation of Archaeological Site 4–RIV–659, Nichols Road, Elsinore”. During consultation in 2024, tribal representatives from the Pechanga Band of Indians identified objects of

cultural patrimony and noted that the site is located in an area known to the Luiseño as *Páayaxchi Nivé'wuna*, which is part of their ancestral lands.

In 1978, the University of California, Riverside's Archaeological Research Unit (UCR-ARU) was contracted by private property owners to assess a parcel of land before proposed residential development. The project was led by Renee Giansanti and consisted of a surface collection, followed by the excavation of two test units measuring 1 x 1 meter each. In total, 237 items were removed from archaeological site CA-RIV-1309, including lithic flakes, cores and scrapers, a granite pestle fragment, and a discoidal mano. These items were housed at UCR under accession number 61. In the area surrounding the site, archaeologists recorded 10 bedrock mortars. Archaeologists theorized the site to represent a satellite camp of the larger village of *Éxva Teméku*. During consultation with tribal representatives from the Pechanga Band of Indians in 2024, these items were identified as objects of cultural patrimony.

In 1978 the University of California, Riverside Archaeological Research Unit was contracted by a private property owner to assess 800 acres of land in an area known as Skunk Hollow near Bachelor Mountain to mitigate adverse impacts from future development. The assessment, led by Renee Giansanti, consisted of a surface collection followed by the excavation of four test units measuring 1 x 1m at archaeological site CA-RIV-2945. A midden feature and a bedrock mortar were identified during the investigation in addition to 34 items all made of lithic materials. These objects included flakes, cores, manos, pestles, and a discoidal stone; they were subsequently housed at the University of California, Riverside under accession number 62. During consultation with tribal representatives in 2024, the objects were identified as objects of cultural patrimony. The area they were removed from is considered to be part of Luiseño ancestral lands and is known to the Luiseño as *Jaki'la*. The objects are important pieces of history and have ongoing cultural significance for the Pechanga Band of Indians.

In 1979, the University of California, Riverside Archaeological Research Unit assessed about 13 acres of land by request of a private residential land developer. The project, led by Thomas Holcomb, consisted of a surface survey and collection, followed by the excavation of two 1 x 1m test units at archaeological site CA-RIV-712. Archaeologists identified one large bedrock metate and collected

approximately 31 lithic objects including flakes, manos, and quartz crystals. Archaeologists theorized that the site was possibly a seed processing area used by the people of the nearby village of *Éxva Teméku*. During consultation with tribal representatives from the Pechanga Band of Indians in 2024, these items were identified as objects of cultural patrimony. The area the objects were removed from is known to the tribe as part of their ancestral range and materials from this area are considered to be culturally significant for the tribe's history. The Meadowbrook area is adjacent to the contemporary Pechanga Band of Indians' reservation property.

In 1977, Butterfield Land and Development Company requested that the University of California, Riverside Archaeological Research Unit (UCR-ARU) assess a parcel of land in Rancho California to mitigate adverse effects to potential cultural remains. An initial evaluation determined that cultural materials would be collected from the surface to avoid damage or destruction. The surface survey and collection resulted in the recovery of 52 stone objects including project points, hammerstones, manos, metates, and lithic flakes, which were subsequently housed at UCR under accession number 112. According to the final project publication, "Results of Surface Collection at CA-RIV-1211, Rancho California, Riverside County, California" by Ken Daly, one projectile point was identified by archaeologists as dating occupation to after A.D. 1300. Based on the assemblage of objects recovered archaeologists concluded that "perhaps a half-dozen individuals, possibly a family, occupied this site during the summer when it was necessary to leave a village to collect foodstuffs." During consultation with tribal representatives from the Pechanga Band of Indians in 2024, these items were identified as objects of cultural patrimony.

In 1981, Daniel McCarthy and Steve Bouscaren, staff of the University of California, Riverside Archaeological Research Unit (UCR-ARU) investigated archaeological site CA-RIV-375 with permission from the property owner. They noted five areas with bedrock milling features, 61 bedrock mortars, seven grinding slicks, one rockshelter, and two pictographs. According to site records, artifacts had been collected from the surface by previous residents and remained in the possession of the property owner. During their assessment, they collected approximately 28 objects including grinding stones, faunal bone, lithic

flakes, and ceramic sherds, which were housed at UCR under accession number 126. In 2024, during tribal consultation, tribal representatives from the Pechanga Band of Indians noted that the objects were important to the tribe's history and identified them as being objects of cultural patrimony.

In 1989, objects removed from archaeological site CA-RIV-48 were donated to the University of California, Riverside Archaeological Curation Unit by Mrs. Lyle Whitcomb Smith and her sister-in-law, Mrs. Audrey Whitcomb. Daniel McCarthy, an archaeologist with UCR, visited the site and spoke with Mrs. Whitcomb Smith, the wife of the original recorder of the site and property owner, Mr. CE Smith. The site is located on the family ranch but has been disturbed by construction since the original recording in 1951. The site was described by McCarthy as a "camp of some sort with numerous metates, manos, and other ground stone artifacts observed in the late 1940s". This area is known to the Luiseño as *Náqwu* and is part of their ancestral lands. The University of California, Riverside catalogs list six objects being donated including two basin metates, two manos, one stone bowl, and one stone ball. Unfortunately, the objects do not seem to have been labelled and only five of them have been identified: one stone bowl, two basin metates, and two manos/pestles. The stone ball reported in the 1989 donation catalogs is missing from the collection, but if it is located in the future, it will be considered part of this repatriation and returned to the Pechanga Band of Indians.

In 1989, the University of California, Riverside Archaeological Research Unit (UCR-ARU) was contracted by the Bear Creek Development Company to assess an area in Murrieta, California ahead of residential development. Archaeologists relocated archaeological site CA-RIV-1273 which was first recorded in 1978 by Chace and Associates during work on the Joaquin Ranch property. The UCR-ARU conducted a surface collection and then an excavation of four 1 x 1.5m test units to a depth of about 60cm. A total of 112 artifacts were recovered including a mano, a metate, lithic materials, and faunal remains, which were housed at UCR under accession number 150. In UCR-ARU report #1021, "Archaeological Studies at the Bear Creek Site: Test Excavations at CA-RIV-1273, Murrieta, Riverside County, California", archaeologists interpreted the site as a temporary camp used for hunting and collecting plants. This area and its surrounding landscape are known to the Luiseño as *Páá'uku*. Village sites and burials have been

disturbed in the Joaquin Ranch property during previous archaeological projects. During tribal consultation in 2024, tribal representatives from the Pechanga Band of Indians reviewed the collection and identified the materials as objects of cultural patrimony.

In 1991, the University of California, Riverside Archaeological Research Unit (UCR-ARU) conducted an archaeological assessment on approximately twenty acres of land located in western Riverside County, California at the request of Thatcher Engineering & Associates, ahead of a land development project. The archaeological assessment consisted of a field survey and test excavations, which uncovered archaeological site CA-RIV-4117. The site consisted of approximately 20 bedrock grinding sticks, two bedrock basin metates, and four mortars. The test excavations consisted of intensive surface collection of all observable artifacts and the excavation of six 1 x 1m square units. The project is detailed in UCRARU report #1125, "Cultural Resource Assessment of Tentative Parcel 26667, Phase I—Survey, Phase II—Test Excavations at Site CA-RUV-4117 Sage Area of Riverside County", by Bruce Love, Dicken Everson, and Adella Schroth. The surface collection of this survey and excavations were subsequently housed at UCR under accession number 170. These objects include glass, lithic, metal artifacts, animal bone, floral material, and unmodified shell, which the Pechanga Band of Indians have identified as objects of cultural patrimony.

In 1991, the University of California, Riverside Archaeological Research Unit (UCR-ARU) was contracted to perform a cultural resources assessment of a parcel of private property proposed for development. The assessment consisted of a pedestrian survey followed by the excavation of three 1 x 1-m test units at archaeological site CA-RIV-4499, which was located near several bedrock milling features. The excavation uncovered one small slate pendant, two faunal bone fragments, historic glass fragments, and lithic materials. Archaeologists believed the site to represent a temporary camp or seed-processing area, but did not find evidence of permanent occupation in the immediate area. During consultation with tribal representatives from the Pechanga Band of Indians in 2024, these items were identified as objects of cultural patrimony.

In 2022 a large grinding stone was found in the University of California, Riverside's archaeological collections with a note taped to it reading, "RIV-419-27, Site records by P. Chace and E

Shepard, 1963. No record of artifact collection in site records". Site records describe the site as a "village on a flat ridge" and note the presence of bedrock mortars and pictographs. It is unclear when and why the stone was added to UCR's archaeological collections, so it was assigned accession number 403 after its discovery in 2022. During consultation with tribal representatives from the Pechanga Band of Indians in 2024, the grinding stone was identified as an object of cultural patrimony.

In 1984, the University of California, Riverside Archaeological Research Unit (UCR-ARU) was contracted by a private property owner to evaluate two archaeological sites (CA-RIV-2782, CA-RIV-2783) that could be damaged by nearby land development. CA-RIV-2782 was described as a large milling area with several grinding slicks. CA-RIV-2783 contained several bedrock milling features with manos, mortars, pestles, and a ceramic sherd noted on the surface. UCR-ARU report #766 describes the survey of the sites but does not note that any artifacts were removed from either site. In 2022, however, a single grinding stone was discovered in UCR's archaeological collections with no accession or catalog number and just a note reading, "CA-RIV-2783, No Acc. #, ARU # ???". After discovery, the stone was assigned the new accession number 404. During consultation with tribal representatives from the Pechanga Band of Indians in 2024, the grinding stone was identified as an object of cultural patrimony.

In 2022, a large metate was found in the University of California, Riverside's archaeological collections with a label reading, "Possibly RIV-186-26??? No Acc #, ARU # ???". No record of the metate could be found in UCR's original accession records. Site records describe the site as a camp site with bedrock milling features. Artifacts noted in original site records include a clay pipe fragment, arrowheads, flakes, and other forms of lithic objects. The circumstances surrounding UCR's acquisition of the metate are unknown; it was assigned the new accession number 405 in 2023 after being discovered in the collections. This site is located in an area known to the Luiseño as *Waxáara*, which is part of their ancestral lands. During consultation with tribal representatives from the Pechanga Band of Indians in 2024, the grinding stone was identified as an object of cultural patrimony.

In 2022, a box containing shells, lithic objects, geological materials, historic metals, charcoal, and bone was found in the University of California, Riverside's archaeological collections with a label

reading "CA-RIV-1064". No record of the items could be found in UCR's original accession records. Site records describe the site as rock shelter that is reportedly close to a cluster of other sites with grinding features, rock art, and cupules. The site record was updated in 1988 by the University of Riverside, Archaeological Research Unit (UCR-ARU) as part of ARU Project #870, so it is likely that the objects were collected during that project. The collection was assigned accession number 417 in 2023. During consultation with tribal representatives from the Pechanga Band of Indians in 2024, these items were identified as objects of cultural patrimony.

In 1973, the University of California, Riverside Archaeological Research Unit (UCR-ARU) was contracted to assess potential impacts to archaeological resources in the vicinity of a proposed recreational vehicle park approximately three miles south of Lake Mathews in the Gavilan Hills of western Riverside County. The assessment consisted of a foot survey of the proposed project area, during which four archaeological sites were located. The sites, CA-RIV-1251 through 1254, were all described as "processing sites" with evidence of quarrying, hunting, and seed-processing. UCR-ARU Report #72, "Gavilan Springs Ranch Recreational Development, Potential Impact on Archaeological Resources", states that no artifact collections were made, however, four objects from archaeological sites CA-RIV-1251, CA-RIV-1252, and CA-RIV-1254, were found in UCR's archaeological collections in 2022. The objects are one partially reconstructed clay pipe and three lithic cores. The collection was assigned accession number 420 in 2022. During consultation with tribal representatives from the Pechanga Band of Indians in 2024, these items were identified as objects of cultural patrimony.

In 2023, a round mano was found in the University of California, Riverside's archaeological collections with no associated documentation. The mano is not mentioned in any of UCR's original accession logs. The only information about the mano was a faint note written in pencil directly on the mano's surface reading, "Gavilan Hills, collected by Retta Ewes and donated to Geology D". UCR NAGPRA Program staff were not able to find further information about Retta or the mano. It is likely that it was collected by a former student (Retta) and given to the Geology Department. It's unclear how it ended up in the archaeological collections, so it was assigned accession number 422 after

being rediscovered by program staff. During consultation with tribal representatives from the Pechanga Band of Indians in 2024, the grinding stone was identified as an object of cultural patrimony.

In 1979, Christopher Drover recorded archaeological site CA-RIV-1704, which he described as an “adobe and decomposed granite block residence with associated trash dump”. Drover noted historic glass, ceramics, and a mano in the site record and noted that a “small surface collection [was] taken for purposes of establishing occupation date” and stored at the University of California, Riverside. The collection was never assigned an accession number or noted in UCR accession logs. In 2022, the objects were discovered in the collections and assigned accession number 447. During consultation with tribal representatives from the Pechanga Band of Indians in 2024, these items were identified as objects of cultural patrimony.

In 1978, the University of California, Riverside Archaeological Research Unit (UCR-ARU) was contracted by a private law firm to assess several tracts of land for cultural resources. According to UCR-ARU Report #280, several seed grinding features were noted in the project area and objects such as a stone-knife, grinding stones, and hammerstones were observed. There are no records of any collections being produced during the survey, but several grinding stones and lithic objects were found in UCR’s collections labelled “CA-RIV-1501” in 2022. The stones were subsequently assigned accession number 454. It is likely that UCR-ARU staff collected the stones during the 1978 project, but never assigned them an accession number. During consultation with tribal representatives from the Pechanga Band of Indians in 2024, these items were identified as objects of cultural patrimony.

In 2002, RECON Environmental Inc. was contracted to conduct a pre-grading survey of 90 acres of land that was to be included in the El Sobrante Landfill expansion. During the foot survey a new archaeological site, CA-RIV-6965, was recorded as a small quarry with a surface scatter of lithic flakes and stone tools. Following the survey, the archaeologist conducted a subsurface test of six shovel test pits and two test units. The excavation uncovered lithic debitage and several hammerstones. The collection was subsequently transferred to the University of California, Riverside Archaeological Curation Unit for permanent curation. During consultation with tribal representatives from the Pechanga Band of Indians in

2024, these items were identified as objects of cultural patrimony.

Determinations

The University of California, Riverside has determined that:

- The 60 objects of cultural patrimony described in this notice have ongoing historical, traditional, or cultural importance central to the Native American group, including any constituent sub-group (such as a band, clan, lineage, ceremonial society, or other subdivision), according to the Native American traditional knowledge of an Indian Tribe or Native Hawaiian organization.
- There is a reasonable connection between the cultural items described in this notice and the Pechanga Band of Indians (*previously* listed as Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, California).

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after May 5, 2025. If competing requests for repatriation are received, the University of California, Riverside must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The University of California, Riverside is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: March 26, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025-05812 Filed 4-3-25; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS-WASO-NAGPRA-NPS0039837;
PPWOCRADN0-PCU00RP14.R50000]

Notice of Inventory Completion: Temple University, Philadelphia, PA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), Temple University has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after May 5, 2025.

ADDRESSES: Dr. Leslie Reeder-Myers, Temple University, Department of Anthropology, 1115 Pollett Walk, Philadelphia, PA 19122, telephone (972) 955-8789, email leslie.reeder-myers@temple.edu.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service’s administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of Temple University, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Based on the information available, human remains representing, at least, three individuals have been reasonably identified. The 14 associated funerary objects are 11 lots faunal, one lot ceramics (missing), one lot lithics (missing), and one lot of bone tools (missing). Between November 2008 and January 2009, Del Beck, an avocational archaeologist based in Luzerne County, Pennsylvania removed human remains representing three individuals and associated funerary objects from the Nescopeck Mountain Rock Shelter, Luzerne County, Pennsylvania. On an unknown date, Beck notified Dr. Michael Stewart of Temple University’s Anthropology Department and transferred the human remains (individuals) and some funerary objects

to the University. In August 2013, Dr. Stewart obtained a radiocarbon date for the site, indicating an age of 3040 +/- 30 years (Archaic period). Beck's site documentation included references to lithic materials, faunal remains, and ceramics. The whereabouts of lithics, ceramics, or bone tools mentioned in Beck's site report are unknown. Based on the available information, a relationship of shared group identity can be identified reasonably between the geographical location and the culturally affiliated Indian Tribes. Luzerne County, Pennsylvania is within the aboriginal and ancestral homeland of the culturally affiliated Indian Tribes. Temple University has no knowledge or record of any potentially hazardous substances being used to treat the human remains or associated funerary objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains and associated funerary objects described in this notice.

Determinations

Temple University has determined that:

- The human remains described in this notice represent the physical remains of three individuals of Native American ancestry.
- The 14 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a reasonable connection between the human remains and associated funerary objects described in this notice and the Absentee-Shawnee Tribe of Indians of Oklahoma; Cayuga Nation; Delaware Nation, Oklahoma; Delaware Tribe of Indians; Eastern Shawnee Tribe of Oklahoma; Oneida Indian Nation; Oneida Nation; Onondaga Nation; Saint Regis Mohawk Tribe; Seneca Nation of Indians; Seneca-Cayuga Nation; Shawnee Tribe; Stockbridge Munsee Community, Wisconsin; Tonawanda Band of Seneca; and the Tuscarora Nation.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains and associated funerary objects in this notice to a requestor may occur on or after May 5, 2025. If competing requests for repatriation are received, Temple University must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. Temple University is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: March 26, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025-05810 Filed 4-3-25; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS-WASO-NAGPRA-NPS0039859; PPWOCRADN0-PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Department of the Interior, National Park Service, Glen Canyon National Recreation Area, Page, AZ

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Department of the Interior, National Park Service, Glen Canyon National Recreation Area (GLCA) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after May 5, 2025.

ADDRESSES: Michelle Kerns, Superintendent, Glen Canyon National Recreation Area, 691 Scenic View Road, Page, AZ 86040, telephone (928) 608-6210, email *Michelle_Kerns@nps.gov*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Superintendent, GLCA, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records.

Abstract of Information Available

Human remains representing, at least, one individual have been identified. The human remains were collected by GLCA cultural resources staff as part of a faunal collection, from state site 42SA20858 (Cottonwood Canyon, AZ) in 1982. They were accessioned in 1988. Osteological analysis performed by Kim Spurr in 2018 confirmed that there was one faunal bone and two human, at which point the human remains were separated and re-cataloged under a separate catalog number. The faunal bone is determined to be an associated funerary object.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains and associated funerary object described in this notice.

Determinations

GLCA has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The one object described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary object described in this notice and the Colorado River Indian Tribes of the Colorado River Indian Reservation, Arizona and California; Confederated Tribes of the Goshute Reservation, Nevada and Utah; Eastern Shoshone Tribe of the Wind River Reservation, Wyoming; Fort Sill Apache Tribe of Oklahoma; Havasupai Tribe of the Havasupai Reservation, Arizona; Hopi Tribe of Arizona; Hualapai Indian Tribe of the Hualapai Indian Reservation,

Arizona; Jicarilla Apache Nation, New Mexico; Kaibab Band of Paiute Indians of the Kaibab Indian Reservation, Arizona; Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony, Nevada; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Moapa Band of Paiute Indians of the Moapa River Indian Reservation, Nevada; Navajo Nation, Arizona, New Mexico & Utah; Northwestern Band of the Shoshone Nation; Ohkay Owingeh, New Mexico; Paiute Indian Tribe of Utah (Cedar Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes); Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; San Juan Southern Paiute Tribe of Arizona; Santo Domingo Pueblo; Skull Valley Band of Goshute Indians of Utah; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; Ute Mountain Ute Tribe; Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona; Ysleta del Sur Pueblo; and the Zuni Tribe of the Zuni Reservation, New Mexico.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary object in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains and associated funerary objects in this notice to a requestor may occur on or after May 5, 2025. If competing requests for repatriation are received, GLCA must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human

remains and associated funerary objects are considered a single request and not competing requests. GLCA is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: March 27, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025-05819 Filed 4-3-25; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS-WASO-NAGPRA-NPS0039838; PPWOCRADNO-PCU00RP14.R50000]

Notice of Inventory Completion: University of California, Riverside, Riverside, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of California, Riverside has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after May 5, 2025.

ADDRESSES: Megan Murphy, University of California, Riverside, 900 University Avenue, Riverside, CA 92517-5900, telephone (951) 827-6349, email megan.murphy@ucr.edu.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the University of California, Riverside, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Based on the information available, human remains representing, at least,

one individual have been reasonably identified. The 11 associated funerary objects are one lot of grinding stones, one lot of lithic materials, one lot of ceramics, one lot of shell beads and ornaments, one lot of modified bone, one lot of faunal bone, one lot of botanical materials, one stone sucking tube, one lot of ochre, one lot of asphaltum, and one lot of soil samples. In 1984, the University of California, Riverside Archaeological Research Unit (UCRARU) was contracted by the Riverside County Flood Control and Water Conservation District to investigate four proposed flood control projects near Wildomar in southwest Riverside county. The project, ARU #768, "Excavations at Wildomar, Riverside County, California", was led by Daniel McCarthy and Philip Wilke. A total of 28 units measuring 1 x 1.5 m were excavated by a crew of nine archaeologists at archaeological site CA-RIV-2769. Archaeologists described the site as a camp site rather than a village site because some year-round activities were not represented by material culture. This area is well-known to the Luiseno tribes as *Páajuku*. The assemblage of material culture excavated during the project represented a span of time from A.D. 1000 to historic times according to archaeologists. Cremated human remains were also identified during excavation and were returned to the Pechanga Band of Indians in April of 1985, however, the tribe's request to have entire collection returned was denied by the UCRARU. The materials were subsequently housed at the University of California, Riverside under accession number 32. During consultation with tribal representatives in 2024, additional human remains previously misidentified as faunal remains were identified.

Based on the information available, human remains representing, at least, one individual have been reasonably identified. The 12 associated funerary objects are two lots of grinding stones, one lot of lithic objects, two lots of ceramic sherds, two lots of glass objects, two lots of faunal remains, one bone awl, one steatite pendant fragment, and one lot of stone with red ochre. In 1971, Archaeological Research Inc. (ARI) was contracted by Dr. Thomas King, a graduate student at the University of California, Riverside and a representative for the Highway Salvage Committee for District 8, to investigate potential impacts to archaeological site CA-RIV-365 before the extension of Highway 365. The site was first excavated by B.E. McCowan in 1955,

along with surrounding sites include CA-RIV-4, CA-RIV-270, and CA-RIV-523. During these first excavations, burials, bedrock mortars, and cultural objects were removed. The site is part of the Luiseno ancestral village of 'Éxva Teméku. Knowing that the area presented a strong potential for cultural materials and human remains to be disturbed, ARI conducted the excavation as requested by Dr. King in July of 1971. Archaeologists recovered approximately 800 objects as well as uncatalogued bone fragments, which were subsequently housed at the University of California, Riverside under accession number 33. During tribal consultation in 2024, human remains representing at least one Native American individual were identified. Approximately 189 objects were found to be missing from the collection when checked against the catalogs including a bone awl, one lot of faunal remains, one lot of grinding stones, one steatite pendant fragment, one lot of stone with red ochre, one lot of sherds, and one lot of historic glass. If any of these objects are located after repatriation occurs, they will be transferred to the tribe as part of this repatriation.

Based on the information available, human remains representing, at least, one individual have been reasonably identified. The 13 associated funerary objects are one lot of projectile points and other lithic materials, one lot of potsherds, one lot of faunal remains, one lot of manos and metates, one lot of botanical material, one lot of charcoal, one lot of shell beads, one lot of steatite beads, one lot of quartz, one lot of ochre, one lot of geological samples, one lot of clay objects, and one lot of glass objects. In the spring of 1974, a field class in archaeology from the University of California, Riverside conducted an archaeological survey and excavation for an area to be impacted by a proposed realignment of Jefferson Avenue in Temecula. Under the supervision of Richard Ambro and Leslie Wildesen, 12 units measuring 6 x 6 m were excavated at archaeological site CA-RIV-644. A total of 2,419 objects were removed from the site and were housed at UCR under accession number 37. ARU Report #120, "Excavations at Jefferson Avenue" by Sarah Schlanger, was published detailing the project findings. Prior to the UCR 1974 excavation, site records reported that a burial was recovered by public employees when it washed out of a nearby creek bank. During tribal consultation in 2024, human remains were found in the collection which had been previously misidentified as faunal remains. The site is close to the

Pechanga Reservation and is known to the tribe as *Múutul*. During catalog verification in 2024 with tribal representatives, a significant number of objects were not accounted for. If they are located at a later date they will be returned to the Tribe as part of this repatriation.

Based on the information available, human remains representing, at least, one individual have been reasonably identified. The 11 associated funerary objects are one lot of animal bone, one lot of modified animal bone, one lot of potsherds, one lot of clay objects, one lot of glass, one lot of lithics, one lot of metal, one lot of shell beads, one lot of botanical materials, one lot of charcoal, and one lot of grinding-stones. In 1976, an archaeological field school was conducted by the University of California, Riverside on private property in the vicinity of the Lake Perris Reservoir as part of the Rock Art Study of Lake Perris Reservoir Area for the California Department of Parks and Recreation. The Bernasconi Site, CA-RIV-858 (part of CA-RIV-111) is described as a village site with midden and bedrock grinding features and cupules in site records; it is part of Luiseno ancestral lands and is known to them as *Táakwíj Pukí*. No analysis of the collection after excavation was published and it was housed at UCR under accession number 43. One possible human incisor was noted in original catalogs, but no tribal consultation was ever conducted. During tribal consultation in 2024, other human teeth and bone fragments were identified by tribal representatives. During catalog verification a number of objects were not accounted for; if they are located at a later date they will be returned to the Tribe as part of this repatriation.

Based on the information available, human remains representing, at least, one individual have been reasonably identified. The four associated funerary objects are one lot of shell fragments, one lot of ceramics, one lot of grinding stones, and one lot of lithic materials. In May of 1978, the University of California, Riverside Archaeological Research Unit (UCR-ARU) was contracted by a private investment group to conduct an archaeological assessment of a parcel of land ahead of a proposed residential development. The project was led by Stephen Bouscaren of the UCR-ARU. According to ARU report #333, "An Archaeological Assessment of Tentative Parcel No. 12065, south of Walker Basin, Riverside County, California" several bedrock mortars were found during the investigation and archaeologists

described the site, archaeological site CA-RIV-1316, as a plant processing site. Items removed during the excavation included shell fragments, ceramics, grinding stones, lithic materials (flakes, projectile points, scrapers, etc.). The collection was subsequently housed as UCR as accession number 55 and no further analysis was conducted to determine if the remains were human. During tribal consultation in 2024, tribal representatives confirmed that the bone fragments were human and identified the objects in the collection as being associated funerary objects. Burials have been uncovered since this project as reported by tribal representatives during consultation and reburials have been undertaken by the Pechanga Band of Indians in this area.

Based on the information available, human remains representing, at least, one individual have been reasonably identified. The two associated funerary objects are one lot of lithics and one lot of grinding stones. In 1977, the University of California, Riverside Archaeological Research Unit (UCRARU) was contracted to conduct archaeological assessment and mitigation for a proposed subdivision project. The project, assigned ARU #263 and #275, was led by Phillip Wilke and Eugene Anderson and consisted of a surface survey and collection and followed by the excavation of three test units at archaeological site CA-RIV-1241 (the Fiandaca Site). No subsurface features were uncovered during the excavation of the test units. The collection was housed at the University of California, Riverside under accession number 57. Based on these materials, archaeologists estimated the occupation of the site to be around 5,000–6,000 years ago; this area is part of the Luiseno Tribes' ancestral homelands and is known to them as *Qaxáalku*. During consultation with tribal representatives in 2024, human remains, previously misidentified as faunal, were identified in the collection.

Based on the information available, human remains representing, at least, one individual have been reasonably identified. The two lots of associated funerary objects are one lot of lithics and one lot of botanical materials. In 1979, the University of California, Riverside Archaeological Research Unit (UCRARU) was contracted to review a parcel of land about a mile southwest of Norco High School ahead of the construction of a proposed subdivision project. Archaeological site CA-RIV-1443 had been located in previous projects and was relocated during this project. This site is part of ancestral

Luiseno homelands and is known to them as *Náqwu*. The project was led by Thomas Holcomb and consisted of a surface survey and collection followed by the excavation of three test units. No subsurface features were discovered during excavation. Archaeologists recorded the site as a “seed-processing/occupation site” in ARU Report #429, “An Archaeological Assessment of the Norco Hills Proposed Subdivision Near Norco, California” by Christopher Drover. Bone fragments found during the excavation were identified as faunal, but during tribal consultation in 2024 they were determined to be human remains.

Based on the information available, human remains representing, at least, one individual have been reasonably identified. The four associated funerary objects are one lot of lithic materials, one lot of faunal remains, one lot of bone awls and one lot of grinding stones. In 1978, the University of California, Riverside Archaeological Research Unit (UCR-ARU) was contracted to conduct an archaeological assessment on 40 acres of land that were being developed into residential buildings. Archaeological site CA-RIV-1008 was already known to have been located on the subject property and was described as consisting of midden, grinding stones, a pictograph, bedrock mortars, and grinding slicks. The site had been previously described by Robert Bettinger in 1972 as a “large midden site, probably a temporary camp”. This site is well-known to the Luiseno tribes as *Tótpa* and is part of their ancestral homelands. During the project archaeologists conducted a surface collection and excavated three units. The materials removed from the site were housed at the University of California, Riverside under accession number 68. Burned bone fragments were collected by archaeologists during the project but were misidentified as faunal remains. Old accession records noted the possibility of human remains in the collection, but there was no apparent follow-up by an osteologist. The project was described in ARU Report #309, “Environmental Impact Evaluation: Archaeological Assessment of Parcel Map 11758, Murrieta, Riverside County, California” by James Baldwin and Thomas Holcomb. In 2024, during NAGPRA consultation, one burnt bone fragment was determined to be human and cultural materials were also identified as being associated funerary objects. Tribal representatives stated that CA-RIV-1008 was known to them as a site with burials after recent

development in the area uncovered additional burials.

Based on the information available, human remains representing, at least, one individual have been reasonably identified. The 13 associated funerary objects are one lot of faunal remains, one lot of ceramics, one lot of glass, one lot of lithics, one lot of metal, one lot of rubber, one lot of wood, one lot of fabric, one lot of floral materials, one lot of geological materials, one lot of mineralogical objects, one lot of unmodified shell, and one lot of fire-altered rock. In 1981, Alber A. Webb Associates was contracted to complete a test excavation of archaeological site CA-RIV-364, which was part of the Rancho Pauba-Little Temecula Land Grant. The site was located on the southern bank of Temecula Creek near the historic Vail Ranch and has been called “Old Temecula” and “Rancho California Site no. 1”. The Luiseno Tribes know this village as *Temét Karí’a* and it is an important part of their ancestral homelands. The project consisted of the excavation of approximately fifty 1 x 2 m units and the removal of over 9,000 items. After laboratory analysis, the collection was transferred to the University of California, Riverside where it was housed as accession number 78. Archaeologists described the site as ranging from a late prehistoric to historic living site with a possible adobe structure. During consultation with tribal representatives in 2024, human remains were identified in the collection which had previously been misidentified as faunal remains.

Based on the information available five associated funerary objects have been identified. The five associated funerary objects are charcoal. In 1984, Jean Salpas Keller and Daniel McCarthy excavated archaeological site CA-RIV-1139 by request of Atlantic Richfield Corporation (ARCO). In total, 30 units measuring an average of 1 x 1 m were excavated to an average depth of 50 cm. According to Keller’s report, “Data Recovery at the Cole Canyon Site (CA-RIV-1139) Riverside County, California”, a representative of the Pechanga Indian Reservation was contacted about monitoring the project but “due to a misunderstanding of the request for participation, no representative was sent to the project”. It is unclear what the misunderstanding was and why the project continued without a tribal monitor. Features reported at the site included bedrock mortars, rock art, and several hearths. Other items removed from the site were projectile points and other lithic materials, manos and metates, clay

figurines, pipe fragments, shell beads, glass beads, slate pendant fragments, ocher, worked steatite, a piece of incised slate, bone awls, a bone ornament fragment, a bone tube, an elk antler wedge, turtle shell rattles, unmodified faunal remains, botanical remains, and charcoal. In Unit 20 a human burial was uncovered, work was halted, and the Pechanga Band of Indians was notified. The individual uncovered was believed to be a young adult woman, about 18 years old. The burial was reportedly removed and reinterred in the reservation cemetery. The representative from the Pechanga Band of Indians stated that after viewing the objects and site that they felt that it was likely a stopping place for people going over the mountains to the ocean and back. The collection of objects removed from the site was given the UCR accession number 81, but is no longer present in UCR’s collections. Original accession records state that the collection was returned to Jean Salpas Keller. In 2024, Keller informed the UCR Repatriation Coordinator that after the excavation and analysis she returned the objects to Pechanga and they were reportedly reburied on the reservation. However, five charcoal samples were submitted to the UCR Radiocarbon laboratory for dating and were assigned lab numbers UCR-2038 through UCR-2042. These samples were not returned to the tribe and were discovered by the UCR NAGPRA Program in 2024. They produced dates ranging from A.D. 870 to A.D. 1800. Tribal representatives determined that they are associated funerary objects given the nature of the site and the association with a human burial.

Based on the information available, human remains representing, at least, one individual have been reasonably identified. The nine associated funerary objects are two lots of lithic materials, two lots of faunal remains, one lot of metal objects, one lot of fire-altered rock, one lot of ground stone, one lot of pottery sherds, and one lot of quartz crystals. In 1987, archaeological sites CA-RIV-634 and CA-RIV-340 were excavated by the University of California, Riverside’s Archaeological Research Unit (UCR-ARU) led by Stephen Bouscaren, Daniel McCarthy, and Phil Wilke as part of ARU project numbers 879 and 881. UCR has conducted at least four archaeological investigations in the vicinity of the “Christensen-Webb Site” also known as *Táawila* (Ringing Rock), which is part of a larger ancestral Luiseno village complex. The Ringing Rock sites excavated by UCR are CA-RIV-332,

CA–RIV–333, CA–RIV–340, and CA–RIV–634, which are all loci of the larger village site. UCR has published notices of inventory completion for collections from CA–RIV–332 and CA–RIV–333 which house human remains, associated funerary objects, and objects of cultural patrimony. The purpose of the projects was to determine site boundaries and evaluate eligibility for the National Register of Historic Places. Eight units measuring 1 x 1.5 meters were excavated from CA–RIV–634 and 757 objects were removed from the site including lithic materials, ground stone, faunal remains, pottery sherds, and quartz crystals, which were housed at UCR as accession number 110. During consultation in 2024 human remains were identified after previously being misidentified by the project archaeologists as faunal. Three test units measuring 1 x 1.5 meters were excavated from CA–RIV–340 and a total of 468 items were removed including lithic materials, metal objects, faunal remains, and fire-altered rock and were housed at UCR under accession number 127. During consultation the objects from CA–RIV–340 were identified by tribal representatives as associated funerary objects.

Based on the information available eight associated funerary objects have been identified and are one lot of faunal remains, one lot of ceramics, one lot of glass, one lot of lithics, one lot of metal objects, one lot of floral materials, one lot of grinding stones, and one lot of unmodified shell. In 1986, the University of California, Riverside Archaeological Research Unit (UCR–ARU) was contracted to conduct test excavations in the area proposed by the Elsinore Valley Municipal Water District for the right-of-way of an outflow channel from Lake Elsinore. Older residents of the area reported to archaeologists that human remains had been disturbed during past construction projects and other artifacts were known to have been removed by pothunters in the 1940s. The Luiseno Tribes know the Lake Elsinore area as *’Iténgvu Wumówmu* and it is part of their ancestral homelands Archaeologists excavated six test units measuring 1 x 2 meters and eighteen backhoe trenches measuring 6 meters in length. During the project archaeologists recovered a total of 2,436 items including an incised stone, a bone awl, lithic materials, grinding stones, and faunal remains, which were stored at UCR under accession number 118. During tribal consultation in 2024, tribal representatives confirmed that the site is

a known burial ground for their ancestors.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains and associated funerary objects described in this notice.

Determinations

The University of California, Riverside has determined that:

- The human remains described in this notice represent the physical remains of 10 individuals of Native American ancestry.
- The 94 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a reasonable connection between the human remains and associated funerary objects described in this notice and the Pechanga Band of Indians (*previously* listed as Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, California).

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains and associated funerary objects in this notice to a requestor may occur on or after May 5, 2025. If competing requests for repatriation are received, the University of California, Riverside must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The University of California, Riverside is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: March 26, 2025.

Melanie O’Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–05811 Filed 4–3–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039845; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Historic Camden Foundation, Camden, SC

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Historic Camden Foundation has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after May 5, 2025.

ADDRESSES: Mr. Southwick C. Briggs, Executive Director, Historic Camden Foundation, 222 Broad Street, Camden, SC 29020, telephone (803) 432–9841, email southwick@cwbricks.com.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service’s administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Historic Camden Foundation, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, one individual have been identified. No associated funerary objects are present. In 2022, the South Carolina Institute of Archaeology and Anthropology led recovery of the individual from the Revolutionary War battlefield of Camden in Kershaw County, South Carolina (38KE1003). The identity of the individual is unknown. Troop units engaged at the battle of Camden in 1780 included soldiers from Delaware, Maryland, North Carolina, South Carolina, and Virginia. There are no known hazardous substances.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains and associated funerary objects described in this notice.

Determinations

The Historic Camden Foundation has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- There is a connection between the human remains described in this notice and the Catawba Indian Nation; Cherokee Nation; Delaware Tribe of Indians; Eastern Band of Cherokee Indians; and the United Keetoowah Band of Cherokee Indians in Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under

ADDRESSES. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains described in this notice to a requestor may occur on or after May 5, 2025. If competing requests for repatriation are received, the Historic Camden Foundation must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The Historic Camden Foundation is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: March 26, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025-05815 Filed 4-3-25; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS-WASO-NAGPRA-NPS0039844; PPWOCRADNO-PCU00RP14.R50000]

Notice of Intended Repatriation: Middleton Place Foundation, Charleston, SC

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Middleton Place Foundation intends to repatriate certain cultural items that meet the definition of unassociated funerary objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after May 5, 2025.

ADDRESSES: Jeff Neale, Middleton Place Foundation, 4300 Ashley River Road, Charleston, SC 29414, telephone (843) 266-7491, email jneale@middletonplace.org.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Middleton Place Foundation, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 505 cultural items have been requested for repatriation. The 505 unassociated funerary objects are ceramic beads. These beads were discovered in a cardboard box in a storage locker at Middleton Place, located in Dorchester County, SC. Written on a piece of paper accompanying the beads was the following: "437 White Beads/68 Blue and Black/and assorted broken beads. Found in Indian Burial Rounds (sic) at Middleton Place." There is no accession or catalog number; no date of discovery; and no exact location where they were found. To the best of our knowledge, these objects have not been treated with any hazardous substance.

Determinations

The Middleton Place Foundation has determined that:

- The 505 unassociated funerary objects described in this notice are reasonably believed to have been placed intentionally with or near human remains, and are connected, either at the time of death or later as part of the death rite or ceremony of a Native American culture according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization. The unassociated funerary objects have been identified by a preponderance of the evidence as related to human remains, specific individuals, or families, or removed from a specific burial site or burial area of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.

- There is a reasonable connection between the cultural items described in this notice and the Catawba Indian Nation.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after May 5, 2025. If competing requests for repatriation are received, the Middleton Place Foundation must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The Middleton Place Foundation is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: March 26, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025-05814 Filed 4-3-25; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR**National Park Service**

[NPS-WASO-NAGPRA-NPS0039848;
PPWOCRADNO-PCU00RP14.R50000]

Notice of Intended Repatriation: Ralph T Coe Center for the Arts, Santa Fe, NM

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Ralph T Coe Center for the Arts intends to repatriate a certain cultural item that meets the definition of a sacred object and that has a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural item in this notice may occur on or after May 5, 2025.

ADDRESSES: Rose Burns, Ralph T Coe Center for the Arts, 1590B Pacheco, Santa Fe, NM 87505, telephone (505) 983-6372, email rburns@coeartscenter.org.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Ralph T Coe Center for the Arts, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of one sacred object has been requested for repatriation. The one object is a wooden mask, NA1012.

The Ralph T. Coe Center for the Arts acquired NA1012 as a gift from Ralph T. Coe in 2011. Ralph T. Coe was likely gifted this item by Taylor and Sandy Dale. Ralph T Coe's notes state that "This mask is unattributed, but it may very well be by Allen Long of the eastern band, at Cherokee North Carolina." The Coe Center for the Arts has no further provenance information on this object.

There are no known hazardous substances used to treat NA1012.

Determinations

The Ralph T Coe Center for the Arts has determined that:

- The one sacred object described in this notice is a specific ceremonial objects needed by a traditional Native

American religious leader for present-day adherents to practice traditional Native American religion, according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization.

- There is a reasonable connection between the cultural item described in this notice and the Eastern Band of Cherokee Indians.

Requests for Repatriation

Additional, written requests for repatriation of the cultural item in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural item in this notice to a requestor may occur on or after May 5, 2025. If competing requests for repatriation are received, the Ralph T Coe Center for the Arts must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural item are considered a single request and not competing requests. The Ralph T Coe Center for the Arts is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: March 26, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025-05817 Filed 4-3-25; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR**National Park Service**

[NPS-WASO-NAGPRA-NPS0039835;
PPWOCRADNO-PCU00RP14.R50000]

Notice of Inventory Completion: Troy University, Troy, AL

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), Troy University has completed an inventory of human remains and associated

funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after May 5, 2025.

ADDRESSES: Gabrielle C. Purcell, Archaeology Lab Coordinator, Troy University, 327 MSCX, Troy, AL 36082, telephone (334) 808-6771, email gpurcell@troy.edu and scarmody@troy.edu.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of Troy University, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available*Walnut Creek (1PK2)*

Human remains representing, at least, 18 individuals have been identified. The 1,465 associated funerary objects are 1,227 pottery sherds, 10 stone tools, 177 lithic flakes, two quartz, 37 hematite, 10 lots of charcoal, one iron, and one ochre. The site is located in Pike County, Alabama near the city of Troy, and was excavated in 1975 by MacDonald Brooms of Troy University. Walnut Creek dates primarily to the Mississippian period. These human remains and associated funerary objects were then housed in the Troy University Archaeology Laboratory. No known hazardous substances were used to treat any of the human remains or associated funerary objects.

Unknown Site, Pike County, AL (1PK?)

Human remains representing, at least, seven individuals have been identified. No associated funerary objects are present. The human remains were given to Troy University by the Pioneer Museum of Alabama in Troy, Alabama in the 1990s or 2000s. The acquisition of these human remains by the Pioneer Museum is unknown but likely came from a site located in Pike County, Alabama. The date of this site is unknown. These human remains were then housed in the Troy University Forensics Laboratory. No known hazardous substances were used to treat any of the human remains.

Coosa River Survey (1EE?)

Human remains representing, at least, one individual have been identified. No associated funerary objects are present. The site is located in Elmore County, Alabama, along the Coosa River. Collection is believed to have been carried out by Troy University archaeologists during a surface collection survey. The date of collection and time period for the site are unknown. These human remains were then housed at the Troy University Archaeology Laboratory. No known hazardous substances were used to treat any of the human remains.

Hawley Money Pit (1HE?)

Human remains representing, at least, three individuals have been identified. The 20 associated funerary objects are two lithic flakes, 15 stones, two lots of oyster shell, and one green Coke-a-Cola bottle. The site is located in Henry County, Alabama near the city of Abbeyville, and was excavated in 2002 by MacDonald Brooms of Troy University. Hawley Money Pit possibly dates to the Mississippian period with some modern intrusion. These human remains and associated funerary objects were then housed in the Troy University Archaeology Laboratory. No known hazardous substances were used to treat any of the human remains or associated funerary objects.

Birmingham Police Department Find (1JE? Case No. 83BHO8328)

Human remains representing, at least, one individual have been identified. No associated funerary objects are present. The location is believed to be in Jefferson County, Alabama near Birmingham, and are believed to have been collected as a possible crime scene by the Birmingham Police Department in 1983. The time period of the site is unknown. These human remains were then housed in the Troy University Forensics Lab. No known hazardous substances were used to treat any of the human remains.

Honey Bluff (9BT?)

Human remains representing, at least, two individuals have been identified. No associated funerary objects are present. The site is believed to be located in Brantley County, Georgia. The date of excavation, the primary investigator, and the time period for Honey Bluff are unknown. These human remains were housed in the Troy University Archaeology Laboratory. No known hazardous substances were used to treat any of the human remains.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains and associated funerary objects described in this notice.

Determinations

Troy University has determined that:

- The human remains described in this notice represent the physical remains of 32 individuals of Native American ancestry.
- The 1,485 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Alabama-Coushatta Tribe of Texas; Alabama-Quassarte Tribal Town; Coushatta Tribe of Louisiana; Mississippi Band of Choctaw Indians; Poarch Band of Creek Indians; and The Muscogee (Creek) Nation.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after May 5, 2025. If competing requests for repatriation are received, Troy University must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. Troy University is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: March 26, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–05808 Filed 4–3–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR**National Park Service**

[NPS–WASO–NAGPRA–NPS0039842; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA

AGENCY: National Park Service, Interior.
ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Peabody Museum of Archaeology and Ethnology, Harvard University (PMAE) has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after May 5, 2025.

ADDRESSES: Jane Pickering, Peabody Museum of Archaeology and Ethnology, Harvard University, 11 Divinity Avenue, Cambridge, MA 02138, telephone (617) 496–2374, email jpickering@fas.harvard.edu.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the PMAE, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Based on the available information, human remains representing, at least, six individuals have been reasonably identified. No associated funerary objects are present. Human remains representing, at minimum, six individuals were collected at the Chilocco Indian Agricultural School, Kay County, OK. The human remains are hair clippings collected from two individuals who were recorded as being 18 years old, two individuals who were recorded as being 17 years old, and two

individuals who were recorded as being 16 years old and identified as “Creek.” Lawrence E. Correll took the hair clippings at the Chilocco Indian Agricultural School between 1930 and 1933. Correll sent the hair clippings to George Woodbury, who donated the hair clippings to the PMAE in 1935. No associated funerary objects are present.

Cultural Affiliation

Based on the available information and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains described in this notice.

Determinations

The PMAE has determined that:

- The human remains described in this notice represent the physical remains of six individuals of Native American ancestry.
- There is a reasonable connection between the human remains described in this notice and The Muscogee (Creek) Nation.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains and associated funerary objects in this notice to a requestor may occur on or after May 5, 2025. If competing requests for repatriation are received, the PMAE must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The PMAE is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: March 26, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025-05813 Filed 4-3-25; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS-WASO-NAGPRA-NPS0039850; PPWOCRADN0-PCU00RP14.R50000]

Notice of Intended Repatriation: University of California, Riverside, Riverside, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of California, Riverside intends to repatriate certain cultural items that meet the definition of objects of cultural patrimony and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after May 5, 2025.

ADDRESSES: Megan Murphy, University of California, Riverside, 900 University Avenue, Riverside, CA 92517-5900, telephone (951) 827-6349, email megan.murphy@ucr.edu.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the University of California, Riverside, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of eight cultural items have been requested for repatriation. The eight objects of cultural patrimony are six lots of charcoal, one lot of soil samples, and one lot of ceramics.

In 1979, Stanley Berryman submitted three charcoal samples to the University of California, Riverside radiocarbon dating laboratory from archaeological site CA-SDI-5344 (SDM-W-1583). The samples dated to about A.D. 1100 and were associated with lithic debitage and marine shell. No other items were collected from the site and no known archaeological collections from the site exist at other institutions.

In 1979, Keith Polan submitted three charcoal samples and one soil sample to the University of California, Riverside radiocarbon dating laboratory from archaeological site CA-SDI-5669 in the city of Santee, San Diego County. The

site was described as a village site with habitation debris. Objects removed from the site included lithics, pottery, shell beads, stone beads, bone awls, arrow shaft straightener, quartz crystals, metates and manos, pendants, clay pipes, animal bone, fire-affected rock, charcoal, and historic items. UCR NAGPRA Program staff attempted to locate the collection associated with the 1979 project but were unable to do so.

In 1975, Charlotte McGowan submitted one charcoal sample to the University of California, Riverside radiocarbon dating laboratory from archaeological site CA-SDI-12809. The sample dates to about 320 +/- 50 years before present. McGowan described the site as an extensive village site, many hearths noted on surface. Objects reported include lithic scatters, fire-affected rock, ground stone tools, ceramics, steatite arrow-shaft straighteners, shell beads, bone tools, shelf scatter and faunal scatter. UCR NAGPRA Program staff attempted to locate the collection associated with the 1975 project but were unable to do so.

In 2024, the University of California, Riverside NAGPRA Program staff discovered a bag of ceramic sherds in UCR's archaeological collections labelled, “ceramic sherds, San Diego co.”. The sherds are believed to be related to the work of retired archaeology professor Philip Wilke.

Determinations

The University of California, Riverside has determined that:

- The eight objects of cultural patrimony described in this notice have ongoing historical, traditional, or cultural importance central to the Native American group, including any constituent sub-group (such as a band, clan, lineage, ceremonial society, or other subdivision), according to the Native American traditional knowledge of an Indian Tribe or Native Hawaiian organization.

- There is a reasonable connection between the cultural items described in this notice and the Campo Band of Diegueno Mission Indians of the Campo Indian Reservation, California; Capitan Grande Band of Diegueno Mission Indians of California (Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation, California; Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation, California); Ewiiapaayp Band of Kumeyaay Indians, California; Iipay Nation of Santa Ysabel, California; Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation, California; Jamul Indian Village of California; La

Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation, California; Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation, California; Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation, California; San Pasqual Band of Diegueno Mission Indians of California; and the Sycuan Band of the Kumeyaay Nation.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after May 5, 2025. If competing requests for repatriation are received, the University of California, Riverside must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The University of California, Riverside is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: March 26, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025-05818 Filed 4-3-25; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS-WASO-NAGPRA-NPS0039846;
PPWOCRADNO-PCU00RP14.R50000]

Notice of Intended Repatriation: Ralph T. Coe Center for the Arts, Santa Fe, NM

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Ralph

T. Coe Center for the Arts intends to repatriate certain cultural items that meet the definition of unassociated funerary objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after May 5, 2025.

ADDRESSES: Rose Burns, Ralph T. Coe Center for the Arts, 1590B Pacheco, Santa Fe, NM 87505, telephone (505) 983-6372, email rburns@coeartscenter.org.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Ralph T. Coe Center for the Arts, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of two unassociated funerary objects have been requested for repatriation. The two objects are shell gorgets (NA1164 and NA0589).

The Ralph T. Coe Center for the Arts acquired NA1164 and NA0589 in 2011 as gifts from Ralph T. Coe.

Ralph T. Coe acquired NA1164 in January 2006 from Toby Herbst. Documentation in the Coe Center's database states that "Original collector Mr. A.C. Lunsford of Lincoln County, Kentucky preserved the piece in his collection for more than 30 years (before 1878) who sold it to Cornel Bennett H. Young." NA1164 is from Crab Orchard Spring in Lincon County, KY. The Coe Center for the Arts has no further provenance information on this object.

Ralph T. Coe acquired NA0589 on March 22, 2000 from Toby Herbst. Documentation in the Coe Center's database states indicates that this object was previously part of the Heye Foundation Collection and that it was sold at a Christie's Auction in the early 1990's. This object is from the Chickamauga area, and was previously misidentified as being from Spiro Mound. The Coe Center for the Arts has no further provenance information on this object.

The two gorgets are from within the traditional aboriginal territory of the Cherokee Nation, Eastern Band of Cherokee Indians, and United Keetoowah Band of Cherokee Indians in Oklahoma.

There are no known hazardous substances used to treat NA1164 or NA0589.

Determinations

The Ralph T. Coe Center for the Arts has determined that:

- The two unassociated funerary objects described in this notice are reasonably believed to have been placed intentionally with or near human remains, and are connected, either at the time of death or later as part of the death rite or ceremony of a Native American culture according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization. The unassociated funerary objects have been identified by a preponderance of the evidence as related to human remains, specific individuals, or families, or removed from a specific burial site or burial area of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.

- There is a reasonable connection between the cultural items described in this notice and the Cherokee Nation; Eastern Band of Cherokee Indians; and the United Keetoowah Band of Cherokee Indians in Oklahoma.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after May 5, 2025. If competing requests for repatriation are received, the Ralph T. Coe Center for the Arts must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The Ralph T. Coe Center for the Arts is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: March 26, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025-05816 Filed 4-3-25; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS-WASO-NAGPRA-NPS0039836;
PPWOCRADN0-PCU00RP14.R50000]

Notice of Intended Repatriation: American Museum of Natural History, New York, NY

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the American Museum of Natural History intends to repatriate certain cultural items that meet the definition of sacred objects and objects of cultural patrimony and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after May 5, 2025.

ADDRESSES: Nell Murphy, American Museum of Natural History, 200 Central Park West, New York, NY 10024, telephone (212) 769-5837, email nmurphy@amnh.org.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the American Museum of Natural History, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 103 cultural items have been requested for repatriation. The 103 sacred objects and objects of cultural patrimony are basketry, aprons, deerskins, dresses, skirts, hats, headdresses/head ornaments, necklaces, eagle feathers, flints, gambling sticks, whistles, quivers, a model bow, and a shiny stick. The majority of these items (93 total) were collected on behalf of the Museum by anthropologist Alfred Louis Kroeber in the Klamath region of California. They were collected on the Museum's Huntington Expedition 1902

and accessioned that same year. The items are described in Museum records as having come from "along the Klamath River." Kroeber describes them as being Yurok in origin.

The remaining items came to the Museum as gifts acquired through various small accessions. One basket was donated to the Museum by J.G. Phelps Stokes and accessioned in 1906. Five items (two bowl-shaped baskets, two basketry hats, and one small basket) were donated to the Museum by Mrs. William M. Ivins, accessioned in 1915. One woman's skirt was donated to the Museum by Col. J.M. Andrews and accessioned in 1924. One dance apron was donated to the Museum in 1942 by Faith Whitney Ziesing, daughter of Caspar Whitney, a founding member of the Explorers Club. One skin cap, collected by Major Junius W. MacMurray, a veteran of the U.S. Civil War, was donated to the museum in 1946 and accessioned that year. Finally, one basketry hat was found in Museum storage in 1995 and does not have any associated archival material.

While it no longer does so, in the past, the Museum applied potentially hazardous pesticides to items in the collections. Museum records do not list specific objects treated or which of several chemicals used were applied to a particular item. Therefore, those handling this material should follow the advice of industrial hygienists or medical personnel with specialized training in occupational health or with potentially hazardous substances.

Determinations

The American Museum of Natural History has determined that:

- The 103 sacred objects and objects of cultural patrimony described in this notice are, according to the Native American traditional knowledge of an Indian Tribe or Native Hawaiian organization, specific ceremonial objects needed by a traditional Native American religious leader for present-day adherents to practice traditional Native American religion, and have ongoing historical, traditional, or cultural importance central to the Native American group, including any constituent sub-group (such as a band, clan, lineage, ceremonial society, or other subdivision).

- There is a reasonable connection between the cultural items described in this notice and the Pulikla Tribe of Yurok People (previously listed as Resighini Rancheria, California) and the Yurok Tribe of the Yurok Reservation, California.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after May 5, 2025. If competing requests for repatriation are received, the American Museum of Natural History must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The American Museum of Natural History is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: March 26, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025-05809 Filed 4-3-25; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[Docket No. BOEM-2020-0018]

Outer Continental Shelf, Alaska Region, Cook Inlet Planning Area, Oil and Gas Lease Sale 258

AGENCY: Bureau of Ocean Energy Management, Interior.

ACTION: Notice of intent to prepare a supplemental environmental impact statement.

SUMMARY: The Bureau of Ocean Energy Management (BOEM) announces its intent to prepare a supplemental environmental impact statement (EIS) for Outer Continental Shelf (OCS) Oil and Gas Lease Sale 258 in the Cook Inlet Planning Area, Alaska. BOEM takes this action consistent with the regulations and guidance implementing the National Environmental Policy Act (NEPA) of 1969, as amended. This

supplemental EIS will provide new analysis in response to a remand by the United States District Court for the District of Alaska (Court).

FOR FURTHER INFORMATION CONTACT: Mr. Casey Rowe, Supervisor, Environmental Analysis Section, Bureau of Ocean Energy Management, Alaska OCS Region, 3801 Centerpoint Drive, Suite 500, Anchorage, Alaska 99503–5820, telephone (907) 312–3788, email casey.rowe@boem.gov.

SUPPLEMENTARY INFORMATION: BOEM was required to hold Cook Inlet Lease Sale 258 (Lease Sale 258) by the end of December 2022, as directed in the Inflation Reduction Act of 2022 (Pub. L. 117–169, enacted Aug. 16, 2022). On October 28, 2022, BOEM published the notice of availability regarding the Cook Inlet Lease Sale 258 final EIS in the **Federal Register** (87 FR 65247). Subsequently, on November 22, 2022, the Assistant Secretary for Land and Minerals Management signed the record of decision (ROD). BOEM published a notice of availability in the **Federal Register** (87 FR 73322) on November 29, 2022. On December 30, 2022, BOEM held Lease Sale 258, receiving one bid on one block, resulting in the issuance of one lease.

On December 21, 2022, plaintiffs Cook Inletkeeper, *et al.*, filed a lawsuit under the Administrative Procedure Act alleging several violations of NEPA. On July 16, 2024, the Court ruled partially in favor of the plaintiffs and remanded without vacatur the Lease Sale 258 final EIS and ROD to BOEM to prepare a supplemental EIS to address three deficiencies identified by the Court. The three deficiencies identified by the Court are summarized as follows: (1) failure to consider a reasonable range of alternatives, specifically with respect to alternatives that would offer for lease a reduced number of blocks and meaningfully reduce overall impacts; (2) failure to take the requisite “hard look” at the impact of vessel noise from Lease Sale 258 on Cook Inlet beluga whales; and (3) failure to consider the cumulative impacts on Cook Inlet beluga whales separately from other marine mammals.

As a result of the Court’s decision and order, BOEM announces its intent to prepare a supplemental EIS for Lease Sale 258 in the Cook Inlet Planning Area, Alaska. The supplemental EIS will provide additional analyses to address the deficiencies identified by the Court. At the completion of the supplemental EIS process, the Secretary of the Interior or his designee will issue a modified ROD. Implementation of the Secretary’s decision identified in a modified ROD

would require the Secretary to either affirm, modify, or vacate the previously awarded lease; it would not result in a new lease sale.

Scoping: Under Department of the Interior regulations implementing NEPA (43 CFR 46.415) and existing practices and procedures, scoping is not required for a supplemental EIS. The scope of the final EIS for Lease Sale 258 and the remand by the Court establish the scope for this supplemental EIS.

When complete, BOEM will publish a notice of availability regarding the draft supplemental EIS for public review and comment as follows: (1) in the **Federal Register**, which will also include a notice of availability in the U.S. Environmental Protection Agency weekly notice of EIS receipts; (2) on the BOEM Alaska OCS Region homepage; and (3) in the local media. Public hearings will be held following release of the draft supplemental EIS. Dates and locations for the public hearings will be determined and published at a later date.

Authority: This NOI is published pursuant to the Department of the Interior regulations (43 CFR 46.415) implementing the procedural provisions of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*).

Walter D. Cruickshank,

Acting Director, Bureau of Ocean Energy Management.

[FR Doc. 2025–05797 Filed 4–3–25; 8:45 am]

BILLING CODE 4340–98–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1390]

Certain Capacitive Discharge Ignition Systems, Components Thereof, and Products Containing the Same; Notice of Commission Determination Not To Review a Final Initial Determination Finding No Violation; Termination of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review a final initial determination (“FID”) of the presiding chief administrative law judge (“CALJ”) finding no violation of section 337. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Namo Kim, Esq., Office of the General Counsel, U.S. International Trade

Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–3459. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal, telephone (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on February 14, 2024, based on a complaint filed by Altronic, LLC of Girard, Ohio (“Altronic”). 89 FR 11314–15 (Feb. 14, 2024). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on the importation into the United States, the sale for importation, and/or the sale within the United States after importation of certain capacitive discharge ignition systems, components thereof, and products containing the same by reason of the infringement of certain claims of U.S. Patent No. 7,401,603 (“the ‘603 patent”). *Id.* The complaint further alleges that a domestic industry (“DI”) exists. *Id.* The notice of investigation named as respondents MOTORTECH GmbH of Celle, Germany and MOTORTECH Americas, LLC of New Orleans, Louisiana (collectively “MOTORTECH”). *Id.* The Office of Unfair Import Investigations is not named as a party. *Id.*

On October 23, 2024, the Commission affirmed an initial determination granting in part Altronic’s motion for summary determination that it has satisfied the economic prong of the DI requirement with respect to the MORIS product for the ‘603 patent under sections 337(a)(3)(A) and (B) (19 U.S.C. 1337(a)(3)(A), (B)). Order No. 13 (Sept. 19, 2024); *affirmed by* Comm’n Notice (Oct. 23, 2024).

On January 28, 2025, the CALJ issued the FID finding no violation of section 337. Specifically, the FID finds that Altronic has not proved that the accused products infringe any of the asserted patent claims. The FID also finds that Altronic’s DI products, CPU–XL and MORIS, satisfy the technical prong of the DI requirement. As noted, the Commission previously found that Altronic has satisfied the economic prong of the DI requirement with

respect to Altronic's MORIS product. Therefore, the FID finds that Altronic has satisfied the DI requirement. Lastly, the FID finds that MOTORTECH failed to show by clear and convincing evidence that any of the asserted claims of the '603 patent are invalid for patent ineligibility under 35 U.S.C. 101 or as obvious under 35 U.S.C. 103.

The FID also includes a Recommended Determination ("RD") recommending, should the Commission find a violation of section 337, that the Commission issue a limited exclusion order barring entry of articles that infringe the relevant patent claim with a warranty exemption and a standard certification provision. The RD further recommends, in the event the Commission finds a violation of section 337, that the Commission issue a cease and desist order against MOTORTECH Americas, LLC, and set a 100 percent bond per importation of infringing articles during the period of Presidential review.

On February 4, 2025, the Commission published its post-RD **Federal Register** notice seeking submissions on public interest issues raised by the relief recommended by the CALJ should the Commission find a violation. 90 FR 8937–38 (Feb. 4, 2025). No responses were filed from the public. The parties did not file any public interest submissions pursuant to Commission Rule 210.50(a)(4). 19 CFR 210.50(a)(4).

No petitions for review of the FID were filed.

The Commission has determined not to review the FID. The investigation is terminated.

The Commission vote for this determination took place on March 31, 2025.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: March 31, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–05791 Filed 4–3–25; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–1733 (Preliminary)]

Methylene Diphenyl Diisocyanate (MDI Products) From China

Determination

On the basis of the record¹ developed in the subject investigation, the United States International Trade Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports of methylene diphenyl diisocyanate (MDI products) from China, provided for in statistical reporting numbers 2929.10.8010 and 3909.31.0000 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value ("LTFV").²

Commencement of Final Phase Investigation

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigation. The Commission will issue a final phase notice of scheduling, which will be published in the **Federal Register** as provided in section 207.21 of the Commission's rules, upon notice from the U.S. Department of Commerce ("Commerce") of an affirmative preliminary determination in the investigation under § 733(b) of the Act, or, if the preliminary determination is negative, upon notice of an affirmative final determination in that investigation under § 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigation need not enter a separate appearance for the final phase of the investigation. Any other party may file an entry of appearance for the final phase of the investigation after publication of the final phase notice of scheduling. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping investigation. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties

to the investigation. As provided in section 207.20 of the Commission's rules, the Director of the Office of Investigations will circulate draft questionnaires for the final phase of the investigation to parties to the investigation, placing copies on the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>), for comment.

Background

On February 12, 2025, the MDI Fair Trade Coalition, consisting of BASF Corporation, Florham Park, New Jersey and The Dow Chemical Company, Midland, Michigan, filed a petition with the Commission and Commerce, alleging that an industry in the United States is materially injured or threatened with material injury by reason of LTFV imports of MDI products from China. Accordingly, effective February 12, 2025, the Commission instituted antidumping duty investigation No. 731–TA–1733 (Preliminary).

Notice of the institution of the Commission's investigation and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of February 19, 2025 (90 FR 9913). The Commission conducted its conference on March 5, 2025. All persons who requested the opportunity were permitted to participate.

The Commission made this determination pursuant to § 733(a) of the Act (19 U.S.C. 1673b(a)). It completed and filed its determination in this investigation on March 31, 2025. The views of the Commission are contained in USITC Publication 5606 (April 2025), entitled *Methylene Diphenyl Diisocyanate (MDI Products) from China: Investigation No. 731–TA–1733 (Preliminary)*.

By order of the Commission.

Issued: March 31, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–05790 Filed 4–3–25; 8:45 am]

BILLING CODE 7020–02–P

¹ The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

² *Methylene Diphenyl Diisocyanate from the People's Republic of China: Initiation of less than fair value investigation*; 90 FR 11710 (March 11, 2025).

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–712–714 and 731–TA–1679–1681 (Final)]

Ferrosilicon From Brazil, Kazakhstan, and Malaysia; Supplemental Schedule for the Final Phase of Countervailing Duty and Antidumping Duty Investigations

AGENCY: United States International Trade Commission.

ACTION: Notice.

DATES: March 28, 2025.

FOR FURTHER INFORMATION CONTACT:

Keysha Martinez ((202) 205–2136), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (<https://www.usitc.gov>). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION: Effective June 28, 2024, the Commission established a general schedule for the conduct of the final phase of its countervailing duty and antidumping duty investigations on ferrosilicon from Brazil, Kazakhstan, Malaysia, and Russia (89 FR 56407, July 9, 2024), following preliminary determinations by the U.S. Department of Commerce ("Commerce") that imports of ferrosilicon from Russia are being subsidized by the government of Russia and are being sold at less than fair value ("LTFV") (89 FR 53949 and 53953, June 28, 2024). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on July 9, 2024 (89 FR 56407). The Commission conducted its in-person hearing on September 12, 2024. All persons who requested the opportunity were permitted to participate.

On September 18, 2024, Commerce issued final affirmative countervailing duty and antidumping duty

determinations with respect to ferrosilicon from Russia (89 FR 76450 and 76454). The Commission subsequently issued its final determinations that an industry in the United States was materially injured by reason of imports of ferrosilicon from Russia provided for in subheadings 7202.21 and 7202.29 of the Harmonized Tariff Schedule of the United States ("HTSUS") that have been found by Commerce to be subsidized by the government of Russia and to be sold at LTFV (89 FR 88814, November 8, 2024).

On March 28, 2025, Commerce's final affirmative countervailing duty and antidumping duty determinations with respect to imports of ferrosilicon from Brazil, Kazakhstan, and Malaysia were published in the **Federal Register** (90 FR 14075, 14077, 14105, 14108, 14112, and 14114). Accordingly, the Commission currently is issuing a supplemental schedule for its countervailing duty and antidumping duty investigations on imports of ferrosilicon from Brazil, Kazakhstan, and Malaysia.

This supplemental schedule is as follows: the deadline for filing supplemental party comments on Commerce's final countervailing duty and antidumping duty determinations is 5:15 p.m. on April 11, 2025. Supplemental party comments may address only Commerce's final countervailing duty and antidumping duty determinations regarding imports of ferrosilicon from Brazil, Kazakhstan, and Malaysia. These supplemental final comments may not contain new factual information and may not exceed five (5) pages in length. The supplemental staff report in the final phase of the current investigations will be placed in the nonpublic record on April 23, 2025, and a public version will be issued thereafter.

For further information concerning this proceeding see the Commission's notice cited above and the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as

identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>.) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice.

Authority: This proceeding is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: March 31, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–05789 Filed 4–3–25; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

[OMB Number 1110–0071]

Agency Information Collection Activities; Proposed eCollection Activities Requested; Extension of a Previously Approved Collection; National Use-of-Force Data Collection

AGENCY: Federal Bureau of Investigation, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Federal Bureau of Investigation (FBI), 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: Comments are encouraged and will be accepted for 60 days until June 2, 2025.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Linda Shriver, Acting Unit Chief, Crime and Law Enforcement Statistics Unit, FBI, CJIS Division, Module D–2, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306, telephone: 304–625–4830, email: llshriver@fbi.gov.

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 Bureau of Justice Statistics, 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.

Abstract: The FBI has a long-standing tradition of collecting data and providing statistics concerning Law Enforcement Officers Killed and Assaulted (LEOKA) and justifiable homicides. To provide a better understanding of the incidents of use of force by law enforcement, the FBI's Uniform Crime Reporting (UCR) Program developed a data collection for law enforcement agencies to provide information on incidents where the use of force by a law enforcement officer led to the death or serious bodily injury of a person, as well as when a law enforcement officer discharged a firearm at or in the direction of a person. When a use of force incident occurs, federal, state, county, local, tribal, and territorial law enforcement agencies provide information to the data collection on

characteristics of the incident, the victim(s) on which force was used by law enforcement, and the officers who applied force in the incident. Agencies positively affirm, monthly, whether their agency did or did not have a use of force incident that resulted in a fatality, a serious bodily injury to a person, or a firearm discharge at or in the direction of a person. When no use of force incident occurs in a month, agencies submit a zero report. Enrollment information from agencies and state points of contact is collected when the agency or contact initiates participation in the data collection. Enrollment information is updated no less than annually to assist with managing the data. The data collection defines a law enforcement officer using the current LEOKA definition: "All local, county, state, and federal law enforcement officers (such as municipal, county police officers, constables, state police, highway patrol, sheriffs, their deputies, federal law enforcement officers, marshals, special agents, etc.) who are sworn by their respective government authorities to uphold the law and to safeguard the rights, lives, and property of American citizens. They must have full arrest powers and be members of a public governmental law enforcement agency, paid from government funds set aside specifically for payment to sworn police law enforcement organized for the purposes of keeping order and for preventing and detecting crimes, and apprehending those responsible." The definition of "serious bodily injury" is based, in part, on Title 18, United States Code, Section 2246 (4), to mean "bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty." These actions include the use of a firearm, an electronic control

weapon (e.g., taser), an explosive device, pepper or oleoresin capicum spray or other chemical agent, a baton, an impact projectile, a blunt instrument, hands-fists-feet, or canine.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a previously approved collection.

2. *The Title of the Form/Collection:* National Use-of-Force Data Collection.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* There is no agency form number. The applicable component within DOJ is the FBI's Criminal Justice Information Services (CJIS) Division.

4. *Affected public who will be asked or required to respond, as well as the obligation to respond:* State, local and tribal governments, and the Federal Government. The obligation to respond is voluntary.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* A total of 12,861 agencies are enrolled in the National Use-of-Force Data Collection as possible respondents. The FBI estimates it will receive 94,340 incident reports per year. The estimated time to complete an incident report is 38 minutes.

6. *An estimate of the total annual burden (in hours) associated with the collection:* The FBI estimates the total annual burden hours for this collection as 59,749 hours (94,340 incident reports $\times$ 38 minutes per report/60 = 59,749).

7. *An estimate of the total annual cost burden associated with the collection, if applicable:* The estimated monetary cost burden for supplies, storage, or the like for this information collection is \$0. Incident reports are submitted to the FBI through an online system maintained and operated by the FBI.

TOTAL BURDEN HOURS

Activity	Number of respondents	Frequency	Total annual responses	Time per response (min)	Total annual burden (hours)
Use of force incident report	12,861	Variable	94,340	38	59,749
Unduplicated Totals	12,861	.....	94,340	.....	59,749

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution

Square, 145 N Street NE, 4W-218, Washington, DC.

Dated: March 31, 2025.

Darwin Arceo,
Department Clearance Officer for PRA, U.S.
Department of Justice.

[FR Doc. 2025-05763 Filed 4-3-25; 8:45 am]

BILLING CODE 4410-02-P

NUCLEAR REGULATORY COMMISSION**[NRC-2025-0001]****Sunshine Act Meetings**

TIME AND DATE: Weeks of April 7, 14, 21, 28, May 5, and 12, 2025. 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 Betty.Thweatt@nrc.gov or Samantha.Miklaszewski@nrc.gov.

MATTERS TO BE CONSIDERED:**Week of April 7, 2025**

Tuesday, April 8, 2025

9:55 a.m. Affirmation Session (Public Meeting) (Tentative) Entergy Nuclear Operations, Inc., Entergy Nuclear Palisades, LLC, Holtec International, and Holtec Decommissioning International, LLC. (Abeyance Order) (Tentative) (Contact: Christopher Markley: 301-415-6293)

Additional Information: The meeting will be held in the Commissioners' Hearing 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/>.

Tuesday, April 8, 2025

10:00 a.m. Meeting with the Advisory Committee on the Medical Uses of Isotopes (Public Meeting) (Contact: Candace Spore: 301-415-8537; Katherine Tapp: 301-415-0236)

Additional Information: The meeting will be held in the Commissioners' Hearing 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, April 10, 2025

9:00 a.m. Micro-reactors: Current Status and Moving Forward (Public Meeting) (Contact: Jessica Lovett: 301-415-4002)

Additional Information: The meeting will be held in the Commissioners' Hearing 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 April 14, 2025—Tentative

There are no meetings scheduled for the week of April 14, 2025.

Week of April 21, 2025—Tentative

There are no meetings scheduled for the week of April 21, 2025.

Week of April 28, 2025—Tentative

There are no meetings scheduled for the week of April 28, 2025.

Week of May 5, 2025—Tentative

There are no meetings scheduled for the week of May 5, 2025.

Week of May 12, 2025—Tentative

Tuesday, May 13, 2025

9:00 a.m. Strategic Programmatic Overview of the Fuel Facilities and the Spent Fuel Storage and Transportation Business Lines (Public Meeting) (Contact: Haile Lindsay: 301-415-0616)

Additional Information: The meeting will be held in the Commissioners' Hearing 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 Chris Markley at 301-415-6293 or via email at Christopher.Markley@nrc.gov.

The NRC is holding the meetings under the authority of the Government in the Sunshine Act, 5 U.S.C. 552b.

For the Nuclear Regulatory Commission.

Dated: April 2, 2025.

Christopher Markley,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2025-05922 Filed 4-2-25; 11:15 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-269, 50-270, 50-287; NRC-2021-0146]

Duke Energy Carolinas, LLC; Oconee Nuclear Station, Units 1, 2, and 3; Subsequent License Renewal and Record of Decision

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has issued Subsequent Renewed Facility Operating License Nos. DPR-38, DPR-47, and DPR-55 to Duke Energy Carolinas, LLC (Duke Energy or the licensee), for Oconee Nuclear Station, Units 1, 2, and 3 (Oconee Station). In addition, the NRC has prepared a record of decision (ROD) that supports the NRC's decision to issue Subsequent Renewed Facility Operating License Nos. DPR-38, DPR-47, and DPR-55.

DATES: The Subsequent Renewed Facility Operating License DPR-38, DPR-47, and DPR-55 were issued on March 31, 2025.

ADDRESSES: Please refer to Docket ID NRC-2021-0146 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-2021-0146. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301-415-1003; email: Bridget.Curran@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 access 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, at 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:** The PDR, where you may examine and order copies of publicly available documents, is open by appointment. 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:

Vaughn Thomas, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-5897; email: Vaughn.Thomas@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Discussion

Notice is hereby given that the NRC has issued Subsequent Renewed Facility Operating License Nos. DPR-38, DPR-47, and DPR-55 to Duke Energy for Oconee Station. Duke Energy is the operator of the facility. Subsequent Renewed Facility Operating Nos. DPR-38, DPR-47, and DPR-55 authorize Duke Energy to operate Oconee Station at reactor core power levels not in excess of 2,610 megawatts thermal, in accordance with the provisions of the Oconee Station subsequent renewed operating licenses and technical specifications. Notice is also given that the ROD that supports the NRC’s decision to issue Subsequent Renewed Facility Operating License Nos. DPR-38, DPR-47, and DPR-55 is available in the “Availability of Documents” section of this document.

As discussed in the ROD and the final site-specific environmental impact statement (EIS), published as NUREG-1437, Supplement 2, Second Renewal, “Site-Specific Environmental Impact

Statement for License Renewal of Nuclear Plants Regarding Subsequent License Renewal for Oconee Nuclear Station Units 1,2 and 3, Final Report,” dated January 31, 2025, the final EIS documents the NRC staff’s environmental review, including the determination that the adverse environmental impacts of subsequent license renewal for Oconee Station are not so great that preserving the option of subsequent license renewal for energy planning decisionmakers would be unreasonable. The final EIS conclusion is based on (1) information provided in the environmental report submitted by Duke Energy, as supplemented, (2) the NRC staff’s consultations with Federal, State, Tribal, and local agencies, (3) the NRC staff’s independent environmental review, and (4) the NRC staff’s consideration of public comments received during the scoping process and on the 2024 draft site-specific EIS, as well as the consideration of mitigation measures.

Oconee Nuclear Station, Units 1, 2, and 3 are pressurized light water reactors located on a site situated on the shore of Lake Keowee in Oconee County, approximately eight miles northeast of Seneca, South Carolina. Duke Energy submitted its application for the subsequent renewed licenses, “Oconee Nuclear Station Units 1, 2, and 3 Subsequent License Renewal Application,” dated June 7, 2021, as supplemented (see “Availability of Documents” section, of this document). The NRC staff has determined that Duke Energy’s application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and NRC’s regulations. As required by the Act and NRC regulations in chapter I of title 10 of the *Code of Federal Regulations* (10 CFR), the NRC has made appropriate findings, which

are set forth in the subsequent renewed licenses.

A public notice of the NRC’s acceptance for docketing of the subsequent renewed license application and an opportunity for a hearing was published in the **Federal Register** on July 28, 2021 (86 FR 40662). Further, a notice of intent to prepare a site-specific EIS and conduct environmental scoping was published on August 10, 2021 (86 FR 43684). On December 19, 2022, the NRC staff issued its Safety Evaluation Report concerning the Oconee Station subsequent license renewal application. In February 2024, the staff issued a draft site-specific EIS for public comment, providing the preliminary results of the staff’s environmental evaluation of the Oconee Station SLR application. A notice of availability of the site-specific draft EIS was published in the **Federal Register** on February 13, 2024 (89 FR 10107). On January 31, 2025, the NRC staff issued a final site-specific EIS, providing its final evaluation of the environmental impacts of Oconee Station subsequent license renewal; a notice of issuance was published in the **Federal Register** on February 7, 2025 (90 FR 9171).

For further details with respect to this action, see: (1) Duke Energy’s subsequent license renewal application for Oconee Station, dated June 7, 2021, as supplemented by letters dated through June 7, 2022; (2) the NRC’s safety evaluation report, dated December 19, 2022; (3) the NRC’s final EIS (NUREG-1437, Supplement 2, Second Renewal) for Oconee Station dated January 31, 2025; and (4) the NRC’s ROD, issued on March 31, 2025.

II. Availability of Documents

The documents identified in the following table are available to interested persons through ADAMS, as indicated.

Document description	ADAMS accession No.
Record of Decision—Subsequent License Renewal Application Review—Oconee Nuclear Station, Units 1, 2 and 3, dated March 31, 2025.	ML25055A147.
Safety Evaluation Report—Subsequent License Renewal Application Review—Oconee Nuclear Station, Units 1, 2, and 3, dated December 19, 2022.	ML22349A117 (Package).
(Redacted) NUREG-1437 DFC, “Site-Specific Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 2, Second Renewal, Regarding Subsequent License Renewal for Oconee Nuclear Station Units 1, 2, and 3,” dated February 2024.	ML24033A298.
Oconee Nuclear Station, Units 1, 2, and 3, Application for Subsequent Renewed Operating Licenses, dated June 7, 2021.	ML21158A193 (Package).
Oconee Nuclear Station (ONS), Units 1, 2, and 3—Subsequent License Renewal Application, Response to NRC Request for Additional Information B2.1.27-1, dated October 22, 2021.	ML21295A035.
Oconee Nuclear Station (ONS), Units 1, 2 and 3—License Renewal Application Supplement 2, dated November 11, 2021.	ML21315A012.
Oconee Nuclear Station (ONS), Units 1, 2 and 3—Subsequent License Renewal Application Responses to Request for Confirmation of Information—Set #1, dated December 2, 2021.	ML21336A001.
Oconee Nuclear Station (ONS), Units 1, 2 and 3—Subsequent License Renewal Application Supplement 3, dated December 15, 2021.	ML21349A005.

Document description	ADAMS accession No.
Oconee Nuclear Station, Units 1, 2 and 3—Subsequent License Renewal Application Responses to Request for Confirmation of Information—Set #2, dated December 17, 2021.	ML21351A000.
Oconee Nuclear Station (ONS), Units 1, 2 and 3—Subsequent License Renewal Application Responses to Request for Confirmation of Information—Set #3, dated January 21, 2022.	ML22021A000.
Oconee Nuclear Station (ONS), Units 1, 2 and 3—Subsequent License Renewal Application Responses to Request for Confirmation of Information—Set #4, dated March 22, 2022.	ML22081A027.
Oconee Nuclear Station (ONS), Units 1, 2, and 3—Subsequent License Renewal Application First Annual Amendment To The License Renewal Application And Subsequent License Renewal Application Supplement 4, dated June 7, 2022.	ML22158A028.
Oconee Nuclear Station (ONS), Units 1, 2, and 3—Subsequent License Renewal Application Responses to NRC Request for Additional Information Set 1 and Second Round Request for Additional Information B2.1.27–1a, dated January 7, 2022.	ML22010A129.
Oconee Nuclear Station (ONS), Units 1, 2, and 3—Responses to NRC Request for Additional Information Set 2, dated February 14, 2022.	ML22045A021.
Oconee Nuclear Station (ONS), Units 1, 2, and 3—Subsequent License Renewal Application: Responses to NRC Request for Additional Information Set 3, dated February 21, 2022.	ML22052A002.
Oconee Nuclear Station (ONS), Units 1, 2, and 3—Subsequent License Renewal Application Responses to NRC Request for Additional Information Set 4, dated April 22, 2022.	ML22112A016.
Oconee Nuclear Station (ONS), Units 1, 2, and 3—Subsequent License Renewal Application Second Annual Amendment to the License Renewal Application, dated April 25, 2023.	ML23115A050.
Oconee Nuclear Station (ONS), Units 1, 2, and 3—Subsequent License Renewal Application Third Annual Update to the License Renewal Application and Subsequent License Renewal Application Supplement 5, dated May 24, 2024.	ML24145A069.
Oconee Nuclear Station (ONS), Units 1, 2, and 3—Subsequent License Renewal Application Response to Request for Additional Information 2024 Annual update and Subsequent License Renewal Application Supplement 5 addition, dated July 31, 2024.	ML24213A095.
NUREG–1437, Volume 1, Revision 2, “Generic Environmental Impact Statement for License Renewal of Nuclear Plants,” Final Report, dated August 31, 2024.	ML24086A526.
NUREG–1437, Supplement 2, Second Renewal, “Site-Specific Environmental Impact Statement for License Renewal of Nuclear Plants Supplement 2, Second Renewal Regarding Subsequent License Renewal for Oconee Nuclear Station Units 1, 2, and 3,” Final Report, dated January 31, 2025.	ML25031A307.

Dated: March 31, 2025.

For the Nuclear Regulatory Commission.

Michele Sampson,*Director, Division of New and Renewed
Licenses, Office of Nuclear Reactor
Regulation.*

[FR Doc. 2025–05792 Filed 4–3–25; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION**Notice Initiating Docket(s) for Recent
Postal Service Competitive Negotiated
Service Agreement Filings**

(Issued April 1, 2025.)

	Docket No.
Competitive Product Prices, Priority Mail & USPS Ground Advantage Contracts, Priority Mail & USPS Ground Advantage Contract 655	MC2025–1247
Competitive Product Prices, Priority Mail & USPS Ground Advantage Contract 655 (MC2025–1247), Negotiated Service Agreements	K2025–1246
Competitive Product Prices, Priority Mail & USPS Ground Advantage Contracts, Priority Mail & USPS Ground Advantage Contract 664	MC2025–1259
Competitive Product Prices, Priority Mail & USPS Ground Advantage Contract 664 (MC2025–1259), Negotiated Service Agreements	K2025–1258
Competitive Product Prices, Priority Mail & USPS Ground Advantage Contracts, Priority Mail & USPS Ground Advantage Contract 665	MC2025–1260
Competitive Product Prices, Priority Mail & USPS Ground Advantage Contract 665 (MC2025–1260), Negotiated Service Agreements	K2025–1259
Competitive Product Prices, Priority Mail & USPS Ground Advantage Contracts, Priority Mail & USPS Ground Advantage Contract 666	MC2025–1261
Competitive Product Prices, Priority Mail & USPS Ground Advantage Contract 666 (MC2025–1261), Negotiated Service Agreements	K2025–1260
Competitive Product Prices, Priority Mail & USPS Ground Advantage Contracts, Priority Mail & USPS Ground Advantage Contract 668	MC2025–1263
Competitive Product Prices, Priority Mail & USPS Ground Advantage Contract 668 (MC2025–1263), Negotiated Service Agreements	K2025–1262
Competitive Product Prices, Priority Mail & USPS Ground Advantage Contracts, Priority Mail & USPS Ground Advantage Contract 675	MC2025–1273
Competitive Product Prices, Priority Mail & USPS Ground Advantage Contract 675 (MC2025–1273), Negotiated Service Agreements	K2025–1272
Competitive Product Prices, Priority Mail & USPS Ground Advantage Contracts, Priority Mail & USPS Ground Advantage Contract 676	MC2025–1274
Competitive Product Prices, Priority Mail & USPS Ground Advantage Contract 676 (MC2025–1274), Negotiated Service Agreements	K2025–1273

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (<https://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

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such 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 and 39 CFR 3000.114 (Public Representative). Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. 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 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. See 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary

proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)–(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests.

II. Public Proceeding(s)

1. *Docket No(s)*: MC2025–1247 and K2025–1246; *Filing Title*: USPS Request to Add Priority Mail & USPS Ground Advantage Contract 655 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: March 31, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Maxine Bradley; *Comments Due*: April 8, 2025.

2. *Docket No(s)*: MC2025–1259 and K2025–1258; *Filing Title*: USPS Request to Add Priority Mail & USPS Ground Advantage Contract 664 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: March 31, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Christopher Mohr; *Comments Due*: April 8, 2025.

3. *Docket No(s)*: MC2025–1260 and K2025–1259; *Filing Title*: USPS Request to Add Priority Mail & USPS Ground Advantage Contract 665 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: March 31, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Jennaca Upperman; *Comments Due*: April 8, 2025.

4. *Docket No(s)*: MC2025–1261 and K2025–1260; *Filing Title*: USPS Request to Add Priority Mail & USPS Ground Advantage Contract 666 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: March 31, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Arif Hafiz; *Comments Due*: April 8, 2025.

5. *Docket No(s)*: MC2025–1263 and K2025–1262; *Filing Title*: USPS Request to Add Priority Mail & USPS Ground Advantage Contract 668 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: March 31, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Kenneth Moeller; *Comments Due*: April 8, 2025.

6. *Docket No(s)*: MC2025–1273 and K2025–1272; *Filing Title*: USPS Request to Add Priority Mail & USPS Ground Advantage Contract 675 to the Competitive Product List and Notice of

Filing Materials Under Seal; *Filing Acceptance Date*: March 31, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Annette Morin; *Comments Due*: April 8, 2025.

7. *Docket No(s)*: MC2025–1274 and K2025–1273; *Filing Title*: USPS Request to Add Priority Mail & USPS Ground Advantage Contract 676 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: March 31, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Evan Wise; *Comments Due*: April 8, 2025.

III. Summary Proceeding(s)

None. See Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

Media Inquiries

Gail Adams,

gail.adams@prc.gov

[FR Doc. 2025–05828 Filed 4–3–25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102750; File No. SR–NYSENAT–2025–06]

Self-Regulatory Organizations; NYSE National, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Connectivity Fee Schedule

March 31, 2025.

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 March 25, 2025, NYSE National, Inc. (“NYSE National” 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 the Connectivity Fee Schedule to amend the

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).

² 15 U.S.C. 78s(b)(1).

³ 15 U.S.C. 78a.

⁴ 17 CFR 240.19b–4.

list of third party systems and third party data feeds to which Users can connect. 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 the Connectivity Fee Schedule to amend the list of third party systems and third party data feeds to which Users⁴ can connect.

Currently, Users are offered connectivity to the execution systems of third party markets and other service providers ("Third Party Systems") and connectivity to data feeds from third party markets and other content service providers ("Third Party Data Feeds") at the Mahwah, New Jersey data center ("MDC").⁵ The Exchange proposes to amend the two lists to delete systems and feeds to which no User connects, update the names of systems and feeds, and consolidate systems. None of the

changes are substantive or will affect current Users.

Proposed Changes

Changes to the List of Third Party Systems

The Exchange proposes to make the following changes to the list of Third Party Systems:

- Consistent with the fact that no User connects to them, delete Americas Trading Group (ATG); Canadian Securities Exchange (CSE); Credit Suisse; Euronext Optiq Cash and Derivatives Unicast (EUA); Euronext Optiq Cash and Derivatives Unicast (Production), and OneChicago (collectively, the "Proposed Third Party Systems Deletions").

- Change the name of "BM&F Bovespa" to "B3 Bovespa" consistent with the name change of BM&FBOVESPA S.A.⁶

- Combine Cboe BYX Exchange (CboeBYX), Cboe BZX Exchange (CboeBZX), Cboe EDGA Exchange (CboeEDGA), and Cboe EDGX Exchange (CboeEDGX) and Cboe Exchange (Cboe) and Cboe C2 Exchange (C2) and change the name of the combined Third Party System to "Cboe US."

- Combine MIAx Options and MIAx Pearl Options under "MIAx."

- Combine Nasdaq and Nasdaq ISE under "Nasdaq US Stock Market."

- Change the name of ITG TriAct Matchnow to Cboe MATCHNow, consistent with its sale to Cboe Global Markets.⁷

- Change the name of Neo Aequitas to Cboe Canada, consistent with its sale to Cboe Global Markets.⁸

To make these changes, the list of available Third Party Systems would be amended as follows (proposed deletions bracketed, proposed additions italicized):

Third Party Systems

[Americas Trading Group (ATG)]
[BM&F]B3 Bovespa
Boston Options Exchange (BOX)

⁶ See 003–2017–DF–External Communication, Re. New Corporate Name of BM&FBOVESPA and Merger of Cetip (June 19, 2017) (available at https://www.b3.com.br/en_us/regulation/circular-letters-and-external-communications/bm-fbovespa/?dataFim=2017&pagina=3).

⁷ See "Cboe Completes MATCHNow Technology Migration and Launches its First New Canadian Offering," February 8, 2022, at <https://ir.cboe.com/news/news-details/2022/Cboe-Completes-MATCHNow-Technology-Migration-and-Launches-its-First-New-Canadian-Offering-02-08-2022/default.aspx>.

⁸ See "Cboe Global Markets Completes Acquisition of NEO, Strengthening Global Equities and Listings Offerings," June 1, 2022, at <https://www.cboe.ca/en/about/press-releases/cboe-global-markets-completes-acquisition-of-neo-strengthening-global-equities-and-listings-offerings>.

[Canadian Securities Exchange (CSE)]

Cboe Canada

Cboe MATCHNow

Cboe US[BX Exchange (CboeBYX), Cboe BZX Exchange (CboeBZX), Cboe EDGA Exchange (CboeEDGA), and Cboe EDGX Exchange (CboeEDGX)]
[Cboe Exchange (Cboe) and Cboe C2 Exchange (C2)]

Chicago Mercantile Exchange (CME Group)

[Credit Suisse]

[Euronext Optiq Cash and Derivatives Unicast (EUA)]

[Euronext Optiq Cash and Derivatives Unicast (Production)]

Investors Exchange (IEX)

[ITG TriAct Matchnow]

MIAx [Options]

[MIAx PEARL Options]

[Nasdaq]

Nasdaq Canada (CXC, CXD, CX2)

Nasdaq US Stock Market[ISE]

[Neo Aequitas]

NYFIX Marketplace

Omega

[OneChicago]

OTC Markets Group

TMX Group

The Exchange does not propose to change the monthly recurring fee Users pay for access to each Third Party System. Although the proposed changes to the list of Third Party Systems would combine the names of several current Third Party Systems, no User would be charged more as a consequence of the combinations. A User would continue to be able to choose which systems it wants from any combined Third Party System. It would not have to receive any systems, or pay for any bandwidth, that it did not choose.⁹

Changes to the List of Third Party Data Feeds

The Exchange proposes to make the following changes to the list of Third Party Data Feeds:

- Consistent with the fact that no User connects to them, delete Canadian Securities Exchange (CSE), Euronext Optiq Compressed Cash, Euronext Optiq Compressed Derivatives, Euronext Optiq Shaped Cash, Euronext Optiq Shaped Derivatives, MSCI 5 Mb, MSCI 25 Mb, OneChicago, Vela—SuperFeed <500 Mb, Vela—SuperFeed >500 Mb to <1.25 Gb, and Vela—SuperFeed >1.25 Gb and the associated monthly recurring fees (collectively and together with the Proposed Third Party Systems Deletions, the "Proposed Deletions").

⁹ For example, if a User connected to CboeBYX and CboeBZX but did not access any other Cboe system, including Cboe C2, it would not pay for any additional system or have its monthly fee changed as a consequence of the proposed combination.

⁴ For purposes of the Exchange's colocation services, a "User" means any market participant that requests to receive colocation services directly from the Exchange. See Securities Exchange Act Release No. 83351 (May 31, 2018), 83 FR 26314 at n.9 (June 6, 2018) (SR–NYSENAT–2018–07). As specified in the Fee Schedule, a User that incurs colocation fees for a particular colocation service pursuant thereto would not be subject to colocation fees for the same colocation service charged by the New York Stock Exchange LLC, NYSE American LLC, NYSE Arca, Inc., and NYSE Chicago, Inc. (together, the "Affiliate SROs"). Each Affiliate SRO has submitted substantially the same proposed rule change to propose the changes described herein. See SR–NYSE–2025–08, SR–NYSEAMER–2025–17, SR–NYSEARCA–2025–26, and SR–NYSECHX–2025–05.

⁵ Through its Fixed Income and Data Services ("FIDS") business, Intercontinental Exchange, Inc. ("ICE") operates the MDC. The Exchange and the Affiliate SROs are indirect subsidiaries of ICE.

- Change the name of “BM&F Bovespa” to “B3 Bovespa” consistent with the name change of BM&FBOVESPA S.A.¹⁰
- To add clarity, add “Chicago Mercantile Exchange” before “CME Group,” and put “CME Group” in parentheses.

- To add clarity, add “(GIDS)” after “Nasdaq Global Index Data Service.”
- Change the name of ITG TriAct Matchnow to Cboe MATCHNow, consistent with its sale to Cboe Global Markets.¹¹

- Change the name of Neo Aequitas to Cboe Canada, consistent with its sale to Cboe Global Markets.¹²

To make these changes, the list of available Third Party Data Feeds would be amended as follows (proposed deletions bracketed, proposed additions italicized):

Third Party Data Feed	Monthly recurring connectivity fee per Third Party Data Feed
[BM&F]B3 Bovespa	\$3,000
Boston Options Exchange (BOX)	1,000
[Canadian Securities Exchange (CSE)	1,000]
Cboe BZX Exchange (CboeBZX) and Cboe BYX Exchange (CboeBYX)	2,000
<i>Cboe Canada</i>	<i>1,200</i>
Cboe EDGX Exchange (CboeEDGX) and Cboe EDGA Exchange (CboeEDGA)	2,000
Cboe Exchange (Cboe) and Cboe C2 Exchange (C2)	2,000
<i>Cboe MATCHNow</i>	<i>1,000</i>
<i>Chicago Mercantile Exchange (CME Group)</i>	<i>3,000</i>
[Euronext Optiq Compressed Cash	900]
[Euronext Optiq Compressed Derivatives	600]
[Euronext Optiq Shaped Cash	1,200]
[Euronext Optiq Shaped Derivatives	900]
* * * * *	
Investors Exchange (IEX)	1,000
[ITG TriAct Matchnow	1,000]
Miami International Securities Exchange/MIAX PEARL	2,000
Montréal Exchange (MX)	1,000
[MSCI 5 Mb	500]
[MSCI 25 Mb	1,200]
Nasdaq Stock Market	2,000
Nasdaq Global Index Data Service (<i>GIDS</i>)	100
* * * * *	
[Neo Aequitas	1,200]
Omega	1,000
[OneChicago	1,000]
OTC Markets Group	1,000
[Vela—SuperFeed <500 Mb	250]
[Vela—SuperFeed >500 Mb to <1.25 Gb	800]
[Vela—SuperFeed >1.25 Gb	1,000]
TMX Group	2,500

Application and Impact of the Proposed Changes

The proposed rule change would not apply differently to distinct types or sizes of market participants. Rather, it would apply to all Users equally. As is currently the case, the purchase of any colocation service is completely voluntary and the Fee Schedule is applied uniformly to all Users. The Exchange does not expect that the proposed rule change will affect current Users or result in new Users.

The proposed change is not otherwise intended to address any other issues relating to colocation services or related fees, and the Exchange is not aware of any problems that Users would have in complying with the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹³ in general, and furthers the objectives of Section 6(b)(5) of the Act,¹⁴ 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 regulating, clearing, settling, processing information with respect to, and 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 and because it is not designed to permit unfair

discrimination between customers, issuers, brokers, or dealers. The Exchange further believes that the proposed rule change is consistent with Section 6(b)(4) of the Act,¹⁵ because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities.

The Proposed Rule Change Is Reasonable and Not Unfairly Discriminatory

The Exchange believes that the proposed changes are reasonable and not unfairly discriminatory, as it believes that none of the changes are substantive or will affect current Users. Simply put, no Users would be adversely affected by the proposed changes.

¹⁰ See note 6, *supra*.

¹¹ See note 7, *supra*.

¹² See note 8, *supra*.

¹³ 15 U.S.C. 78f(b).

¹⁴ 15 U.S.C. 78f(b)(5).

¹⁵ 15 U.S.C. 78f(b)(4).

No change to existing fees is proposed. Specifically, the Exchange does not propose to change the monthly recurring fee Users pay for access to each Third Party System. Although the proposed changes to the list of Third Party Systems would combine the names of several current Third Party Systems, no User would be charged more as a consequence of the combinations. A User would continue to be able to choose which systems it wants from any combined Third Party System. It would not have to receive any systems, or pay for any bandwidth, that it did not choose. Similarly, the Exchange or does not propose to change any existing fees for connectivity to Third Party Data Feeds.

No User connects to any of the Proposed Deletions—in fact, one of the Proposed Deletions is for an entity that is no longer offering trading.¹⁶ As a result, no User would be affected by the Proposed Deletions.

The proposed alterations to the names of BM&F Bovespa, CME Group, ITG TriAct Matchnow, Nasdaq Global Index Data Services and NeoAequitas are name changes only and would have no effect on the fee charged. Rather, they would add clarity and consistency for Users and, for BM&F Bovespa, ITG TriAct Matchnow, and Neo Aequitas, be consistent with name changes and sales. The proposed alterations to the names would therefore increase Users' ability to recognize Third Party Systems and Third Party Data Feeds.

The Exchange believes that the proposed change is not unfairly discriminatory because it will not result in any changed fees. Fees will continue only being charged to Users that voluntarily select to receive the corresponding services. Furthermore, the Exchange believes that the proposed change is not unfairly discriminatory because the changed services would be available to all Users on an equal basis (*i.e.*, the same products and services are available to all Users).

The Proposed Rule Change Is Equitable

The Exchange believes that the proposed rule change is equitable.

No change to existing fees is proposed. Specifically, the Exchange does not propose to change the monthly recurring fee Users pay for access to each Third Party System. Although the

proposed changes to the list of Third Party Systems would combine the names of several current Third Party Systems, no User would be charged more as a consequence. A User would not have to receive any systems, or pay for any bandwidth, that it did not choose. Similarly, the Exchange does not propose to change any existing fees for connectivity to Third Party Data Feeds.

The Exchange believes that the changes proposed herein are equitably allocated because, in addition to the services being completely voluntary, they are available to all Users on an equal basis (*i.e.*, the same products and services are available to all Users).

For all these reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,¹⁷ the Exchange believes that the proposed rule change will not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

The proposed change would not affect competition among national securities exchanges, among members of the Exchange, or between FIDS and its commercial competitors.

The proposed changes are not designed to address competitive issues. The Exchange does not believe that any Users would be adversely affected by the changes. Rather, the changes would simplify the Connectivity Fee Schedule, enhancing its clarity and transparency. The changes would not put any market participants at a relative disadvantage compared to other market participants or penalize one or more categories of market participants in a manner that would impose an undue burden on competition.

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 Act¹⁸ and Rule 19b-4(f)(6) thereunder.¹⁹ 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.²⁰

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)²¹ 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 (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NYSENAT-2025-06 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-2025-06. 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

¹⁶ OneChicago, a U.S. based futures exchange, ceased trading in September 2020. See Securities Exchange Act Release No. 91117 (February 11, 2021), 86 FR 03218 (February 18, 2021) (Order Granting OneChicago, LLC's Request To Withdraw From Registration as a National Securities Exchange Solely for the Purposes of Trading Security Futures Products).

¹⁷ 15 U.S.C. 78f(b)(8).

¹⁸ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁹ 17 CFR 240.19b-4(f)(6).

²⁰ 17 CFR 240.19b-4(f)(6)(iii). 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.

²¹ 15 U.S.C. 78s(b)(2)(B).

internet website (<https://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 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSE-2025-06 and should be submitted on or before April 25, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²²

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-05780 Filed 4-3-25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-102748; File No. SR-NYSEARCA-2025-26]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Connectivity Fee Schedule

March 31, 2025.

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 March 25, 2025, 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 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 the Connectivity Fee Schedule to amend the list of third party systems and third party data feeds to which Users can connect. 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 the Connectivity Fee Schedule to amend the list of third party systems and third party data feeds to which Users ⁴ can connect.

Currently, Users are offered connectivity to the execution systems of third party markets and other service providers ("Third Party Systems") and connectivity to data feeds from third party markets and other content service providers ("Third Party Data Feeds") at the Mahwah, New Jersey data center

("MDC").⁵ The Exchange proposes to amend the two lists to delete systems and feeds to which no User connects, update the names of systems and feeds, and consolidate systems. None of the changes are substantive or will affect current Users.

Proposed Changes

Changes to the List of Third Party Systems

The Exchange proposes to make the following changes to the list of Third Party Systems:

- Consistent with the fact that no User connects to them, delete Americas Trading Group (ATG); Canadian Securities Exchange (CSE); Credit Suisse; Euronext Optiq Cash and Derivatives Unicast (EUA); Euronext Optiq Cash and Derivatives Unicast (Production), and OneChicago (collectively, the "Proposed Third Party Systems Deletions").

- Change the name of "BM&F Bovespa" to "B3 Bovespa" consistent with the name change of BM&FBOVESPA S.A.⁶

- Combine Cboe BYX Exchange (CboeBYX), Cboe BZX Exchange (CboeBZX), Cboe EDGA Exchange (CboeEDGA), and Cboe EDGX Exchange (CboeEDGX) and Cboe Exchange (Cboe) and Cboe C2 Exchange (C2) and change the name of the combined Third Party System to "Cboe US."

- Combine MIA X Options and MIA X Pearl Options under "MIA X."

- Combine Nasdaq and Nasdaq ISE under "Nasdaq US Stock Market."

- Change the name of ITG TriAct Matchnow to Cboe MATCHNow, consistent with its sale to Cboe Global Markets.⁷

- Change the name of Neo Aequitas to Cboe Canada, consistent with its sale to Cboe Global Markets.⁸

To make these changes, the list of available Third Party Systems would be

⁵ Through its Fixed Income and Data Services ("FIDS") business, Intercontinental Exchange, Inc. ("ICE") operates the MDC. The Exchange and the Affiliate SROs are indirect subsidiaries of ICE.

⁶ See 003-2017-DF-External Communication, Re. New Corporate Name of BM&FBOVESPA and Merger of Cetip (June 19, 2017) (available at https://www.b3.com.br/en_us/regulation/circular-letters-and-external-communications/bm-fbovespa/?dataFim=2017&pagination=3).

⁷ See "Cboe Completes MATCHNow Technology Migration and Launches its First New Canadian Offering," February 8, 2022, at <https://ir.cboe.com/news/news-details/2022/Cboe-Completes-MATCHNow-Technology-Migration-and-Launches-its-First-New-Canadian-Offering-02-08-2022/default.aspx>.

⁸ See "Cboe Global Markets Completes Acquisition of NEO, Strengthening Global Equities and Listings Offerings," June 1, 2022, at <https://www.cboe.ca/en/about/press-releases/cboe-global-markets-completes-acquisition-of-neo-strengthening-global-equities-and-listings-offerings>.

²² 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

⁴ For purposes of the Exchange's colocation services, a "User" means any market participant that requests to receive colocation services directly from the Exchange. See Securities Exchange Act Release No. 76010 (September 29, 2015), 80 FR 60197 (October 5, 2015) (SR-NYSEArca-2015-82). As specified in the Fee Schedule, a User that incurs colocation fees for a particular colocation service pursuant thereto would not be subject to colocation fees for the same colocation service charged by the New York Stock Exchange LLC, NYSE American LLC, NYSE Chicago, Inc. and NYSE National, Inc. (together, the "Affiliate SROs"). Each Affiliate SRO has submitted substantially the same proposed rule change to propose the changes described herein. See SR-NYSE-2025-08, SR-NYSEAMER-2025-17, SR-NYSECHX-2025-05, and SR-NYSE-2025-06.

amended as follows (proposed deletions bracketed, proposed additions italicized):

Third Party Systems

[Americas Trading Group (ATG)]
[BM&F]B3 Bovespa
Boston Options Exchange (BOX)
[Canadian Securities Exchange (CSE)]
Cboe Canada
Cboe MATCHNow
Cboe US[BYX Exchange (CboeBYX),
Cboe BZX Exchange (CboeBZX), Cboe
EDGA Exchange (CboeEDGA), and
Cboe EDGX Exchange (CboeEDGX)]
[Cboe Exchange (Cboe) and Cboe C2
Exchange (C2)]
Chicago Mercantile Exchange (CME
Group)
[Credit Suisse]
[Euronext Optiq Cash and Derivatives
Unicast (EUA)]
[Euronext Optiq Cash and Derivatives
Unicast (Production)]
Investors Exchange (IEX)
[ITG TriAct Matchnow]
MIAX [Options]
[MIAX PEARL Options]
[Nasdaq]
Nasdaq Canada (CXC, CXD, CX2)
Nasdaq *US Stock Market*[ISE]
[Neo Aequitas]

NYFIX Marketplace
Omega
[OneChicago]
OTC Markets Group
TMX Group

The Exchange does not propose to change the monthly recurring fee Users pay for access to each Third Party System. Although the proposed changes to the list of Third Party Systems would combine the names of several current Third Party Systems, no User would be charged more as a consequence of the combinations. A User would continue to be able to choose which systems it wants from any combined Third Party System. It would not have to receive any systems, or pay for any bandwidth, that it did not choose.⁹

Changes to the List of Third Party Data Feeds

The Exchange proposes to make the following changes to the list of Third Party Data Feeds:

- Consistent with the fact that no User connects to them, delete Canadian Securities Exchange (CSE), Euronext Optiq Compressed Cash, Euronext Optiq Compressed Derivatives, Euronext Optiq Shaped Cash, Euronext Optiq Shaped

Derivatives, MSCI 5 Mb, MSCI 25 Mb, OneChicago, Vela—SuperFeed <500 Mb, Vela—SuperFeed >500 Mb to <1.25 Gb, and Vela—SuperFeed >1.25 Gb and the associated monthly recurring fees (collectively and together with the Proposed Third Party Systems Deletions, the “Proposed Deletions”).

- Change the name of “BM&F Bovespa” to “B3 Bovespa” consistent with the name change of BM&FBOVESPA S.A.¹⁰
 - To add clarity, add “Chicago Mercantile Exchange” before “CME Group,” and put “CME Group” in parentheses.
 - To add clarity, add “(GIDS)” after “Nasdaq Global Index Data Service.”
 - Change the name of ITG TriAct Matchnow to Cboe MATCHNow, consistent with its sale to Cboe Global Markets.¹¹
 - Change the name of Neo Aequitas to Cboe Canada, consistent with its sale to Cboe Global Markets.¹²
- To make these changes, the list of available Third Party Data Feeds would be amended as follows (proposed deletions bracketed, proposed additions italicized):

Third Party Data Feed						Monthly recurring connectivity fee per Third Party Data Feed
[BM&F]B3 Bovespa	.....	.....	.....	.....	.....	\$3,000
Boston Options Exchange (BOX)	.....	.....	.....	.....	.....	1,000
[Canadian Securities Exchange (CSE)]	.....	.....	.....	.....	.....	1,000]
Cboe BZX Exchange (CboeBZX) and Cboe BYX Exchange (CboeBYX)	.....	.....	.....	.....	.....	2,000
<i>Cboe Canada</i>	.....	.....	.....	.....	.....	1,200
Cboe EDGX Exchange (CboeEDGX) and Cboe EDGA Exchange (CboeEDGA)	.....	.....	.....	.....	.....	2,000
Cboe Exchange (Cboe) and Cboe C2 Exchange (C2)	.....	.....	.....	.....	.....	2,000
<i>Cboe MATCHNow</i>	.....	.....	.....	.....	.....	1,000
Chicago Mercantile Exchange (CME Group)	.....	.....	.....	.....	.....	3,000
[Euronext Optiq Compressed Cash	.....	.....	.....	.....	.....	900]
[Euronext Optiq Compressed Derivatives	.....	.....	.....	.....	.....	600]
[Euronext Optiq Shaped Cash	.....	.....	.....	.....	.....	1,200]
[Euronext Optiq Shaped Derivatives	.....	.....	.....	.....	.....	900]
* * * * *						
Investors Exchange (IEX)	.....	.....	.....	.....	.....	1,000
[ITG TriAct Matchnow	.....	.....	.....	.....	.....	1,000]
Miami International Securities Exchange/MIAX PEARL	.....	.....	.....	.....	.....	2,000
Montréal Exchange (MX)	.....	.....	.....	.....	.....	1,000
[MSCI 5 Mb	.....	.....	.....	.....	.....	500]
[MSCI 25 Mb	.....	.....	.....	.....	.....	1,200]
Nasdaq Stock Market	.....	.....	.....	.....	.....	2,000
Nasdaq Global Index Data Service (<i>GIDS</i>)	.....	.....	.....	.....	.....	100
* * * * *						
[Neo Aequitas	.....	.....	.....	.....	.....	1,200]
Omega	.....	.....	.....	.....	.....	1,000
[OneChicago	.....	.....	.....	.....	.....	1,000]
OTC Markets Group	.....	.....	.....	.....	.....	1,000
[Vela—SuperFeed <500 Mb	.....	.....	.....	.....	.....	250]
[Vela—SuperFeed >500 Mb to <1.25 Gb	.....	.....	.....	.....	.....	800]
[Vela—SuperFeed >1.25 Gb	.....	.....	.....	.....	.....	1,000]

⁹ For example, if a User connected to CboeBYX and CboeBZX but did not access any other Cboe system, including Cboe C2, it would not pay for any

additional system or have its monthly fee changed as a consequence of the proposed combination.

¹⁰ See note 6, *supra*.

¹¹ See note 7, *supra*.

¹² See note 8, *supra*.

Third Party Data Feed

Monthly recurring
connectivity fee per
Third Party Data Feed

TMX Group

2,500

Application and Impact of the Proposed Changes

The proposed rule change would not apply differently to distinct types or sizes of market participants. Rather, it would apply to all Users equally. As is currently the case, the purchase of any colocation service is completely voluntary and the Fee Schedule is applied uniformly to all Users. The Exchange does not expect that the proposed rule change will affect current Users or result in new Users.

The proposed change is not otherwise intended to address any other issues relating to colocation services or related fees, and the Exchange is not aware of any problems that Users would have in complying with the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹³ in general, and furthers the objectives of Section 6(b)(5) of the Act,¹⁴ 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 regulating, clearing, settling, processing information with respect to, and 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 and because it is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange further believes that the proposed rule change is consistent with Section 6(b)(4) of the Act,¹⁵ because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities.

The Proposed Rule Change Is Reasonable and Not Unfairly Discriminatory

The Exchange believes that the proposed changes are reasonable and not unfairly discriminatory, as it believes that none of the changes are substantive or will affect current Users.

Simply put, no Users would be adversely affected by the proposed changes.

No change to existing fees is proposed. Specifically, the Exchange does not propose to change the monthly recurring fee Users pay for access to each Third Party System. Although the proposed changes to the list of Third Party Systems would combine the names of several current Third Party Systems, no User would be charged more as a consequence of the combinations. A User would continue to be able to choose which systems it wants from any combined Third Party System. It would not have to receive any systems, or pay for any bandwidth, that it did not choose. Similarly, the Exchange does not propose to change any existing fees for connectivity to Third Party Data Feeds.

No User connects to any of the Proposed Deletions—in fact, one of the Proposed Deletions is for an entity that is no longer offering trading.¹⁶ As a result, no User would be affected by the Proposed Deletions.

The proposed alterations to the names of BM&F Bovespa, CME Group, ITG TriAct Matchnow, Nasdaq Global Index Data Services and NeoAequitas are name changes only and would have no effect on the fee charged. Rather, they would add clarity and consistency for Users and, for BM&F Bovespa, ITG TriAct Matchnow, and Neo Aequitas, be consistent with name changes and sales. The proposed alterations to the names would therefore increase Users' ability to recognize Third Party Systems and Third Party Data Feeds.

The Exchange believes that the proposed change is not unfairly discriminatory because it will not result in any changed fees. Fees will continue only being charged to Users that voluntarily select to receive the corresponding services. Furthermore, the Exchange believes that the proposed change is not unfairly discriminatory because the changed services would be available to all Users on an equal basis

(i.e., the same products and services are available to all Users).

The Proposed Rule Change Is Equitable

The Exchange believes that the proposed rule change is equitable.

No change to existing fees is proposed. Specifically, the Exchange does not propose to change the monthly recurring fee Users pay for access to each Third Party System. Although the proposed changes to the list of Third Party Systems would combine the names of several current Third Party Systems, no User would be charged more as a consequence. A User would not have to receive any systems, or pay for any bandwidth, that it did not choose. Similarly, the Exchange does not propose to change any existing fees for connectivity to Third Party Data Feeds.

The Exchange believes that the changes proposed herein are equitably allocated because, in addition to the services being completely voluntary, they are available to all Users on an equal basis (i.e., the same products and services are available to all Users).

For all these reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,¹⁷ the Exchange believes that the proposed rule change will not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

The proposed change would not affect competition among national securities exchanges, among members of the Exchange, or between FIDS and its commercial competitors.

The proposed changes are not designed to address competitive issues. The Exchange does not believe that any Users would be adversely affected by the changes. Rather, the changes would simplify the Connectivity Fee Schedule, enhancing its clarity and transparency. The changes would not put any market participants at a relative disadvantage compared to other market participants or penalize one or more categories of market participants in a manner that would impose an undue burden on competition.

¹⁶ OneChicago, a U.S. based futures exchange, ceased trading in September 2020. See Securities Exchange Act Release No. 91117 (February 11, 2021), 86 FR 03218 (February 18, 2021) (Order Granting OneChicago, LLC's Request To Withdraw From Registration as a National Securities Exchange Solely for the Purposes of Trading Security Futures Products).

¹⁷ 15 U.S.C. 78f(b)(8).

¹³ 15 U.S.C. 78f(b).

¹⁴ 15 U.S.C. 78f(b)(5).

¹⁵ 15 U.S.C. 78f(b)(4).

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 Act¹⁸ and Rule 19b-4(f)(6) thereunder.¹⁹ 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.²⁰

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)²¹ 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 (<https://www.sec.gov/rules/sro.shtml>); or

- Send an email to rule-comments@sec.gov. Please include file number SR-NYSEARCA-2025-26 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-2025-26. 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 (<https://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 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSEARCA-2025-26 and should be submitted on or before April 25, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²²

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-05779 Filed 4-3-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-102744; File No. SR-NYSE-2025-08]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Connectivity Fee Schedule

March 31, 2025.

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 March 25, 2025, New York Stock Exchange LLC ("NYSE" 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 the Connectivity Fee Schedule to amend the list of third party systems and third party data feeds to which Users can connect. 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 the Connectivity Fee Schedule to amend the

¹⁸ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁹ 17 CFR 240.19b-4(f)(6).

²⁰ 17 CFR 240.19b-4(f)(6)(iii). 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.

²¹ 15 U.S.C. 78s(b)(2)(B).

²² 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

list of third party systems and third party data feeds to which Users⁴ can connect.

Currently, Users are offered connectivity to the execution systems of third party markets and other service providers (“Third Party Systems”) and connectivity to data feeds from third party markets and other content service providers (“Third Party Data Feeds”) at the Mahwah, New Jersey data center (“MDC”).⁵ The Exchange proposes to amend the two lists to delete systems and feeds to which no User connects, update the names of systems and feeds, and consolidate systems. None of the changes are substantive or will affect current Users.

Proposed Changes

Changes to the List of Third Party Systems

The Exchange proposes to make the following changes to the list of Third Party Systems:

- Consistent with the fact that no User connects to them, delete Americas Trading Group (ATG); Canadian Securities Exchange (CSE); Credit Suisse; Euronext Optiq Cash and Derivatives Unicast (EUA); Euronext Optiq Cash and Derivatives Unicast (Production), and OneChicago (collectively, the “Proposed Third Party Systems Deletions”).

- Change the name of “BM&F Bovespa” to “B3 Bovespa” consistent with the name change of BM&FBOVESPA S.A.⁶

- Combine Cboe BYX Exchange (CboeBYX), Cboe BZX Exchange (CboeBZX), Cboe EDGA Exchange (CboeEDGA), and Cboe EDGX Exchange (CboeEDGX) and Cboe Exchange (Cboe) and Cboe C2 Exchange (C2) and change the name of the combined Third Party System to “Cboe US.”

- Combine MIA X Options and MIA X Pearl Options under “MIA X.”

- Combine Nasdaq and Nasdaq ISE under “Nasdaq US Stock Market.”

- Change the name of ITG TriAct Matchnow to Cboe MATCHNow, consistent with its sale to Cboe Global Markets.⁷

- Change the name of Neo Aequitas to Cboe Canada, consistent with its sale to Cboe Global Markets.⁸

To make these changes, the list of available Third Party Systems would be amended as follows (proposed deletions bracketed, proposed additions italicized):

Third Party Systems

[Americas Trading Group (ATG)]
[BM&F]B3 Bovespa
Boston Options Exchange (BOX)
[Canadian Securities Exchange (CSE)]
Cboe Canada
Cboe MATCHNow
Cboe US[BYX Exchange (CboeBYX),
Cboe BZX Exchange (CboeBZX), Cboe
EDGA Exchange (CboeEDGA), and
Cboe EDGX Exchange (CboeEDGX)]
[Cboe Exchange (Cboe) and Cboe C2
Exchange (C2)]
Chicago Mercantile Exchange (CME
Group)
[Credit Suisse]
[Euronext Optiq Cash and Derivatives
Unicast (EUA)]
[Euronext Optiq Cash and Derivatives
Unicast (Production)]
Investors Exchange (IEX)
[ITG TriAct Matchnow]
MIA X [Options]
[MIA X PEARL Options]
[Nasdaq]
Nasdaq Canada (CXC, CXD, CX2)
Nasdaq *US Stock Market*[ISE]
[Neo Aequitas]
NYFIX Marketplace
Omega
[OneChicago]
OTC Markets Group
TMX Group

The Exchange does not propose to change the monthly recurring fee Users pay for access to each Third Party System. Although the proposed changes to the list of Third Party Systems would

combine the names of several current Third Party Systems, no User would be charged more as a consequence of the combinations. A User would continue to be able to choose which systems it wants from any combined Third Party System. It would not have to receive any systems, or pay for any bandwidth, that it did not choose.⁹

Changes to the List of Third Party Data Feeds

The Exchange proposes to make the following changes to the list of Third Party Data Feeds:

- Consistent with the fact that no User connects to them, delete Canadian Securities Exchange (CSE), Euronext Optiq Compressed Cash, Euronext Optiq Compressed Derivatives, Euronext Optiq Shaped Cash, Euronext Optiq Shaped Derivatives, MSCI 5 Mb, MSCI 25 Mb, OneChicago, Vela—SuperFeed <500 Mb, Vela—SuperFeed >500 Mb to <1.25 Gb, and Vela—SuperFeed >1.25 Gb and the associated monthly recurring fees (collectively and together with the Proposed Third Party Systems Deletions, the “Proposed Deletions”).

- Change the name of “BM&F Bovespa” to “B3 Bovespa” consistent with the name change of BM&FBOVESPA S.A.¹⁰

- To add clarity, add “Chicago Mercantile Exchange” before “CME Group,” and put “CME Group” in parentheses.

- To add clarity, add “(GIDS)” after “Nasdaq Global Index Data Service.”

- Change the name of ITG TriAct Matchnow to Cboe MATCHNow, consistent with its sale to Cboe Global Markets.¹¹

- Change the name of Neo Aequitas to Cboe Canada, consistent with its sale to Cboe Global Markets.¹²

To make these changes, the list of available Third Party Data Feeds would be amended as follows (proposed deletions bracketed, proposed additions italicized):

⁴ For purposes of the Exchange’s colocation services, a “User” means any market participant that requests to receive colocation services directly from the Exchange. See Securities Exchange Act Release No. 76008 (September 29, 2015), 80 FR 60190 (October 5, 2015) (SR–NYSE–2015–40). As specified in the Fee Schedule, a User that incurs colocation fees for a particular colocation service pursuant thereto would not be subject to colocation fees for the same colocation service charged by NYSE American LLC, NYSE Arca, Inc., NYSE Chicago, Inc. and NYSE National, Inc. (together, the “Affiliate SROs”). Each Affiliate SRO has submitted substantially the same proposed rule change to propose the changes described herein. See SR–NYSEAMER–2025–17, SR–NYSEARCA–2025–26,

SR–NYSECHX–2025–05, and SR–NYSENAT–2025–06.

⁵ Through its Fixed Income and Data Services (“FIDS”) business, Intercontinental Exchange, Inc. (“ICE”) operates the MDC. The Exchange and the Affiliate SROs are indirect subsidiaries of ICE.

⁶ See 003–2017–DF–External Communication, Re. New Corporate Name of BM&FBOVESPA and Merger of Cetip (June 19, 2017) (available at https://www.b3.com.br/en_us/regulation/circular-letters-and-external-communications/bm-fbovespa/?dataFim=2017&pagination=3).

⁷ See “Cboe Completes MATCHNow Technology Migration and Launches its First New Canadian Offering,” February 8, 2022, at [https://ir.cboe.com/news/news-details/2022/Cboe-Completes-MATCHNow-Technology-Migration-and-Launches-](https://ir.cboe.com/news/news-details/2022/Cboe-Completes-MATCHNow-Technology-Migration-and-Launches-its-First-New-Canadian-Offering-02-08-2022/default.aspx)

[its-First-New-Canadian-Offering-02-08-2022/default.aspx](https://ir.cboe.com/news/news-details/2022/Cboe-Completes-MATCHNow-Technology-Migration-and-Launches-its-First-New-Canadian-Offering-02-08-2022/default.aspx).

⁸ See “Cboe Global Markets Completes Acquisition of NEO, Strengthening Global Equities and Listings Offerings,” June 1, 2022, at <https://www.cboe.ca/en/about/press-releases/cboe-global-markets-completes-acquisition-of-neo-strengthening-global-equities-and-listings-offerings>.

⁹ For example, if a User connected to CboeBYX and CboeBZX but did not access any other Cboe system, including Cboe C2, it would not pay for any additional system or have its monthly fee changed as a consequence of the proposed combination.

¹⁰ See note 6, *supra*.

¹¹ See note 7, *supra*.

¹² See note 8, *supra*.

Third Party Data Feed	Monthly recurring connectivity fee per Third Party Data Feed
[BM&F]B3 Bovespa	\$3,000
Boston Options Exchange (BOX)	1,000
[Canadian Securities Exchange (CSE)	1,000]
Cboe BZX Exchange (CboeBZX) and Cboe BYX Exchange (CboeBYX)	2,000
Cboe Canada	1,200
Cboe EDGX Exchange (CboeEDGX) and Cboe EDGA Exchange (CboeEDGA)	2,000
Cboe Exchange (Cboe) and Cboe C2 Exchange (C2)	2,000
Cboe MATCHNow	1,000
Chicago Mercantile Exchange (CME Group)	3,000
[Euronext Optiq Compressed Cash	900]
[Euronext Optiq Compressed Derivatives	600]
[Euronext Optiq Shaped Cash	1,200]
[Euronext Optiq Shaped Derivatives	900]
* * * * *	
Investors Exchange (IEX)	1,000
[ITG TriAct Matchnow	1,000]
Miami International Securities Exchange/MIAX PEARL	2,000
Montréal Exchange (MX)	1,000
[MSCI 5 Mb	500]
[MSCI 25 Mb	1,200]
Nasdaq Stock Market	2,000
Nasdaq Global Index Data Service (GIDS)	100
* * * * *	
[Neo Aequitas	1,200]
Omega	1,000
[OneChicago	1,000]
OTC Markets Group	1,000
[Vela—SuperFeed <500 Mb	250]
[Vela—SuperFeed >500 Mb to <1.25 Gb	800]
[Vela—SuperFeed >1.25 Gb	1,000]
TMX Group	2,500

Application and Impact of the Proposed Changes

The proposed rule change would not apply differently to distinct types or sizes of market participants. Rather, it would apply to all Users equally. As is currently the case, the purchase of any colocation service is completely voluntary and the Fee Schedule is applied uniformly to all Users. The Exchange does not expect that the proposed rule change will affect current Users or result in new Users.

The proposed change is not otherwise intended to address any other issues relating to colocation services or related fees, and the Exchange is not aware of any problems that Users would have in complying with the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹³ in general, and furthers the objectives of Section 6(b)(5) of the Act,¹⁴ 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 regulating, clearing, settling, processing information with respect to, and 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 and because it is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange further believes that the proposed rule change is consistent with Section 6(b)(4) of the Act,¹⁵ because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities.

The Proposed Rule Change Is Reasonable and Not Unfairly Discriminatory

The Exchange believes that the proposed changes are reasonable and not unfairly discriminatory, as it believes that none of the changes are substantive or will affect current Users. Simply put, no Users would be adversely affected by the proposed changes.

No change to existing fees is proposed. Specifically, the Exchange does not propose to change the monthly recurring fee Users pay for access to each Third Party System. Although the proposed changes to the list of Third Party Systems would combine the names of several current Third Party Systems, no User would be charged more as a consequence of the combinations. A User would continue to be able to choose which systems it wants from any combined Third Party System. It would not have to receive any systems, or pay for any bandwidth, that it did not choose. Similarly, the Exchange or does not propose to change any existing fees for connectivity to Third Party Data Feeds.

No User connects to any of the Proposed Deletions—in fact, one of the Proposed Deletions is for an entity that is no longer offering trading.¹⁶ As a result, no User would be affected by the Proposed Deletions.

¹⁶ OneChicago, a U.S. based futures exchange, ceased trading in September 2020. See Securities Exchange Act Release No. 91117 (February 11, 2021), 86 FR 03218 (February 18, 2021) (Order Granting OneChicago, LLC's Request To Withdraw From Registration as a National Securities Exchange Solely for the Purposes of Trading Security Futures Products).

¹³ 15 U.S.C. 78f(b).

¹⁴ 15 U.S.C. 78f(b)(5).

¹⁵ 15 U.S.C. 78f(b)(4).

The proposed alterations to the names of BM&F Bovespa, CME Group, ITG TriAct Matchnow, Nasdaq Global Index Data Services and NeoAequitas are name changes only and would have no effect on the fee charged. Rather, they would add clarity and consistency for Users and, for BM&F Bovespa, ITG TriAct Matchnow, and Neo Aequitas, be consistent with name changes and sales. The proposed alterations to the names would therefore increase Users' ability to recognize Third Party Systems and Third Party Data Feeds.

The Exchange believes that the proposed change is not unfairly discriminatory because it will not result in any changed fees. Fees will continue only being charged to Users that voluntarily select to receive the corresponding services. Furthermore, the Exchange believes that the proposed change is not unfairly discriminatory because the changed services would be available to all Users on an equal basis (*i.e.*, the same products and services are available to all Users).

The Proposed Rule Change Is Equitable

The Exchange believes that the proposed rule change is equitable.

No change to existing fees is proposed. Specifically, the Exchange does not propose to change the monthly recurring fee Users pay for access to each Third Party System. Although the proposed changes to the list of Third Party Systems would combine the names of several current Third Party Systems, no User would be charged more as a consequence. A User would not have to receive any systems, or pay for any bandwidth, that it did not choose. Similarly, the Exchange does not propose to change any existing fees for connectivity to Third Party Data Feeds.

The Exchange believes that the changes proposed herein are equitably allocated because, in addition to the services being completely voluntary, they are available to all Users on an equal basis (*i.e.*, the same products and services are available to all Users).

For all these reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,¹⁷ the Exchange believes that the proposed rule change will not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

The proposed change would not affect competition among national securities exchanges, among members of the Exchange, or between FIDS and its commercial competitors.

The proposed changes are not designed to address competitive issues. The Exchange does not believe that any Users would be adversely affected by the changes. Rather, the changes would simplify the Connectivity Fee Schedule, enhancing its clarity and transparency. The changes would not put any market participants at a relative disadvantage compared to other market participants or penalize one or more categories of market participants in a manner that would impose an undue burden on competition.

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 Act¹⁸ and Rule 19b-4(f)(6) thereunder.¹⁹ 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.²⁰

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)²¹ 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 (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NYSE-2025-08 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-NYSE-2025-08. 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 (<https://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 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSE-2025-08 and should be submitted on or before April 25, 2025.

¹⁸ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁹ 17 CFR 240.19b-4(f)(6).

²⁰ 17 CFR 240.19b-4(f)(6)(iii). 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.

²¹ 15 U.S.C. 78s(b)(2)(B).

¹⁷ 15 U.S.C. 78f(b)(8).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²²

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-05782 Filed 4-3-25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-102745; File No. SR-NYSEAMER-2025-17]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Connectivity Fee Schedule

March 31, 2025.

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 March 25, 2025, NYSE American LLC (“NYSE American” 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 the Connectivity Fee Schedule to amend the list of third party systems and third party data feeds to which Users can connect. 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 the Connectivity Fee Schedule to amend the list of third party systems and third party data feeds to which Users⁴ can connect.

Currently, Users are offered connectivity to the execution systems of third party markets and other service providers (“Third Party Systems”) and connectivity to data feeds from third party markets and other content service providers (“Third Party Data Feeds”) at the Mahwah, New Jersey data center (“MDC”).⁵ The Exchange proposes to amend the two lists to delete systems and feeds to which no User connects, update the names of systems and feeds, and consolidate systems. None of the changes are substantive or will affect current Users.

Proposed Changes

Changes to the List of Third Party Systems

The Exchange proposes to make the following changes to the list of Third Party Systems:

- Consistent with the fact that no User connects to them, delete Americas Trading Group (ATG); Canadian Securities Exchange (CSE); Credit Suisse; Euronext Optiq Cash and Derivatives Unicast (EUA); Euronext Optiq Cash and Derivatives Unicast (Production), and OneChicago (collectively, the “Proposed Third Party Systems Deletions”).

- Change the name of “BM&F Bovespa” to “B3 Bovespa” consistent

⁴ For purposes of the Exchange’s colocation services, a “User” means any market participant that requests to receive colocation services directly from the Exchange. See Securities Exchange Act Release No. 76009 (September 29, 2015), 80 FR 60213 (October 5, 2015) (SR-NYSEMKT-2015-67). As specified in the Fee Schedule, a User that incurs colocation fees for a particular colocation service pursuant thereto would not be subject to colocation fees for the same colocation service charged by the New York Stock Exchange LLC, NYSE Arca, Inc., NYSE Chicago, Inc. and NYSE National, Inc. (together, the “Affiliate SROs”). Affiliate SROs.[sic] Each Affiliate SRO has submitted substantially the same proposed rule change to propose the changes described herein. See SR-NYSE-2025-08, SR-NYSEARCA-2025-26, SR-NYSECHX-2025-05, and SR-NYSEAT-2025-06.

⁵ Through its Fixed Income and Data Services (“FIDS”) business, Intercontinental Exchange, Inc. (“ICE”) operates the MDC. The Exchange and the Affiliate SROs are indirect subsidiaries of ICE.

with the name change of BM&FBOVESPA S.A.⁶

- Combine Cboe BYX Exchange (CboeBYX), Cboe BZX Exchange (CboeBZX), Cboe EDGA Exchange (CboeEDGA), and Cboe EDGX Exchange (CboeEDGX) and Cboe Exchange (Cboe) and Cboe C2 Exchange (C2) and change the name of the combined Third Party System to “Cboe US.”
- Combine MIAX Options and MIAX Pearl Options under “MIAX.”
- Combine Nasdaq and Nasdaq ISE under “Nasdaq US Stock Market.”
- Change the name of ITG TriAct Matchnow to Cboe MATCHNow, consistent with its sale to Cboe Global Markets.⁷
- Change the name of Neo Aequitas to Cboe Canada, consistent with its sale to Cboe Global Markets.⁸

To make these changes, the list of available Third Party Systems would be amended as follows (proposed deletions bracketed, proposed additions italicized):

Third Party Systems

[Americas Trading Group (ATG)]
[BM&F]B3 Bovespa
Boston Options Exchange (BOX)
[Canadian Securities Exchange (CSE)]
Cboe Canada
Cboe MATCHNow
Cboe US[BYX Exchange (CboeBYX),
Cboe BZX Exchange (CboeBZX), Cboe
EDGA Exchange (CboeEDGA), and
Cboe EDGX Exchange (CboeEDGX)]
[Cboe Exchange (Cboe) and Cboe C2
Exchange (C2)]
Chicago Mercantile Exchange (CME
Group)
[Credit Suisse]
[Euronext Optiq Cash and Derivatives
Unicast (EUA)]
[Euronext Optiq Cash and Derivatives
Unicast (Production)]
Investors Exchange (IEX)
[ITG TriAct Matchnow]
MIAX [Options]
[MIAX PEARL Options]
[Nasdaq]

⁶ See 003-2017-DF-External Communication, Re. New Corporate Name of BM&FBOVESPA and Merger of Cetip (June 19, 2017) (available at https://www.b3.com.br/en_us/regulation/circular-letters-and-external-communications/bm-fbovespa/?dataFim=2017&pagination=3).

⁷ See “Cboe Completes MATCHNow Technology Migration and Launches its First New Canadian Offering,” February 8, 2022, at <https://ir.cboe.com/news/news-details/2022/Cboe-Completes-MATCHNow-Technology-Migration-and-Launches-its-First-New-Canadian-Offering-02-08-2022/default.aspx>.

⁸ See “Cboe Global Markets Completes Acquisition of NEO, Strengthening Global Equities and Listings Offerings,” June 1, 2022, at <https://www.cboe.ca/en/about/press-releases/cboe-global-markets-completes-acquisition-of-neo-strengthening-global-equities-and-listings-offerings>.

²² 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

Nasdaq Canada (CXC, CXD, CX2)
 Nasdaq *US Stock Market*[ISE]
 [Neo Aequitas]
 NYFIX Marketplace
 Omega
 [OneChicago]
 OTC Markets Group
 TMX Group

The Exchange does not propose to change the monthly recurring fee Users pay for access to each Third Party System. Although the proposed changes to the list of Third Party Systems would combine the names of several current Third Party Systems, no User would be charged more as a consequence of the combinations. A User would continue to be able to choose which systems it wants from any combined Third Party System. It would not have to receive any

systems, or pay for any bandwidth, that it did not choose.⁹

Changes to the List of Third Party Data Feeds

The Exchange proposes to make the following changes to the list of Third Party Data Feeds:

- Consistent with the fact that no User connects to them, delete Canadian Securities Exchange (CSE), Euronext Optiq Compressed Cash, Euronext Optiq Compressed Derivatives, Euronext Optiq Shaped Cash, Euronext Optiq Shaped Derivatives, MSCI 5 Mb, MSCI 25 Mb, OneChicago, Vela—SuperFeed <500 Mb, Vela—SuperFeed >500 Mb to <1.25 Gb, and Vela—SuperFeed >1.25 Gb and the associated monthly recurring fees (collectively and together with the Proposed Third Party Systems Deletions, the “Proposed Deletions”).

- Change the name of “BM&F Bovespa” to “B3 Bovespa” consistent with the name change of BM&FBOVESPA S.A.¹⁰

- To add clarity, add “Chicago Mercantile Exchange” before “CME Group,” and put “CME Group” in parentheses.

- To add clarity, add “(GIDS)” after “Nasdaq Global Index Data Service.”

- Change the name of ITG TriAct Matchnow to Cboe MATCHNow, consistent with its sale to Cboe Global Markets.¹¹

- Change the name of Neo Aequitas to Cboe Canada, consistent with its sale to Cboe Global Markets.¹²

To make these changes, the list of available Third Party Data Feeds would be amended as follows (proposed deletions bracketed, proposed additions italicized):

Third Party Data Feed	Monthly recurring connectivity fee per Third Party Data Feed
[BM&F] <i>B3 Bovespa</i>	\$3,000
Boston Options Exchange (BOX)	1,000
[Canadian Securities Exchange (CSE)	1,000]
Cboe BZX Exchange (CboeBZX) and Cboe BYX Exchange (CboeBYX)	2,000
<i>Cboe Canada</i>	1,200
Cboe EDGX Exchange (CboeEDGX) and Cboe EDGA Exchange (CboeEDGA)	2,000
Cboe Exchange (Cboe) and Cboe C2 Exchange (C2)	2,000
<i>Cboe MATCHNow</i>	1,000
<i>Chicago Mercantile Exchange</i> (CME Group)	3,000
[Euronext Optiq Compressed Cash	900]
[Euronext Optiq Compressed Derivatives	600]
[Euronext Optiq Shaped Cash	1,200]
[Euronext Optiq Shaped Derivatives	900]
*	*
Investors Exchange (IEX)	\$1,000
[ITG TriAct Matchnow	1,000]
Miami International Securities Exchange/MIAX PEARL	2,000
Montréal Exchange (MX)	1,000
[MSCI 5 Mb	500]
[MSCI 25 Mb	1,200]
Nasdaq Stock Market	2,000
Nasdaq Global Index Data Service (<i>GIDS</i>)	100
*	*
[Neo Aequitas	\$1,200]
Omega	1,000
[OneChicago	1,000]
OTC Markets Group	1,000
[Vela—SuperFeed <500 Mb	250]
[Vela—SuperFeed >500 Mb to <1.25 Gb	800]
[Vela—SuperFeed >1.25 Gb	1,000]
TMX Group	2,500

Application and Impact of the Proposed Changes

The proposed rule change would not apply differently to distinct types or sizes of market participants. Rather, it would apply to all Users equally. As is

currently the case, the purchase of any colocation service is completely voluntary and the Fee Schedule is applied uniformly to all Users. The Exchange does not expect that the

proposed rule change will affect current Users or result in new Users.

The proposed change is not otherwise intended to address any other issues relating to colocation services or related fees, and the Exchange is not aware of

⁹ For example, if a User connected to CboeBYX and CboeBZX but did not access any other Cboe system, including Cboe C2, it would not pay for any

additional system or have its monthly fee changed as a consequence of the proposed combination.

¹⁰ See note 6, *supra*.

¹¹ See note 7, *supra*.

¹² See note 8, *supra*.

any problems that Users would have in complying with the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹³ in general, and furthers the objectives of Section 6(b)(5) of the Act,¹⁴ 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 regulating, clearing, settling, processing information with respect to, and 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 and because it is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange further believes that the proposed rule change is consistent with Section 6(b)(4) of the Act,¹⁵ because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities.

The Proposed Rule Change Is Reasonable and Not Unfairly Discriminatory

The Exchange believes that the proposed changes are reasonable and not unfairly discriminatory, as it believes that none of the changes are substantive or will affect current Users. Simply put, no Users would be adversely affected by the proposed changes.

No change to existing fees is proposed. Specifically, the Exchange does not propose to change the monthly recurring fee Users pay for access to each Third Party System. Although the proposed changes to the list of Third Party Systems would combine the names of several current Third Party Systems, no User would be charged more as a consequence of the combinations. A User would continue to be able to choose which systems it wants from any combined Third Party System. It would not have to receive any systems, or pay for any bandwidth, that it did not choose. Similarly, the Exchange does not propose to change any existing fees for connectivity to Third Party Data Feeds.

No User connects to any of the Proposed Deletions—in fact, one of the

Proposed Deletions is for an entity that is no longer offering trading.¹⁶ As a result, no User would be affected by the Proposed Deletions.

The proposed alterations to the names of BM&F Bovespa, CME Group, ITG TriAct Matchnow, Nasdaq Global Index Data Services and NeoAequitas are name changes only and would have no effect on the fee charged. Rather, they would add clarity and consistency for Users and, for BM&F Bovespa, ITG TriAct Matchnow, and Neo Aequitas, be consistent with name changes and sales. The proposed alterations to the names would therefore increase Users' ability to recognize Third Party Systems and Third Party Data Feeds.

The Exchange believes that the proposed change is not unfairly discriminatory because it will not result in any changed fees. Fees will continue only being charged to Users that voluntarily select to receive the corresponding services. Furthermore, the Exchange believes that the proposed change is not unfairly discriminatory because the changed services would be available to all Users on an equal basis (*i.e.*, the same products and services are available to all Users).

The Proposed Rule Change Is Equitable

The Exchange believes that the proposed rule change is equitable.

No change to existing fees is proposed. Specifically, the Exchange does not propose to change the monthly recurring fee Users pay for access to each Third Party System. Although the proposed changes to the list of Third Party Systems would combine the names of several current Third Party Systems, no User would be charged more as a consequence. A User would not have to receive any systems, or pay for any bandwidth, that it did not choose. Similarly, the Exchange does not propose to change any existing fees for connectivity to Third Party Data Feeds.

The Exchange believes that the changes proposed herein are equitably allocated because, in addition to the services being completely voluntary, they are available to all Users on an equal basis (*i.e.*, the same products and services are available to all Users).

For all these reasons, the Exchange believes that the proposal is consistent with the Act.

¹⁶ OneChicago, a U.S. based futures exchange, ceased trading in September 2020. See Securities Exchange Act Release No. 91117 (February 11, 2021), 86 FR 03218 (February 18, 2021) (Order Granting OneChicago, LLC's Request To Withdraw From Registration as a National Securities Exchange Solely for the Purposes of Trading Security Futures Products).

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,¹⁷ the Exchange believes that the proposed rule change will not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

The proposed change would not affect competition among national securities exchanges, among members of the Exchange, or between FIDS and its commercial competitors.

The proposed changes are not designed to address competitive issues. The Exchange does not believe that any Users would be adversely affected by the changes. Rather, the changes would simplify the Connectivity Fee Schedule, enhancing its clarity and transparency. The changes would not put any market participants at a relative disadvantage compared to other market participants or penalize one or more categories of market participants in a manner that would impose an undue burden on competition.

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 Act¹⁸ and Rule 19b-4(f)(6) thereunder.¹⁹ 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.²⁰

At any time within 60 days of the filing of such proposed rule change, the

¹⁷ 15 U.S.C. 78f(b)(8).

¹⁸ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁹ 17 CFR 240.19b-4(f)(6).

²⁰ 17 CFR 240.19b-4(f)(6)(iii). 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.

¹³ 15 U.S.C. 78f(b).

¹⁴ 15 U.S.C. 78f(b)(5).

¹⁵ 15 U.S.C. 78f(b)(4).

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) ²¹ 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 (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NYSEAMER-2025-17 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-NYSEAMER-2025-17. 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 (<https://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 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal

identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSEAMER-2025-17 and should be submitted on or before April 25, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²²

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-05783 Filed 4-3-25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-102747; File No. SR-NYSECHX-2025-05]

Self-Regulatory Organizations; NYSE Chicago, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Connectivity Fee Schedule

March 31, 2025.

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 March 25, 2025, 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 the Connectivity Fee Schedule to amend the list of third party systems and third party data feeds to which Users can connect. 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.

²² 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

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 the Connectivity Fee Schedule to amend the list of third party systems and third party data feeds to which Users ⁴ can connect.

Currently, Users are offered connectivity to the execution systems of third party markets and other service providers ("Third Party Systems") and connectivity to data feeds from third party markets and other content service providers ("Third Party Data Feeds") at the Mahwah, New Jersey data center ("MDC").⁵ The Exchange proposes to amend the two lists to delete systems and feeds to which no User connects, update the names of systems and feeds, and consolidate systems. None of the changes are substantive or will affect current Users.

Proposed Changes

Changes to the List of Third Party Systems

The Exchange proposes to make the following changes to the list of Third Party Systems:

⁴ For purposes of the Exchange's colocation services, a "User" means any market participant that requests to receive colocation services directly from the Exchange. See Securities Exchange Act Release No. 87408 (October 28, 2019), 84 FR 58778 at n.6 (November 1, 2019) (SR-NYSECHX-2019-12). As specified in the Fee Schedule, a User that incurs colocation fees for a particular colocation service pursuant thereto would not be subject to colocation fees for the same colocation service charged by the New York Stock Exchange LLC, NYSE American LLC, NYSE Arca, Inc., and NYSE National, Inc. (together, the "Affiliate SROs"). Each Affiliate SRO has submitted substantially the same proposed rule change to propose the changes described herein. See SR-NYSE-2025-08, SR-NYSEAMER-2025-17, SR-NYSEARCA-2025-26, and SR-NYSENAT-2025-06.

⁵ Through its Fixed Income and Data Services ("FIDS") business, Intercontinental Exchange, Inc. ("ICE") operates the MDC. The Exchange and the Affiliate SROs are indirect subsidiaries of ICE.

²¹ 15 U.S.C. 78s(b)(2)(B).

• Consistent with the fact that no User connects to them, delete Americas Trading Group (ATG); Canadian Securities Exchange (CSE); Credit Suisse; Euronext Optiq Cash and Derivatives Unicast (EUA); Euronext Optiq Cash and Derivatives Unicast (Production), and OneChicago (collectively, the “Proposed Third Party Systems Deletions”).

• Change the name of “BM&F Bovespa” to “B3 Bovespa” consistent with the name change of BM&FBOVESPA S.A.⁶

• Combine Cboe BYX Exchange (CboeBYX), Cboe BZX Exchange (CboeBZX), Cboe EDGA Exchange (CboeEDGA), and Cboe EDGX Exchange (CboeEDGX) and Cboe Exchange (Cboe) and Cboe C2 Exchange (C2) and change the name of the combined Third Party System to “Cboe US.”

• Combine MIAx Options and MIAx Pearl Options under “MIAx.”

• Combine Nasdaq and Nasdaq ISE under “Nasdaq US Stock Market.”

• Change the name of ITG TriAct Matchnow to Cboe MATCHNow, consistent with its sale to Cboe Global Markets.⁷

• Change the name of Neo Aequitas to Cboe Canada, consistent with its sale to Cboe Global Markets.⁸

To make these changes, the list of available Third Party Systems would be amended as follows (proposed deletions bracketed, proposed additions italicized):

Third Party Systems

[Americas Trading Group (ATG)]
[BM&F] *B3 Bovespa*
Boston Options Exchange (BOX)
[Canadian Securities Exchange (CSE)]

Cboe Canada

Cboe MATCHNow

Cboe US[BYX Exchange (CboeBYX), Cboe BZX Exchange (CboeBZX), Cboe EDGA Exchange (CboeEDGA), and Cboe EDGX Exchange (CboeEDGX)]
[Cboe Exchange (Cboe) and Cboe C2 Exchange (C2)]

Chicago Mercantile Exchange (CME Group)

[Credit Suisse]

[Euronext Optiq Cash and Derivatives Unicast (EUA)]

[Euronext Optiq Cash and Derivatives Unicast (Production)]

Investors Exchange (IEX)

[ITG TriAct Matchnow]

MIAx [Options]

[MIAx PEARL Options]

[Nasdaq]

Nasdaq Canada (CXC, CXD, CX2)

Nasdaq *US Stock Market*[ISE]

[Neo Aequitas]

NYFIX Marketplace

Omega

[OneChicago]

OTC Markets Group

TMX Group

The Exchange does not propose to change the monthly recurring fee Users pay for access to each Third Party System. Although the proposed changes to the list of Third Party Systems would combine the names of several current Third Party Systems, no User would be charged more as a consequence of the combinations. A User would continue to be able to choose which systems it wants from any combined Third Party System. It would not have to receive any systems, or pay for any bandwidth, that it did not choose.⁹

Changes to the List of Third Party Data Feeds

The Exchange proposes to make the following changes to the list of Third Party Data Feeds:

• Consistent with the fact that no User connects to them, delete Canadian Securities Exchange (CSE), Euronext Optiq Compressed Cash, Euronext Optiq Compressed Derivatives, Euronext Optiq Shaped Cash, Euronext Optiq Shaped Derivatives, MSCI 5 Mb, MSCI 25 Mb, OneChicago, Vela—SuperFeed <500 Mb, Vela—SuperFeed >500 Mb to <1.25 Gb, and Vela—SuperFeed >1.25 Gb and the associated monthly recurring fees (collectively and together with the Proposed Third Party Systems Deletions, the “Proposed Deletions”).

• Change the name of “BM&F Bovespa” to “B3 Bovespa” consistent with the name change of BM&FBOVESPA S.A.¹⁰

• To add clarity, add “Chicago Mercantile Exchange” before “CME Group,” and put “CME Group” in parentheses.

• To add clarity, add “(GIDS)” after “Nasdaq Global Index Data Service.”

• Change the name of ITG TriAct Matchnow to Cboe MATCHNow, consistent with its sale to Cboe Global Markets.¹¹

• Change the name of Neo Aequitas to Cboe Canada, consistent with its sale to Cboe Global Markets.¹²

To make these changes, the list of available Third Party Data Feeds would be amended as follows (proposed deletions bracketed, proposed additions italicized):

Third Party Data Feed	Monthly recurring connectivity fee per Third Party Data Feed
[BM&F] <i>B3 Bovespa</i>	\$3,000
Boston Options Exchange (BOX)	1,000
[Canadian Securities Exchange (CSE)]	1,000]
Cboe BZX Exchange (CboeBZX) and Cboe BYX Exchange (CboeBYX)	2,000
<i>Cboe Canada</i>	1,200
Cboe EDGX Exchange (CboeEDGX) and Cboe EDGA Exchange (CboeEDGA)	2,000
Cboe Exchange (Cboe) and Cboe C2 Exchange (C2)	2,000
<i>Cboe MATCHNow</i>	1,000
Chicago Mercantile Exchange (CME Group)	3,000
[Euronext Optiq Compressed Cash]	900]
[Euronext Optiq Compressed Derivatives]	600]
[Euronext Optiq Shaped Cash]	1,200]
[Euronext Optiq Shaped Derivatives]	900]

⁶ See 003–2017–DF–External Communication, Re. New Corporate Name of BM&FBOVESPA and Merger of Cetip (June 19, 2017) (available at https://www.b3.com.br/en_us/regulation/circular-letters-and-external-communications/bm-fbovespa/?dataFim=2017&pagination=3).

⁷ See “Cboe Completes MATCHNow Technology Migration and Launches its First New Canadian Offering,” February 8, 2022, at [https://ir.cboe.com/news/news-details/2022/Cboe-Completes-](https://ir.cboe.com/news/news-details/2022/Cboe-Completes-MATCHNow-Technology-Migration-and-Launches-its-First-New-Canadian-Offering-02-08-2022/default.aspx)

[MATCHNow-Technology-Migration-and-Launches-its-First-New-Canadian-Offering-02-08-2022/default.aspx](https://ir.cboe.com/news/news-details/2022/Cboe-Completes-MATCHNow-Technology-Migration-and-Launches-its-First-New-Canadian-Offering-02-08-2022/default.aspx).

⁸ See “Cboe Global Markets Completes Acquisition of NEO, Strengthening Global Equities and Listings Offerings,” June 1, 2022, at <https://www.cboe.ca/en/about/press-releases/cboe-global-markets-completes-acquisition-of-neo-strengthening-global-equities-and-listings-offerings>.

⁹ For example, if a User connected to CboeBYX and CboeBZX but did not access any other Cboe system, including Cboe C2, it would not pay for any additional system or have its monthly fee changed as a consequence of the proposed combination.

¹⁰ See note 6, *supra*.

¹¹ See note 7, *supra*.

¹² See note 8, *supra*.

	Third Party Data Feed	Monthly recurring connectivity fee per Third Party Data Feed
	*	*
Investors Exchange (IEX)		1,000
[ITG TriAct Matchnow		1,000]
Miami International Securities Exchange/MIAX PEARL		2,000
Montréal Exchange (MX)		1,000
[MSCI 5 Mb		500]
[MSCI 25 Mb		1,200]
Nasdaq Stock Market		2,000
Nasdaq Global Index Data Service (<i>GIDS</i>)		100
	*	*
[Neo Aequitas		1,200]
Omega		1,000
[OneChicago		1,000]
OTC Markets Group		1,000
[Vela—SuperFeed <500 Mb		250]
[Vela—SuperFeed >500 Mb to <1.25 Gb		800]
[Vela—SuperFeed >1.25 Gb		1,000]
TMX Group		2,500

Application and Impact of the Proposed Changes

The proposed rule change would not apply differently to distinct types or sizes of market participants. Rather, it would apply to all Users equally. As is currently the case, the purchase of any colocation service is completely voluntary and the Fee Schedule is applied uniformly to all Users. The Exchange does not expect that the proposed rule change will affect current Users or result in new Users.

The proposed change is not otherwise intended to address any other issues relating to colocation services or related fees, and the Exchange is not aware of any problems that Users would have in complying with the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹³ in general, and furthers the objectives of Section 6(b)(5) of the Act,¹⁴ 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 regulating, clearing, settling, processing information with respect to, and 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 and because it is not designed to permit unfair discrimination between customers.

issuers, brokers, or dealers. The Exchange further believes that the proposed rule change is consistent with Section 6(b)(4) of the Act,¹⁵ because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities.

The Proposed Rule Change Is Reasonable and Not Unfairly Discriminatory

The Exchange believes that the proposed changes are reasonable and not unfairly discriminatory, as it believes that none of the changes are substantive or will affect current Users. Simply put, no Users would be adversely affected by the proposed changes.

No change to existing fees is proposed. Specifically, the Exchange does not propose to change the monthly recurring fee Users pay for access to each Third Party System. Although the proposed changes to the list of Third Party Systems would combine the names of several current Third Party Systems, no User would be charged more as a consequence of the combinations. A User would continue to be able to choose which systems it wants from any combined Third Party System. It would not have to receive any systems, or pay for any bandwidth, that it did not choose. Similarly, the Exchange or does not propose to change any existing fees for connectivity to Third Party Data Feeds.

No User connects to any of the Proposed Deletions—in fact, one of the Proposed Deletions is for an entity that

is no longer offering trading.¹⁶ As a result, no User would be affected by the Proposed Deletions.

The proposed alterations to the names of BM&F Bovespa, CME Group, ITG TriAct Matchnow, Nasdaq Global Index Data Services and NeoAequitas are name changes only and would have no effect on the fee charged. Rather, they would add clarity and consistency for Users and, for BM&F Bovespa, ITG TriAct Matchnow, and Neo Aequitas, be consistent with name changes and sales. The proposed alterations to the names would therefore increase Users' ability to recognize Third Party Systems and Third Party Data Feeds.

The Exchange believes that the proposed change is not unfairly discriminatory because it will not result in any changed fees. Fees will continue only being charged to Users that voluntarily select to receive the corresponding services. Furthermore, the Exchange believes that the proposed change is not unfairly discriminatory because the changed services would be available to all Users on an equal basis (*i.e.*, the same products and services are available to all Users).

The Proposed Rule Change Is Equitable

The Exchange believes that the proposed rule change is equitable.

No change to existing fees is proposed. Specifically, the Exchange does not propose to change the monthly

¹³ 15 U.S.C. 78f(b).

¹⁴ 15 U.S.C. 78f(b)(5).

¹⁵ 15 U.S.C. 78f(b)(4).

¹⁶OneChicago, a U.S. based futures exchange, ceased trading in September 2020. *See* Securities Exchange Act Release No. 91117 (February 11, 2021), 86 FR 03218 (February 18, 2021) (Order Granting OneChicago, LLC’s Request To Withdraw From Registration as a National Securities Exchange Solely for the Purposes of Trading Security Futures Products).

recurring fee Users pay for access to each Third Party System. Although the proposed changes to the list of Third Party Systems would combine the names of several current Third Party Systems, no User would be charged more as a consequence. A User would not have to receive any systems, or pay for any bandwidth, that it did not choose. Similarly, the Exchange does not propose to change any existing fees for connectivity to Third Party Data Feeds.

The Exchange believes that the changes proposed herein are equitably allocated because, in addition to the services being completely voluntary, they are available to all Users on an equal basis (*i.e.*, the same products and services are available to all Users).

For all these reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,¹⁷ the Exchange believes that the proposed rule change will not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

The proposed change would not affect competition among national securities exchanges, among members of the Exchange, or between FIDS and its commercial competitors.

The proposed changes are not designed to address competitive issues. The Exchange does not believe that any Users would be adversely affected by the changes. Rather, the changes would simplify the Connectivity Fee Schedule, enhancing its clarity and transparency. The changes would not put any market participants at a relative disadvantage compared to other market participants or penalize one or more categories of market participants in a manner that would impose an undue burden on competition.

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 Act¹⁸ and Rule

19b-4(f)(6) thereunder.¹⁹ 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.²⁰

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)²¹ 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 (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NYSECHX-2025-05 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-2025-05. 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

¹⁹ 17 CFR 240.19b-4(f)(6).

²⁰ 17 CFR 240.19b-4(f)(6)(iii). 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.

²¹ 15 U.S.C. 78s(b)(2)(B).

only one method. The Commission will post all comments on the Commission's internet website (<https://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 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSECHX-2025-05 and should be submitted on or before April 25, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²²

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-05784 Filed 4-3-25; 8:45 am]

BILLING CODE 8011-01-P

SOCIAL SECURITY ADMINISTRATION

[Docket No: SSA-2025-0008]

Agency Information Collection Activities: Proposed Request

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104-13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes a revisions and extensions of OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and ways to minimize burden on respondents, including the use of automated

²² 17 CFR 200.30-3(a)(12).

¹⁷ 15 U.S.C. 78f(b)(8).

¹⁸ 15 U.S.C. 78s(b)(3)(A)(iii).

collection techniques or other forms of information technology. Mail, email, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers.

(OMB) Office of Management and Budget, Attn: Desk Officer for SSA (SSA) Social Security Administration, OLCA, Attn: Reports Clearance Director, Mail Stop 3253 Altmeyer, 6401 Security Blvd., Baltimore, MD 21235, Fax: 833-410-1631, Email address: OR.Reports.Clearance@ssa.gov.

Or you may submit your comments online through <https://www.reginfo.gov/>

[public/do/PRAMain](#) by clicking on Currently under Review—Open for Public Comments and choosing to click on one of SSA's published items. Please reference Docket ID Number [SSA-2025-0008] in your submitted response.

I. The information collections below are pending at SSA. SSA will submit them to OMB within 60 days from the date of this notice. To be sure we consider your comments, we must receive them no later than June 3, 2025. Individuals can obtain copies of the collection instruments by writing to the above email address.

1. Statement of Employer—20 CFR 404.801-404.803-0960-0030. When workers report they received wages from

employers, but cannot provide proof of those earnings, and the wages do not appear in SSA's records of earnings, SSA uses Form SSA-7011-F4, Statement of Employer, to document the alleged wages. Specifically, the agency uses the form to resolve discrepancies in the individual's Social Security earnings record and to process claims for Social Security benefits. SSA only sends Form SSA-7011-F4 to employers if we are unable able to locate the earnings information within our own records. The respondents are employers who can verify wage allegations made by wage earners.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Total annual opportunity cost (dollars) **
SSA-7011-F4	750	1	30	375	*\$31.48	**\$11,805

*We based this figure on average U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_nat.htm#00-0000).

**This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

2. Supplement to Claim of Person Outside the United States—20 CFR 422.505(b), 404.460, 404.463, and 42 CFR 407.27(c)—0960-0051. Claimants or beneficiaries (both United States (U.S.) citizens and aliens entitled to benefits) living outside the U.S. complete Form SSA-21 as a supplement to an application for benefits. SSA collects the information to determine eligibility for U.S. Social Security benefits for those months an alien

beneficiary or claimant is outside the U.S., and to determine if tax withholding applies. In addition, SSA uses the information to: (1) Allow beneficiaries or claimants to request a special payment exception in an SSA restricted country; (2) terminate supplemental medical insurance coverage for recipients who request it, because they are, or will be, out of the U.S.; and (3) allow claimants to collect a lump sum death benefit if the number

holder died outside the United States and we do not have information to determine whether the lump sum death benefit is payable under the Social Security Act. The respondents are Social Security claimants, or individuals entitled to Social Security benefits, who are, were, or will be residing outside the United States for three months or longer.

Type of Request: Revision of an OMB-approved information collection.

Modality of collection	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Average wait time for teleservice centers (minutes) **	Total annual opportunity cost (dollars) ***
Paper version—U.S. Residents	143	1	14	33	*\$22.39	.....	***\$739
Paper version—Residents of a Tax Treaty Country	755	1	9	113	*22.39	.....	***2,530
Paper version—Nonresident aliens	570	1	8	76	*22.39	.....	***1,702
Intranet version—(MCS)—U.S. Residents	371	1	11	68	*22.39	21	***4,433
Intranet version—(MCS)—Residents of a Tax Treaty Country	1,956	1	6	196	*22.39	21	***19,726
Intranet version—(MCS)—Nonresident aliens	1,485	1	5	124	*22.39	21	***14,419
Totals	5,280	.....	.....	610	.....	.....	***43,549

*We based this figure on the combined average DI payments (<https://www.ssa.gov/legislation/2024FactSheet.pdf>) and the average U.S. worker's salary; as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_nat.htm).

**We based this figure on the average FY 2025 wait times for teleservice centers, based on SSA's current management information data.

***This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete.*

3. Student Reporting Form—20 CFR 404.352(b)(2), 404.367, 404.368, 404.415, 404.434, & 422.135-0960-0088. To qualify for Social Security Title II student benefits, student beneficiaries must be in full-time

attendance status at an educational institution. In addition, SSA requires these beneficiaries to report events that may cause a reduction, termination, or suspension of their benefits. SSA collects such information on Forms

SSA-1383 and SSA-1383-FC, to determine if the changes or events the student beneficiaries report will affect their continuing entitlement to SSA benefits. SSA also uses the SSA-1383 and SSA-1383-FC to calculate the

correct benefit amounts for student beneficiaries. The respondents are

Social Security Title II student beneficiaries.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars)*	Average wait time in field office (minutes)**	Total annual opportunity cost (dollars)***
SSA-1383	8,158	1	6	816	* \$7.25	** 23	*** \$28,587
SSA-1383-FC	557	1	6	56	* 7.25	** 23	*** 1,958
Totals	8,715	.....	.....	872	.....	.....	*** 30,545

* We based this figure on the Federal minimum hourly wage, as reported by Bureau of Labor Statistics data. <https://www.bls.gov/opub/reports/minimum-wage/2023/>.

** We based this figure on the average FY 2025 wait times for field offices, based on SSA's current management information data.

*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

4. RSI/DI Quality Review Case Analysis—Sampled Number Holder, Form SSA-2930; RSI/DI Quality Review Case Analysis—Auxiliaries/Survivor, Form SSA-2931; Stewardship Annual Earnings Test Workbook, Form SSA-4659—0960-0189. Section 205(a) of the Social Security Act (Act) authorizes the Commissioner of SSA to conduct the quality review process, which entails collecting information related to the accuracy of payments made under the Old-Age, Survivors, and Disability Insurance Program (OASDI). Sections 228(a)(3), 1614(a)(1)(B), and 1836(2) of the Act require a determination of the citizenship or alien status of the beneficiary; this is only one item that we might question as part of the Annual Quality review. SSA uses Forms SSA-

2930 and SSA-2931, to establish a national payment accuracy rate for all cases in payment status, and to serve as a source of information regarding problem areas in the Retirement Survivors Insurance (RSI) and Disability Insurance (DI) programs. SSA also uses the information to measure the accuracy rate for newly adjudicated RSI or DI cases. SSA uses Form SSA-4659 to evaluate the effectiveness of the annual earnings test, and to use the results in developing ongoing improvements in the process. Respondents receive a notice for a telephone review using the SSA-8553 (Beneficiary Telephone Contact) or notice for a telephone review for the representative payee using the SSA-8554 (Rep Payee Telephone Contact). To help the

beneficiary prepare for the interview, we include three forms with each notice: (1) SSA-85 (Information Needed to Review Your Social Security Claim), which lists the information the beneficiary will need to gather for the interview; (2) SSA-2935 (Authorization to the Social Security Administration to Obtain Personal Information), which verifies the beneficiary's correct payment amount, if necessary; and (3) SSA-8552 (Interview Confirmation), which confirms or reschedules the interview if necessary. The respondents are a statistically valid sample of all OASDI beneficiaries in current pay status or their representative payees.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars)*	Average wait time for teleservice call centers (minutes)**	Total annual opportunity cost (dollars)***
SSA-2930	1,500	1	30	750	* \$22.39	** 21	*** \$28,547
SSA-2931	850	1	30	425	* 22.39	** 21	*** 16,188
SSA-4659	325	1	10	54	* 22.39	** 21	*** 3,762
SSA-8550	385	1	5	32	* 22.39	** 21	*** 3,739
SSA-8551	95	1	5	8	* 22.39	** 21	*** 918
SSA-8552	35	1	5	3	* 22.39	** 21	*** 336
SSA-8553	4,970	1	5	414	* 22.39	** 21	*** 48,228
SSA-8554	705	1	5	59	* 22.39	** 21	*** 6,851
SSA-8552	2,350	1	5	196	* 22.39	** 21	*** 22,815
SSA-85	3,850	1	5	321	* 22.39	** 21	*** 37,369
SSA-2935	2,350	1	5	196	* 22.39	** 21	*** 22,815
SSA-8510+	800	1	5	67	* 22.39	** 19	*** 7,769
Totals	18,215	.....	.....	2,525	.....	.....	*** 199,337

+ Note: We also obtain approval for the SSA-8510 under OMB No. 0960-0707. However, here we only account for the burden used as part of the quality review process, and we do not account for the burden associated with the quality review process under 0960-0707.

* We based this figure on the combined average DI payments based on SSA's current FY 2025 data (<https://www.ssa.gov/legislation/2024FactSheet.pdf>) and on the average U.S worker's hourly wages, as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_nat.htm).

** We based this figure on the average FY 2025 wait times for teleservice centers, based on SSA's current management information data.

*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

5. Modified Benefit Formula Questionnaire—Foreign Pension—0960-0561. SSA applies the Windfall Elimination Provision (WEP), a modified benefit formula for calculating Title II Social Security retirement or disability benefits, for months payable

before January 2024. For those months, WEP affects the benefits of certain beneficiaries who received both a non-covered pension or annuity (domestic or foreign) as well as a Title II Social Security retirement or disability benefit. A non-covered pension or annuity is

one that is based on earnings where the employer did not withhold Social Security taxes. SSA uses the information collected on Form SSA-308 to determine how much (if any) of a foreign pension reduces the amount of the Social Security benefit before

January 2024. Respondents complete Form SSA-308 during the initial claims process (only if filed before January 2024) as well as in post-entitlement situations when someone needs to report receipt of a new foreign pension

received before January 2024. The respondents are Title II Social Security retirement and disability applicants and beneficiaries who became entitled to their benefit after 1985 and who also received a foreign pension before

January 2024 while entitled to their Social Security benefit.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Average wait time in field office (minutes) **	Total annual opportunity cost (dollars) ***
SSA-308	2,465	1	10	411	*\$22.39	** 23	*** \$30,361

* We based this figure on the combined average DI payments based on SSA's current FY 2025 data (<https://www.ssa.gov/legislation/2024FactSheet.pdf>) and on the average U.S worker's hourly wages, as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_nat.htm).

** We based this figure on the average FY 2025 wait times for field offices, based on SSA's current management information data.

*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

6. Request for Business Entity Taxpayer Information—0960-0731. SSA requires Law firms or other business entities to complete Form SSA-1694, Request for Business Entity Taxpayer Information, if they wish to serve as appointed representatives and receive direct payment of fees from SSA. SSA

uses the information to issue a Form 1099-MISC. SSA also uses the information to allow business entities to designate individuals to serve as entity administrators authorized to perform certain administrative duties on their behalf, such as providing bank account information, maintaining entity

information, and updating individual affiliations. Respondents are law firms or other business entities with attorneys or other qualified individuals as partners or employees who represent claimants before SSA.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Total annual opportunity cost (dollars) **
SSA-1694 paper version	181	1	20	60	*\$84.84	** \$5,090

* We based this figure on the average legal occupation's hourly salary, as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_nat.htm#00-00000).

** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

Dated: April 1, 2025.

Tasha Harley,
Acting Reports Clearance Officer, Social Security Administration.

[FR Doc. 2025-05867 Filed 4-3-25; 8:45 am]

BILLING CODE 4191-02-P

Any inquiries on this request should be directed to waybill@stb.gov.

Jeffrey Herzig,
Clearance Clerk.

[FR Doc. 2025-05870 Filed 4-3-25; 8:45 am]

BILLING CODE 4915-01-P

Accounting, Bureau of the Fiscal Services, Parkersburg, West Virginia 26106-1328.

You can download this notice at the following internet addresses: <<http://www.treasury.gov>> or <<http://www.federalregister.gov>>.

SURFACE TRANSPORTATION BOARD

Release of Waybill Data

The Surface Transportation Board has received a request from the University of Houston (WB25-13—3/31/25) for permission to use select data from the Board's 2010-2025 masked Carload Waybill Samples. A copy of this request may be obtained from the Board's website under docket no. WB25-13.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to these requests, they should file their objections with the Director of the Board's Office of Economics within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.9.

DEPARTMENT OF THE TREASURY

Interest Rate Paid on Cash Deposited to Secure U.S. Immigration and Customs Enforcement Immigration Bonds

AGENCY: Departmental Offices, Treasury.

ACTION: Notice.

SUMMARY: For the period beginning April 1, 2025, and ending on June 30, 2025, the U.S. Immigration and Customs Enforcement Immigration Bond interest rate is 3 per centum per annum.

DATES: Rates are applicable April 1, 2025, to June 30, 2025.

ADDRESSES: Comments or inquiries may be mailed to Will Walcutt, Supervisor, Funds Management Branch, Funds Management Division, Fiscal

FOR FURTHER INFORMATION CONTACT: Ryan Hanna, Manager, Funds Management Branch, Funds Management Division, Fiscal Accounting, Bureau of the Fiscal Service, Parkersburg, West Virginia 261006-1328 (304) 480-5120; Will Walcutt, Supervisor, Funds Management Branch, Funds Management Division, Fiscal Accounting, Bureau of the Fiscal Services, Parkersburg, West Virginia 26106-1328, (304) 480-5117.

SUPPLEMENTARY INFORMATION: Federal law requires that interest payments on cash deposited to secure immigration bonds shall be "at a rate determined by the Secretary of the Treasury, except that in no case shall the interest rate exceed 3 per centum per annum." 8 U.S.C. 1363(a). Related Federal regulations state that "Interest on cash

deposited to secure immigration bonds will be at the rate as determined by the Secretary of the Treasury, but in no case will exceed 3 per centum per annum or be less than zero.” 8 CFR 293.2.

Treasury has determined that interest on the bonds will vary quarterly and will accrue during each calendar quarter at a rate equal to the lesser of the average of the bond equivalent rates on 91-day

Treasury bills auctioned during the preceding calendar quarter, or 3 per centum per annum, but in no case less than zero. [FR Doc. 2015–18545]. In addition to this Notice, Treasury posts the current quarterly rate in Table 2b—Interest Rates for Specific Legislation on the Treasury Direct website.

The Deputy Assistant Secretary for Public Finance, Gary Grippo, having reviewed and approved this document,

is delegating the authority to electronically sign this document to Heidi Cohen, Federal Register Liaison for the Department, for purposes of publication in the **Federal Register**.

Heidi Cohen,

Federal Register Liaison.

[FR Doc. 2025–05824 Filed 4–3–25; 8:45 am]

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