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Presidential Documents

Title 3—

The President

Executive Order 14271 of April 15, 2025

Ensuring Commercial, Cost-Effective Solutions in Federal Contracts

By the authority vested in me as President, by the Constitution and laws of the United States of America, it is hereby ordered:

Section 1. *Purpose*. A major goal of my Administration is to eliminate unnecessary and imprudent expenditures of taxpayer dollars. Previous administrations evaded statutory preferences and abused the Federal contracting framework by procuring custom products and services where a suitable or superior commercial solution would have fulfilled the Government's needs. Doing so simultaneously stifled the integration of commercially available innovations in Government procurement while increasing Government spending, resulting in avoidable waste and costly delays to the detriment of American taxpayers. My Administration will enforce existing laws directing the Federal Government to utilize, to the maximum extent practicable, the competitive marketplace and the innovations of private enterprise to provide better, more cost-effective services to taxpayers.

Sec. 2. *Policy*. It is the policy of my Administration that agencies shall procure commercially available products and services, including those that can be modified to fill agencies' needs, to the maximum extent practicable, including pursuant to the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355, as amended) (FASA).

Sec. 3. *Definitions*. For purposes of this order:

(a) ''Agency'' means an executive department, a military department, or any independent establishment within the meaning of 5 U.S.C. 101, 102, and 104(1), respectively, and any wholly owned Government corporation within the meaning of 31 U.S.C. 9101(c).

(b) ''Approval authority'' means the senior procurement executive, designated pursuant to 41 U.S.C. 1702(c), who is responsible for management direction of the acquisition system of an agency, including implementation of the unique acquisition policies, regulations, and standards of the agency.

(c) ''Contracting officer'' has the meaning given in 48 C.F.R. 2.101.

Sec. 4. *Review of Pending Actions*. (a) Within 60 days of the date of this order, each agency's approval authority shall direct the agency's contracting officers to conduct a review of all open agency solicitations, pre-solicitation notices, solicitation notices, award notices, and sole source notices for non-commercial products or services, such as highly specialized, Government-unique systems, custom-developed products or services, or research and development requirements where the agency has not identified a satisfactory commercial option. Each contracting officer shall consolidate each such agency solicitation, pre-solicitation notice, solicitation notice, award notice, and sole source notice into a proposed application requesting approval for the purchase of the non-commercial products or services, which shall be submitted to the agency's approval authority. The proposed applications shall contain the market research and price analysis used to determine the availability of commercial products and services to meet the Government's needs and to justify the procurement of a non-commercial product or service, as required by 41 U.S.C. 3307(d) and 10 U.S.C. 3453(c) and 3453(d), as applicable, and the rationale for pursuing a Government-unique, custom-developed or otherwise non-commercial product or service.

(b) Within 30 days of the date of the receipt of the proposed applications for solicitation of non-commercial products or services under subsection (a) of this section, each approval authority shall:

(i) assess each proposed application's compliance with FASA, including the sufficiency of the market research and price analysis provided in support of the procurement of non-commercial products or services, and take appropriate action with respect to any deficiencies in the proposed application, including returning the application or any portion of the application to the contracting officer for additional research or action with respect to potential commercial products or services; and

(ii) make appropriate recommendations to advance the solicitation of commercial products or services where those products or services would be sufficient to serve the applicable procurement needs.

(c) Within 120 days of the date of this order and annually thereafter, each agency's approval authority shall provide a report to the Director of the Office of Management and Budget (OMB) detailing the agency's compliance with FASA and its progress toward implementing the policies of this order.

Sec. 5. *Oversight of Non-Commercial Procurements*. (a) Whenever an agency proposes to solicit a non-commercial product or service, the applicable contracting officer shall provide the agency's approval authority with a description of the proposed procurement, which shall include the specific reasons a non-commercial product or service is required, including all market research and price analysis in support of the proposed solicitation for such product or service. The approval authority shall review and approve or deny the proposal in writing.

(b) In conducting the review under subsection (a) of this section, the approval authority may seek input regarding the proposal from the Director of OMB. In such cases, the Director of OMB, in consultation with the Administrator for Federal Procurement Policy, shall review and assess the validity of the proposal, including the thoroughness of the market research and price analysis, and shall notify the approval authority in writing whether the Director of OMB recommends that the proposal be approved or denied.

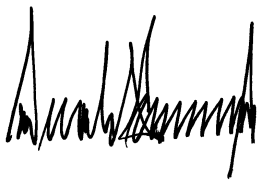
Sec. 6. *General Provisions*. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
April 15, 2025.

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Presidential Documents

Executive Order 14272 of April 15, 2025

Ensuring National Security and Economic Resilience Through Section 232 Actions on Processed Critical Minerals and Derivative Products

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862) (the ''Act''), it is hereby ordered:

Section 1. *Policy*. A strong national defense depends on a robust economy and price stability, a resilient manufacturing and defense industrial base, and secure domestic supply chains. Critical minerals, including rare earth elements, in the form of processed minerals are essential raw materials and critical production inputs required for economic and national security. Critical mineral oxides, oxalates, salts, and metals (processed critical minerals), as well as their derivative products—the manufactured goods incorporating them—are similarly foundational to United States national security and defense.

But processed critical minerals and their derivative products face significant global supply chain vulnerabilities and market distortions due to reliance on a small number of foreign suppliers. These vulnerabilities and distortions have led to significant United States import dependencies. The dependence of the United States on imports and the vulnerability of our supply chains raises the potential for risks to national security, defense readiness, price stability, and economic prosperity and resilience.

Processed critical minerals and their derivative products are essential for economic security and resilience because they underpin key industries, drive technological innovation, and support critical infrastructure vital for a modern American economy. They are key building blocks of our manufacturing base and foundational to sectors ranging from transportation and energy to telecommunications and advanced manufacturing. These economic sectors are, moreover, foundational to America's national security.

Processed critical minerals and their derivative products are essential for national security because they are foundational to military infrastructure, energy infrastructure, and advanced defense systems and technologies. They are key building blocks of our defense industrial base and integral to applications such as jet engines, missile guidance systems, advanced computing, radar systems, advanced optics, and secure communications equipment.

The United States manufacturing and defense industrial bases remain dependent on foreign sources for processed critical mineral products. Many of these foreign sources are at risk of serious, sustained, and long-term supply chain shocks. Should the United States lose access to processed critical minerals from foreign sources, the United States commercial and defense manufacturing base for derivative products could face significant shortages and an inability to meet demand.

Associated risks arise from a variety of factors. First, global supply chains are prone to disruption from geopolitical tensions, wars, natural disasters, pandemics, and trade conflicts.

Second, major global foreign producers of processed critical minerals have engaged in widespread price manipulation, overcapacity, arbitrary export restrictions, and the exploitation of their supply chain dominance to distort world markets and thereby gain geopolitical and economic leverage over

the United States and other competitors that depend on processed critical minerals to manufacture derivative products essential to their economic and national security and national defense. Therefore, the import dependence of the United States on processed critical minerals from foreign sources may pose a serious national security risk to the United States economy and defense preparedness.

Third, the risks arising from America's import dependence on processed critical minerals also extend to derivative products that are integral to the United States economy and economic and national security. For the United States to manufacture derivative products, it must have ready access to an affordable, resilient, and sustainable supply of processed critical minerals. Simultaneously, a resilient and sustainable manufacturing base for derivative products is vital to creating a stable demand base for processed critical minerals. Both must coexist to ensure economic stability and national security.

Finally, overreliance on a small number of geographic regions amplifies the risks posed by geopolitical instability and regional disruptions.

In light of the above risks and realities, an investigation under section 232 of the Act (section 232) is necessary to determine whether imports of processed critical minerals and their derivative products threaten to impair national security.

Sec. 2. *Definitions*. As used in this order:

(a) The term ''critical minerals'' means those minerals included in the ''Critical Minerals List'' published by the United States Geological Survey (USGS) pursuant to section 7002(c) of the Energy Act of 2020 (30 U.S.C. 1606) at 87 FR 10381, or any subsequent such list. The term ''critical minerals'' also includes uranium.

(b) The term ''rare earth elements'' means the 17 elements identified as rare earth elements by the Department of Energy (DOE) in the April 2020 publication titled ''Critical Materials Rare Earths Supply Chain.'' The term also includes any additional elements that either the USGS or DOE determines in any subsequent official report or publication should be considered rare earth elements.

(c) The term ''processed critical minerals'' refers to critical minerals that have undergone the activities that occur after critical mineral ore is extracted from a mine up through its conversion into a metal, metal powder or a master alloy. These activities specifically occur beginning from the point at which ores are converted into oxide concentrates; separated into oxides; and converted into metals, metal powders, and master alloys.

(d) The term ''derivative products'' includes all goods that incorporate processed critical minerals as inputs. These goods include semi-finished goods (such as semiconductor wafers, anodes, and cathodes) as well as final products (such as permanent magnets, motors, electric vehicles, batteries, smartphones, microprocessors, radar systems, wind turbines and their components, and advanced optical devices).

Sec. 3. *Section 232 Investigation*. (a) The Secretary of Commerce shall initiate an investigation under section 232 to determine the effects on national security of imports of processed critical minerals and their derivative products.

(b) In conducting the investigation described in subsection (a) of this section, the Secretary of Commerce shall assess the factors set forth in 19 U.S.C. 1862(d), labeled ''Domestic production for national defense; impact of foreign competition on economic welfare of domestic industries,'' as well as other relevant factors, including:

(i) identification of United States imports of all processed critical minerals and derivative products incorporating such processed critical minerals;

(ii) the foreign sources by percent and volume of all processed critical mineral imports and derivative product imports, the specific types of

risks that may be associated with each source by country, and those source countries deemed to be of significant risk;

(iii) an analysis of the distortive effects of the predatory economic, pricing, and market manipulation strategies and practices used by countries that process critical minerals that are exported to the United States, including the distortive effects on domestic investment and the viability of United States production, as well as an assessment of how such strategies and practices permit such countries to maintain their control over the critical minerals processing sector and distort United States market prices for derivative products;

(iv) an analysis of the demand for processed critical minerals by manufacturers of derivative products in the United States and globally, including an assessment of the extent to which such manufacturers' demand for processed critical minerals originates from countries identified under subsections (b)(ii) and (b)(iii) of this section;

(v) a review and risk assessment of global supply chains for processed critical minerals and their derivative products;

(vi) an analysis of the current and potential capabilities of the United States to process critical minerals and their derivative products; and

(vii) the dollar value of the current level of imports of all processed critical minerals and derivative products by total value and country of export.

(c) The Secretary of Commerce shall, consistent with applicable law, proceed expeditiously in conducting the investigation as follows:

(i) Within 90 days of the date of this order, the Secretary of Commerce shall submit for internal review and comment a draft interim report to the Secretary of the Treasury, the Secretary of Defense, the United States Trade Representative, the Assistant to the President for Economic Policy, and the Senior Counselor to the President for Trade and Manufacturing.

(ii) Comments to the Secretary of Commerce from the officials identified in subsection (c)(i) of this section shall be provided within 15 days of submission of the draft interim report described in subsection (c)(i) of this section.

(iii) The Secretary of Commerce shall submit a final report and recommendations to the President within 180 days of the investigation's commencement.

(d) In considering whether to make recommendations for action or inaction pursuant to section 232(b) of the Act (19 U.S.C. 1862(b)), the Secretary of Commerce shall consider:

(i) the imposition of tariffs as well as other import restrictions and their appropriate levels;

(ii) safeguards to avoid circumvention and any weakening of the section 232 measures;

(iii) policies to incentivize domestic production, processing, and recycling; and

(iv) any additional measures that may be warranted to mitigate United States national security risks, as appropriate, under the President's authority pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*).

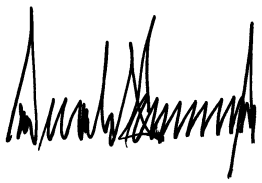
Sec. 4. *General Provisions*. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
April 15, 2025.

[FR Doc. 2025–06836
Filed 4–17–25; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Executive Order 14273 of April 15, 2025

Lowering Drug Prices by Once Again Putting Americans First

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Purpose*. My first term included numerous significant actions, including some of the most aggressive in recent history, to deliver lower prescription drug prices to American patients. The message was clear: no longer would the executive branch sit idly by as pharmaceutical manufacturers charged patients in our Nation more than those in other countries for the exact same prescription drugs, often made in the exact same places.

These actions included encouraging the development of generic and biosimilar alternatives to higher cost brand name prescription drugs and biologics to harness competitive forces and increase access to affordable medicines. The United States also, for the first time, established a pathway to expand access to lower cost drugs imported from outside of the country. Reform efforts ensured that Government-mandated discounts were passed through to patients instead of being retained by middlemen. New price transparency rules were promulgated to allow patients, doctors, and employers to see the actual cost of prescription drugs before purchase. Insulin copayments were capped for Medicare beneficiaries, and manufacturers, instead of patients and taxpayers, were forced to foot the bill through the provision of larger discounts. I also called on the Congress to come to the table to help craft sustainable solutions that would promote innovation and affordable access for the long-term. When the Congress refused, I proposed the test of an innovative new payment mechanism that would prevent drug manufacturers from charging our patients much higher prices than those found abroad.

Combined, these bold actions were delivering real savings for American patients and set the foundation to dramatically narrow the price disparity between the United States and foreign nations over time.

Unsurprisingly, the Biden Administration reversed, walked back, or neglected many of these initiatives, undoing the progress made for American patients. The Biden Administration then signed into law the misnamed Inflation Reduction Act, which included the Medicare Prescription Drug Negotiation Program. While this program has the commendable goal of reducing the drug prices Medicare and its beneficiaries pay, its administratively complex and expensive regime has thus far produced much lower savings than projected. Further, accompanying changes to the Medicare Part D program led to inflated premiums and diminished coverage choices for seniors, prompting a taxpayer-funded bailout of insurance companies offering Part D plans. Finally, the program imposes price controls on small molecule prescription drugs, usually in tablet or capsule form, 4 years earlier than on large molecule biological products. Known as the ''pill penalty,'' this discrepancy threatens to distort innovation by pushing investment towards expensive biological products, which are often indicated to treat rarer diseases, and away from small molecule prescription drugs, which are generally cheaper and treat larger patient populations.

The American people deserve better. It is time to restore the progress our Nation made in my first term to deliver lower prescription drug prices by putting Americans first and making America healthy again.

Sec. 2. *Policy*. It is the policy of the United States that Federal health care programs, intellectual property protections, and safety regulations are optimized to provide access to prescription drugs at lower costs to American patients and taxpayers.

Sec. 3. *Improving upon the Inflation Reduction Act*. (a) Within 60 days of the date of this order, the Secretary of Health and Human Services (Secretary), consistent with sections 1191 to 1198 of the Social Security Act (42 U.S.C. 1320f–1320f–7) and other applicable law, shall propose and seek comment on guidance for the Medicare Drug Price Negotiation Program for initial price applicability year 2028 and manufacturer effectuation of maximum fair price under such program in 2026, 2027, and 2028. The guidance shall improve the transparency of the Medicare Drug Price Negotiation Program, prioritize the selection of prescription drugs with high costs to the Medicare program, and minimize any negative impacts of the maximum fair price on pharmaceutical innovation within the United States.

(b) Within 180 days of the date of this order, the Assistant to the President for Domestic Policy, in coordination with the Secretary, the Director of the Office of Management and Budget (OMB Director), and the Assistant to the President for Economic Policy, shall provide recommendations to the President on how best to stabilize and reduce Medicare Part D premiums.

(c) The Secretary shall work with the Congress to modify the Medicare Drug Price Negotiation Program to align the treatment of small molecule prescription drugs with that of biological products, ending the distortion that undermines relative investment in small molecule prescription drugs, coupled with other reforms to prevent any increase in overall costs to Medicare and its beneficiaries.

Sec. 4. *Reducing the Prices of High-Cost Drugs for Seniors*. Within 1 year of the date of this order, the Secretary shall take appropriate steps to develop and implement a rulemaking plan and select for testing, consistent with 42 U.S.C. 1315a(b)(2), a payment model to improve the ability of the Medicare program to obtain better value for high-cost prescription drugs and biological products covered by Medicare, including those not subject to the Medicare Drug Price Negotiation Program.

Sec. 5. *Appropriately Accounting for Acquisition Costs of Drugs in Medicare*. Within 180 days of the date of this order, as appropriate and consistent with applicable law, the Secretary shall publish in the *Federal Register* a plan to conduct a survey under section 1833(t)(14)(D)(ii) of the Social Security Act to determine the hospital acquisition cost for covered outpatient drugs at hospital outpatient departments. Following the conclusion of this survey, the Secretary shall consider and propose any appropriate adjustments that would align Medicare payment with the cost of acquisition, consistent with the budget neutrality requirement in section 1833(t)(9)(B) of the Social Security Act and other legal requirements.

Sec. 6. *Promoting Innovation, Value, and Enhanced Oversight in Medicaid Drug Payment*. Within 180 days of the date of this order, the OMB Director, the Assistant to the President for Domestic Policy, and the Assistant to the President for Economic Policy, in coordination with the Secretary, shall jointly provide recommendations to the President on how best to ensure that manufacturers pay accurate Medicaid drug rebates consistent with section 1927 of the Social Security Act, promote innovation in Medicaid drug payment methodologies, link payments for drugs to the value obtained, and support States in managing drug spending.

Sec. 7. *Access to Affordable Life-Saving Medications*. Within 90 days of the date of this order, as appropriate and consistent with applicable law, the Secretary shall take action to ensure future grants available under section 330(e) of the Public Health Service Act, as amended, 42 U.S.C. 254b(e), are conditioned upon health centers establishing practices to make insulin and injectable epinephrine available at or below the discounted price paid by the health center grantee or sub-grantee under the 340B Prescription

Drug Program (plus a minimal administration fee) to individuals with low incomes, as determined by the Secretary, who:

(a) have a high cost-sharing requirement for either insulin or injectable epinephrine;

(b) have a high unmet deductible; or

(c) have no healthcare insurance.

Sec. 8. *Reevaluating the Role of Middlemen*. Within 90 days of the date of this order, the Assistant to the President for Domestic Policy, in coordination with the Secretary, the OMB Director, and the Assistant to the President for Economic Policy, shall provide recommendations to the President on how best to promote a more competitive, efficient, transparent, and resilient pharmaceutical value chain that delivers lower drug prices for Americans.

Sec. 9. *Accelerating Competition for High-Cost Prescription Drugs*. Within 180 days of the date of this order, the Secretary, through the Commissioner of Food and Drugs, shall issue a report providing administrative and legislative recommendations to:

(a) accelerate approval of generics, biosimilars, combination products, and second-in-class brand name medications; and

(b) improve the process through which prescription drugs can be reclassified as over-the-counter medications, including recommendations to optimally identify prescription drugs that can be safely provided to patients over the counter.

Sec. 10. *Increasing Prescription Drug Importation to Lower Prices*. Within 90 days of the date of this order, the Secretary, through the Commissioner of Food and Drugs, shall take steps to streamline and improve the Importation Program under section 804 of the Federal Food, Drug, and Cosmetic Act to make it easier for States to obtain approval without sacrificing safety or quality.

Sec. 11. *Reducing Costly Care for Seniors*. Within 180 days of the date of this order, the Secretary shall evaluate and, if appropriate and consistent with applicable law, propose regulations to ensure that payment within the Medicare program is not encouraging a shift in drug administration volume away from less costly physician office settings to more expensive hospital outpatient departments.

Sec. 12. *Improving Transparency into Pharmacy Benefit Manager Fee Disclosure*. Within 180 days of the date of this order, the Secretary of Labor shall propose regulations pursuant to section 408(b)(2)(B) of the Employee Retirement Income Security Act of 1974 to improve employer health plan fiduciary transparency into the direct and indirect compensation received by pharmacy benefit managers.

Sec. 13. *Combating Anti-Competitive Behavior by Prescription Drug Manufacturers*. Within 180 days of the date of this order, the Secretary or his designee shall conduct joint public listening sessions with the appropriate personnel from the Department of Justice, the Department of Commerce, and the Federal Trade Commission and issue a report with recommendations to reduce anti-competitive behavior from pharmaceutical manufacturers.

Sec. 14. *General Provisions*. (a) Nothing in this order shall be construed to impair or otherwise affect:

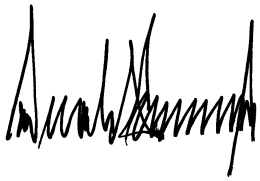
(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party

against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
April 15, 2025.

[FR Doc. 2025–06837
Filed 4–17–25; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Executive Order 14274 of April 15, 2025

Restoring Common Sense to Federal Office Space Management

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Purpose*. The American people are spread across more than 3.8 million square miles in urban, suburban, and rural areas. To provide the highest quality services in an efficient and cost-effective manner, executive departments and agencies (agencies) must be where the people are.

President Carter signed Executive Order 12072 of August 16, 1978 (Federal Space Management), ordering the Federal Government to prioritize central business districts when siting Federal facilities in urban areas. Intended to improve these districts, President Carter's order has instead prevented agencies from relocating to lower-cost facilities.

Building on Executive Order 12072, President Clinton signed Executive Order 13006 of May 21, 1996 (Locating Federal Facilities on Historic Properties in Our Nation's Central Cities), to encourage agencies to locate their facilities in historic properties and districts, especially when located in central business areas. Much like President Carter's order, President Clinton's order failed to adequately prioritize efficient and effective Government service.

Revoking these orders will restore common sense to Federal office space management by freeing agencies to select cost-effective facilities and focus on successfully carrying out their missions for American taxpayers.

Sec. 2. *Revoking Executive Orders*. (a) Executive Order 12072 is hereby revoked.

(b) Executive Order 13006 is hereby revoked.

(c) The Administrator of General Services is directed to initiate the process to amend the regulations at title 41, parts 102–79 and 102–83, Code of Federal Regulations, and to take any other steps necessary in accordance with applicable law to conform Federal office space management policy with this order.

(d) Agencies that acquire or utilize federally owned or leased space under authority other than the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 101 *et seq.*), as amended, shall conform to the provisions of this order to the extent consistent with applicable law.

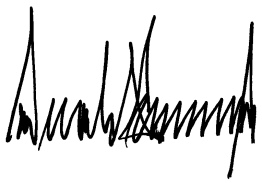
Sec. 3. *General Provisions*. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
April 15, 2025.

[FR Doc. 2025–06838
Filed 4–17–25; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Executive Order 14275 of April 15, 2025

Restoring Common Sense to Federal Procurement

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Purpose*. The Federal Government is the largest buyer of goods and services in the world—yet conducting business with the Federal Government is often prohibitively inefficient and costly. More than 40 years ago, the Federal Acquisition Regulation (FAR) was implemented to establish uniform procedures for acquisitions across executive departments and agencies (agencies). The ''vision'' of the Federal Acquisition System, codified at section 1.102 of the FAR, is to ''deliver on a timely basis the best value product or service to the customer, while maintaining the public's trust and fulfilling public policy objectives[,]'' but since its inception, the FAR has swelled to more than 2,000 pages of regulations, evolving into an excessive and overcomplicated regulatory framework and resulting in an onerous bureaucracy.

Federal procurement under the FAR receives consistently negative assessments regarding its efficiency. Comprehensive studies such as the 2024 Senate committee report entitled ''Restoring Freedom's Forge'' and the 2019 report by the Advisory Panel on Streamlining and Codifying Acquisition Regulations, created by the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) and made up of experts in acquisition and procurement policy, conclude that the FAR is a barrier to, rather than a prudent vehicle for, doing business with the Federal Government. Its harmful effects permeate various items paid for by American taxpayers, from commercial products like laptops and office supplies to major defense weapons systems. The management and expenditure of nearly $1 trillion annually in procurements cannot continue on this trajectory. Fortunately, its inadequacies are self-inflicted and can be remedied through a comprehensive reform of the FAR.

Executive Order 14192 of January 31, 2025 (Unleashing Prosperity Through Deregulation), established that the policy of the executive branch is to be prudent and financially responsible in the expenditure of funds and to alleviate unnecessary regulatory burdens placed on the American people. Reforming the FAR will advance this objective.

Sec. 2. *Policy*. It is the policy of the United States to create the most agile, effective, and efficient procurement system possible. Removing undue barriers, such as unnecessary regulations, while simultaneously allowing for the expansion of the national and defense industrial bases is paramount. Accordingly, the FAR should contain only provisions required by statute or essential to sound procurement, and any FAR provisions that do not advance these objectives should be removed.

Sec. 3. *Definitions*. (a) ''FAR'' means the Federal Acquisition Regulation codified at title 48 of the Code of Federal Regulations.

(b) ''Administrator'' refers to the Administrator of the Office of Federal Public Procurement Policy.

(c) ''Agency'' means an executive department, a military department, or any independent establishment within the meaning of 5 U.S.C. 101, 102, and 104(1), respectively, and any wholly owned Government corporation within the meaning of 31 U.S.C. 9101.

Sec. 4. *Reforming the Federal Acquisition Regulation*. Within 180 days of the date of this order, the Administrator, in coordination with the other members of the Federal Acquisition Regulatory Council (FAR Council), the heads of agencies, and appropriate senior acquisition and procurement officials from agencies, shall take appropriate actions to amend the FAR to ensure that it contains only provisions that are required by statute or that are otherwise necessary to support simplicity and usability, strengthen the efficacy of the procurement system, or protect economic or national security interests.

Sec. 5. *Aligning Agency Supplements to the FAR*.

(a) Within 15 days of the date of this order, each agency exercising procurement authority pursuant to the FAR shall designate a senior acquisition or procurement official to work with the Administrator and the FAR Council to ensure agency alignment with FAR reform and to provide recommendations regarding any agency-specific supplemental regulations to the FAR. The Administrator, the FAR Council, and each agency designee under this subsection shall collaborate to identify and appropriately address FAR provisions that are inconsistent with the policy objectives described in section 2 of this order.

(b) Within 20 days of the date of this order, the Director of the Office of Management and Budget, in consultation with the Administrator, shall issue a memorandum to agencies that provides guidance regarding implementation of this order. That memorandum shall ensure consistency and alignment of policy objectives and implementation regarding changes to the FAR and agencies' supplemental regulations to the FAR.

(c) The memorandum issued pursuant to subsection (b) of this section shall propose new agency supplemental regulations and internal guidance that promote expedited and streamlined acquisitions. With respect to such proposals, the Administrator shall direct the appropriate agency and its subordinate agencies to adhere to the ten-for-one requirement described in Executive Order 14192.

(d) The Administrator and the FAR Council shall issue deviation and interim guidance, as appropriate and consistent with applicable law, until final rules reforming the FAR are published.

Sec. 6. *Regulatory Sunset*. In amending the FAR under section 4 of this order, the Administrator, in coordination with the FAR Council, shall:

(a) identify all FAR provisions not required by statute that will remain in the FAR;

(b) consider amending the FAR such that any provisions identified in accordance with subsection (a) of this section will expire 4 years after the effective date of the final rule promulgated in accordance with section 4 of this order unless renewed by the FAR Council; and

(c) consider whether any new FAR provision not required by statute that is promulgated after the effective date of the final rule promulgated in accordance with subsection (b) of this section should include a provision stating that it will expire 4 years after its effective date unless renewed by the FAR Council.

Sec. 7. *General Provisions*. (a) Nothing in this order shall be construed to impair or otherwise affect:

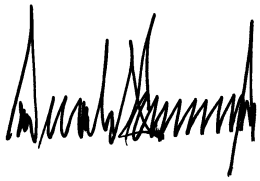
(i) the authority granted by law to an executive department, agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party

against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
April 15, 2025.

[FR Doc. 2025–06839
Filed 4–17–25; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Memorandum of April 15, 2025

Preventing Illegal Aliens From Obtaining Social Security Act Benefits

Memorandum for the Attorney General[,] the Secretary of Labor[,] the Secretary of Health and Human Services[,] the Secretary of Homeland Security[,] the Commissioner of Social Security[, and] the Inspector General of the Social Security Administration

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct:

Section 1. *Responsibility for Determining Eligibility for Public Benefits*. (a) As set forth in Executive Order 14218 of February 19, 2025 (Ending Taxpayer Subsidization of Open Borders), both Federal law (title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193)) and principles of sound administration demand that taxpayer-funded benefits be provided only to eligible persons and not encourage or reward illegal immigration to the United States. This interest is especially compelling with respect to Social Security Act benefits, which demand strict policing of fraud, waste, and abuse to ensure future eligible individuals receive the benefits to which they are entitled. Consequently, this memorandum gives additional direction for implementing Executive Order 14218 with regard to Social Security Act programs.

(b) The Secretary of Labor, the Secretary of Health and Human Services, and the Commissioner of Social Security, in consultation with the Secretary of Homeland Security as necessary, shall take all reasonable measures, consistent with applicable law, to ensure ineligible aliens are not receiving funds from Social Security Act programs. Such measures shall include promulgating any necessary guidance or regulations regarding Social Security Act funds and, to the extent appropriate and consistent with law, prioritizing civil or administrative enforcement actions against States, localities, or other similar grantees or subgrantees that do not take adequate measures to verify eligibility, stop payments to deceased or otherwise ineligible payees, or otherwise prevent ineligible aliens from receiving funds from Social Security Act programs.

(c) The Attorney General and the Commissioner of Social Security shall cooperate to detail and credential such Special Assistant United States Attorneys as are necessary to expand the Social Security Administration's (SSA) full-time fraud prosecutor program to at least 50 United States Attorney Offices by October 1, 2025. Likewise, the Attorney General and the Secretary of Health and Human Services shall cooperate to establish a similar fraud-prosecutor program utilizing Special Assistant United States Attorneys with regard to programs administered by the Centers for Medicare and Medicaid Services, which shall operate in at least 15 United States Attorney Offices by October 1, 2025. Detailees in both programs shall emphasize prosecutions of identity theft and beneficiary-side fraud. To the extent feasible, the Attorney General and the Secretary of Health and Human Services or the Commissioner of Social Security, as applicable, shall prioritize assigning new detailees in both programs to the 10 United States Attorney Offices whose jurisdictions encompass the largest known populations of illegal aliens, as determined by the Secretary of Homeland Security.

(d) The risk of beneficiary- or recipient-side fraud and abuse by illegal aliens shall also be reduced through other program-integrity measures.

(i) The Inspector General of the SSA noted in a July 2023 audit that death information regarding millions of deceased number holders is missing from the agency's files, which obstructs efforts to prevent and detect fraud and improper payments across the Government with respect to executive departments and agencies that rely on SSA's information. The Commissioner of Social Security shall fully implement the recommendations in the Inspector General of the SSA's Audit Report A–06–21–51022. The Secretary of Health and Human Services shall cooperate fully with such implementation.

(ii) The same audit report revealed that the SSA does not investigate or attempt to resolve reports of earnings received by individuals age 100 or older if the SSA has not recorded death information for such individuals, even when the reported wage-earner does not match the name or other personally identifiable information in SSA records, which may indicate identity theft, illegal work, tax evasion, or other unlawful activity. The Commissioner of Social Security shall refer promptly to the Inspector General of the SSA all earnings reports for persons age 100 or older when the purported wage-earner's name does not match SSA's files. The Inspector General of the SSA shall investigate such matters as appropriate and refer matters to the Department of Justice, other executive departments and agencies, or local prosecutors as warranted.

(iii) Finally, within 60 days of the date of this memorandum, the Commissioner of Social Security shall review whether, and under what conditions, SSA should resume pursuing civil monetary penalties under section 1129 of the Social Security Act. If the Commissioner of Social Security determines that resumption is warranted, he shall either resume such program immediately or pursue regulatory or policy changes that would allow its resumption in a timely manner.

Sec. 2. *General Provisions*. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

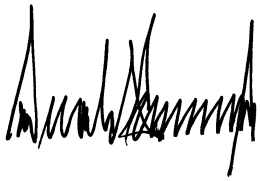
(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) The Commissioner of Social Security is authorized and directed to publish this memorandum in the *Federal Register*.



THE WHITE HOUSE,
Washington, April 15, 2025

[FR Doc. 2025–06840
Filed 4–17–25; 8:45 am]
Billing code 4191–02–P

Rules and Regulations

Federal Register
Vol. 90, No. 74
Friday, April 18, 2025

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.

The Code of Federal Regulations is sold by the Superintendent of Documents.

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

12 CFR Part 34

[Docket ID OCC–2025–0003]

FEDERAL RESERVE SYSTEM

12 CFR Part 225

[Docket No. OP–1864]

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 323

RIN 3064–ZA46

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Parts 722 and 741

[Docket ID NCUA–2025–0039]

Temporary Exceptions to FIRREA Appraisal Requirements in Los Angeles County as Affected by California Wildfires and Straight-Line Winds

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury; Board of Governors of the Federal Reserve System (Board); Federal Deposit Insurance Corporation (FDIC); and National Credit Union Administration (NCUA), collectively referred to as the agencies.

ACTION: Statement and order; temporary exceptions.

SUMMARY: The Depository Institutions Disaster Relief Act of 1992 (DIDRA) authorizes the agencies to make exceptions to statutory and regulatory appraisal requirements under Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) relating to transactions involving real property located within an area in a State or territory declared to be a major disaster by the President. In this statement and order, the agencies exercise their authority to grant temporary exceptions to the FIRREA appraisal requirements for real estate-related financial transactions, provided certain criteria are met, in Los Angeles County, California following the major disaster declared by the President as a result of wildfires and straight-line winds. The expiration date for the exceptions is January 8, 2028, which is 3 years after the date the President declared the major disaster.

DATES: This order is effective on April 18, 2025 and expires 3 years after the date the President declared the relevant area a major disaster, which is January 8, 2028.

FOR FURTHER INFORMATION CONTACT:

OCC: Kevin Lawton, Appraiser, Real Estate Specialist, Bank Supervision Policy, at (202) 649–6220; Mitchell Plave, Special Counsel, Chief Counsel's Office, at (202) 649–5400; or Joanne Phillips, Counsel, at (202) 549–5400. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

Board: Devyn Jeffereis, Senior Financial Institution Policy Analyst II, Division of Supervision and Regulation at (202) 452–2729; Matthew Suntag, Special Counsel, Legal Division, at (202) 452–3694; or Trevor Feigleson, Senior Counsel, Legal Division, at (202) 452–3274. For users of TTY–TRS, please call 711 from any telephone, anywhere in the United States.

FDIC: Patrick J. Mancoske, Senior Examination Specialist, Division of Risk Management and Supervision, at (202) 898–7032, *pmancoske@fdic.gov;* Jamie Z. Goodson, Counsel, Legal Division at (202) 898–6685, *jagoodson@fdic.gov;* Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

NCUA: Simon Hermann, Senior Credit Specialist, Office of Examination and Insurance, at (703) 518–6360; Robert Leonard, Compliance Officer, Office of General Counsel, (703) 518–1143; Rachel Ackmann, Senior Staff Attorney, Office of General Counsel, at (703) 548–2601; National Credit Union Administration, 1775 Duke Street, Alexandria, VA 22314.

SUPPLEMENTARY INFORMATION:

Statement

Section 2 of DIDRA, which added section 1123 to Title XI of FIRREA,[1] authorizes the agencies to make exceptions to statutory and regulatory appraisal requirements for certain transactions. These exceptions are available for transactions involving real property located in an area in which the President has determined a major disaster exists, pursuant to 42 U.S.C. 5170, provided that the exception would facilitate recovery from the major disaster and is consistent with safety and soundness.

On January 8, 2025, the President declared that a major disaster existed in the State of California[2] due to damage resulting from wildfires and straight-line winds beginning on January 7, 2025. The agencies have determined that granting relief from the appraisal requirements set forth in Title XI of FIRREA, and in the agencies' appraisal regulations, for real estate-related financial transactions in Los Angeles County, California is consistent with the provisions of DIDRA.

Facilitation of Recovery From the Major Disaster

The agencies have determined that the disruption of real estate markets in the area designated as adversely affected by the major disaster interferes with the ability of depository institutions[3] to obtain appraisals that comply with Title XI statutory and regulatory requirements. Further, the agencies have determined that the disruption may impede institutions in making loans and engaging in other transactions that would aid in the reconstruction and rehabilitation of the affected area. Accordingly, the agencies have determined that recovery from this major disaster would be facilitated by exempting certain transactions involving real estate located in the area designated as adversely affected by the wildfires and straight-line winds from the real estate appraisal requirements of

[1] 12 U.S.C. 3352.

[2] Press Release, FEMA (January 8, 2025), available at *https://www.fema.gov/press-release/20250109/president-joseph-r-biden-jr-approves-major-disaster-declaration-california.*

[3] Depository institutions include federally-insured credit unions.

Title XI of FIRREA and its implementing regulations.[4]

Consistency With Safety and Soundness

The agencies also have determined that the exceptions are consistent with safety and soundness, provided that the depository institution determines the following: (1) the transaction involves real property located in the area designated as adversely affected by the major disaster; (2) there is a binding commitment to fund the transaction [5] that was entered into on or after January 8, 2025, but no later than January 8, 2028; and (3) the value of the real property supports the institution's decision to enter into the transaction. In addition, the transaction must continue to be subject to review by management and by the agencies in the course of examinations of the institution.

Expiration Date

Exceptions made under section 1123 of FIRREA may be provided for no more than 3 years after the President determines a major disaster exists in an area.[6] Accordingly, the exceptions provided for by this order shall expire 3 years after the date the President declared a major disaster existed in Los Angeles County, California, which is January 8, 2028.

Order

In accordance with section 2 of DIDRA, relief is hereby granted from the provisions of Title XI of FIRREA and the agencies' appraisal regulations for any real estate-related financial transaction that requires the services of an appraiser under those provisions, provided that the institution determines each of the following:

(1) The transaction involves real property located in Los Angeles County,[7] which has been designated as adversely affected by a major disaster by the President as a result of the wildfires and straight-line winds beginning on January 7, 2025.

(2) There is a binding commitment to fund the transaction [8] that was entered into on or after January 8, 2025, but no later than January 8, 2028.

(3) The value of the real property supports the institution's decision to enter into the transaction.

Rodney E. Hood,

Acting Comptroller of the Currency.

By order of the Board of Governors of the Federal Reserve System.

Ann E. Misback,

Secretary of the Board.

Federal Deposit Insurance Corporation.

By order of the Board of Directors.

Dated at Washington, DC, on April 9, 2025.

Jennifer M. Jones,

Deputy Executive Secretary.

By order of the National Credit Union Administration Board.

Dated at Alexandria, VA, this 10th day of April, 2025.

Melane Conyers-Ausbrooks,

Secretary of the NCUA Board.

[FR Doc. 2025–06748 Filed 4–17–25; 8:45 am]

BILLING CODE 6714–01–P; 7535–01–P; 4810–33–P; 6210–01–P

[4] 12 U.S.C. 3331–3355; 12 CFR 34.41 through 34.47 (OCC); 12 CFR part 225, subpart G (Board); 12 CFR part 323, subpart A (FDIC); 12 CFR part 722 (NCUA).

[5] This relief also includes loans modified during the effective period of this order.

[6] 12 U.S.C. 3352(b).

[7] Press Release, FEMA (January 8, 2025), *available at https://www.fema.gov/press-release/20250109/president-joseph-r-biden-jr-approves-major-disaster-declaration-california.*

[8] This relief also includes loans modified during the effective period of this order.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2024–2425; Project Identifier MCAI–2023–00967–R; Amendment 39–23009; AD 2025–07–07]

RIN 2120–AA64

Airworthiness Directives; Leonardo S.p.a. Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Leonardo S.p.a. Model A109C, A109E, A109S, and AW109SP helicopters. This AD was prompted by a report of a quality escape on a batch of main rotor blades (MRBs). This AD requires repetitively tap inspecting certain MRBs and replacing those MRBs. This AD also prohibits installing those MRBs, 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 23, 2025.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of May 23, 2025.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2024–2425; 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 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 this 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–2024–2425.

FOR FURTHER INFORMATION CONTACT: Frank Huynh, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (404) 983–5288; email: *frank.huynh@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 Leonardo S.p.a. Model A109C, A109E, A109S, and AW109SP helicopters. The NPRM published in the **Federal Register** on November 19, 2024 (89 FR 91291). The NPRM was prompted by AD 2023–0159, dated August 10, 2023, issued by EASA, which is the Technical Agent for the Member States of the European Union (EASA AD 2023–0159) (also referred to as the MCAI). The MCAI states that a report was received of a quality escape on a batch of MRBs, where the tip cap had been replaced by following a procedure and using tools not in accordance with Leonardo Technical Publications.

In the NPRM, the FAA proposed to require repetitively tap inspecting certain MRBs and replacing those MRBs. The NPRM also proposed to prohibit installing those MRBs. The FAA is issuing this AD to prevent premature debonding of an MRB tip cap, which could lead to the loss of the MRB tip cap in flight, possibly resulting

in loss of control of, and damage to, the helicopter, and injury to occupants.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2024–2425.

Discussion of Final Airworthiness Directive

Comments

The FAA received three comments from an anonymous commenter. The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Allow Special Flight Permits

The commenter stated that there may be scenarios where a special flight permit could be warranted (*e.g.,* ferrying a helicopter to a maintenance facility under controlled conditions). The commenter recommended the FAA consider outlining limited circumstances under which such permits may be granted.

The FAA agrees with the commenter's request and paragraph (j) of this AD was revised to allow a special flight permit to operate the helicopter to a location where the MRB replacement can be performed, provided no passengers are onboard.

Request To Mitigate the Costs of the AD

The commenter stated that the proposed AD may impose significant costs on operators, particularly given the high replacement costs of $111,558 per MRB, and suggested that the FAA explore possible cost mitigation strategies such as engaging with Leonardo S.p.a. to offset replacement costs or providing further guidance on identifying at-risk MRBs to minimize unnecessary replacements due to the high cost of replacing an MRB.

The FAA infers that the commenter is requesting the FAA require the manufacturer to share the cost of replacing an MRB as required by the AD. The FAA, as a federal agency, is responsible for all directives, policies, and mandates issued under its authority. The FAA does not have the authority to require a manufacturer to bear AD costs incurred in privately-owned aircraft. The general obligation of the operator to maintain its aircraft in an airworthy condition is vital, but sometimes expensive. If the manufacturer determines it will cover the cost of implementing a particular action, then the manufacturer does so voluntarily. Regarding the comment for the FAA to provide further guidance on identifying at-risk MRBs, the proposed AD references EASA AD 2023–0159 for compliance. EASA AD 2023–0159 defines the ''affected part'' as an MRB assembly having part number 709–0103–01–111 or 709–0104–01–111 and, narrows down that definition to 19 particular MRB serial numbers (with or without the letter ''M'' after the serial number) and excludes those that have been repaired in accordance with certain procedures in the material referenced within. For an MRB with a specified part number and serial number, records may be reviewed to determine if the MRB is excepted by previous repair. The FAA has made no changes to this final rule based on this comment.

Request for Clarification of the Compliance Times

The commenter stated that the proposed AD does not specify precise compliance intervals for the tap inspections. The anonymous commenter also stated that the EASA AD suggests intervals based on flight hours and stated that it would be helpful for the FAA to clarify these timelines.

The FAA infers that the commenter requested clarification of the compliance time intervals for the tap inspections. As required by paragraph (g) of the proposed AD, the FAA requires compliance with EASA AD 2023–0159 in its entirety through incorporation by reference, except for any differences identified as exceptions in the regulatory text of the proposed AD. The intervals specified in EASA AD 2023–0159 for the tap inspections are not suggested, they are required. EASA AD 2023–0159 states the compliance time for the tap inspection of the MRB tip caps is within 25 flight hours (FH) of the MCAI and thereafter at intervals not to exceed 25 FH. In the NPRM, the FAA proposed the exception that where EASA AD 2023–0159 requires compliance in terms of FH, the AD would require using hours time-in-service (TIS) instead. Also, in the NPRM, the FAA proposed the exception that where EASA AD 2023–0159 uses its effective date, the AD would require using its effective date. Accordingly, the compliance time for the repetitive inspections is within 25 hours TIS of the effective date of this AD, and thereafter at intervals not to exceed 25 hours TIS. The FAA has made no changes to this final rule based on this comment.

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 MCAI referenced above. The FAA reviewed the relevant data, considered the comments received, 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 and any other changes described previously, this AD is adopted as proposed in the NPRM. None of the changes increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2023–0159, which specifies repetitively tap inspecting certain part-numbered and serial-numbered MRBs for deficiency (debonding) of the tip cap, and depending on the results, replacing the MRB. For affected MRBs that are not replaced as a result of a tap inspection, EASA AD 2023–0159 specifies replacing those MRBs within a longer compliance time. EASA AD 2023–0159 also prohibits installing those MRBs 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.

Costs of Compliance

The FAA estimates that this AD affects 19 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.

Tap inspecting the MRBs (up to four affected MRBs per helicopter) takes up to 1 work-hour for an estimated cost of up to $85 per helicopter and $1,615 for the U.S. fleet, per inspection cycle. Replacing an MRB takes 4 work-hours and parts will cost $111,218 for an estimated cost of $111,558 per MRB.

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:

2025–07–07 Leonardo S.p.a.: Amendment 39–23009; Docket No. FAA–2024–2425; Project Identifier MCAI–2023–00967–R.

(a) Effective Date

This airworthiness directive (AD) is effective May 23, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Leonardo S.p.a. Model A109C, A109E, A109S, and AW109SP helicopters, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 6210, Main Rotor Blades.

(e) Unsafe Condition

This AD was prompted by a report of a quality escape on a batch of main rotor blades (MRBs). The FAA is issuing this AD to detect and address non-conforming MRB tip caps. The unsafe condition, if not addressed, could result in premature debonding of an MRB tip cap, loss of the MRB tip cap in flight, and subsequent loss of control of, and damage to, the helicopter, and injury to occupants.

(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 2023–0159, dated August 10, 2023 (EASA AD 2023–0159).

(h) Exceptions to EASA AD 2023–0159

(1) Where EASA AD 2023–0159 requires compliance in terms of flight hours, this AD requires using hours time-in-service.

(2) Where EASA AD 2023–0159 refers to its effective date, this AD requires using the effective date of this AD.

(3) Where the note in the material referenced in paragraph (1) of EASA AD 2023–0159 specifies that the hammer tapping inspection must be performed only by appropriate qualified personnel in accordance with the national aviation regulation; for this AD, the tap test must be accomplished by persons authorized under 14 CFR 43.3. These inspections must be performed by at least a Level I inspector certified in the FAA-acceptable standards for nondestructive inspection personnel.

(4) Where paragraph (2) of EASA AD 2023–0159 states ''any deficiency;'' this AD requires replacing that text with ''any debonding.''

(5) Where paragraph (2) of EASA AD 2023–0159 states ''replace that affected part with a serviceable part in accordance with the instructions of Part II of the ASB;'' this AD requires replacing that text with ''replace that affected part, as defined in EASA AD 2023–0159, with a serviceable part, as defined in EASA AD 2023–0159.''

(6) Where paragraph (3) of EASA AD 2023–0159 states ''replace each affected part with a serviceable part in accordance with the instructions of Part II of the ASB;'' this AD requires replacing that text with ''replace each affected part, as defined in EASA AD 2023–0159, with a serviceable part, as defined in EASA AD 2023–0159.''

(7) This AD does not adopt the ''Remarks'' section of EASA AD 2023–0159.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2023–0159 specifies to submit certain information to the manufacturer, this AD does not require that action.

(j) Special Flight Permits

Special flight permits may be issued in accordance with 14 CFR 21.197 and 21.199 to operate the helicopter to a location where the MRB replacement can be performed, provided no passengers are onboard.

(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 responsible Flight Standards 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 and email to: *AMOC@faa.gov.*

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(l) Additional Information

For more information about this AD, contact Frank Huynh, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (404) 983–5288; email: *Frank.Huynh@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 2023–0159, dated August 10, 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 this 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 April 1, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–06711 Filed 4–17–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–0062; Airspace Docket No. 25–AEA–1]

RIN 2120–AA66

Amendment of Class E Airspace; Beckley, WV

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the Class E airspace at Beckley, WV. This action is the result of an airspace review conducted due to the decommissioning of the Beckley very high frequency omnidirectional range (VOR) as part of the VOR Minimum Operational Network (MON) Program. This action brings the airspace into compliance with FAA orders and supports instrument flight rule (IFR) procedures and operations.

DATES: Effective 0901 UTC, August 7, 2025. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the Notice of Proposed Rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at *www.regulations.gov* using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

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

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends the Class E surface airspace and Class E airspace extending upward from 700 feet above the surface at Raleigh County Memorial Airport, Beckley, WV, to support IFR operations at this airport.

History

The FAA published an NPRM for Docket No. FAA–2025–0062 in the **Federal Register** (90 FR 4681; January 16, 2025) proposing to amend the Class E airspace at Beckley, WV. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One comment was received supporting this action, citing purported safety enhancements and cost savings as a result of the proposed rule. No response is provided.

Incorporation by Reference

Class E airspace designations are published in paragraphs 6002 and 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. These amendments will be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11J is publicly available as listed in the **ADDRESSES** section of this document.

FAA Order JO 7400.11J lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

Differences From the NPRM

Subsequent to publication it was discovered that incorrect coordinates were published for the Raleigh County MEML: RWY 19–LOC: ''(Lat 37°46′42″ N, long 81°07′36″ W)'' should be ''(Lat 37°46′42″ N, long 81°07′35″ W)''. Additionally, a typographic error was discovered in the Class E airspace extending upward from 700 feet above the surface airspace legal description: ''. . . within a 7-mile radius of Raleigh County Memorial Airport . . .'' should be ''. . . within a 6.8-mile radius of Raleigh County Memorial Airport . . .'' As the errors do not affect the airspace as proposed, they are corrected in this action.

The Rule

This amendment to 14 CFR part 71:

Modifies the Class E surface airspace at Raleigh County Memorial Airport, Beckley, WV, by removing the Beckley VORTAC and all associated extensions from the airspace legal description; adds an extension within 1 mile each side of the 007° bearing from the Raleigh County MEML: RWY 19–LOC extending from the 4.3-mile radius to 5.2 miles north of the Raleigh County MEML: RWY 19–LOC; adds an extension within 1 mile each side of the 008° bearing from the airport extending from the 4.3-mile radius to 4.9 miles north of the airport; adds an extension 1 mile each side of the 048° bearing from the airport extending from the 4.3-mile radius to 5 miles northeast of the airport; and adds an extension 1 mile each side of the 187° bearing from the airport extending from the 4.3-mile radius to 5.1 miles south of the airport;

And modifies the Class E airspace extending upward from 700 feet above the surface to within a 6.8-mile (reduced from a 7-mile) radius of Raleigh County Memorial Airport; removes the Beckley VORTAC and associated extensions from the airspace legal description; adds an extension 2 miles each side of the 048° bearing from the airport extending from the 6.8-mile radius to 8.9 miles northeast of the airport; and adds an extension 2 miles each side of the 187° bearing from the airport extending from the 6.8-mile radius to 8.8 miles south of the airport.

Regulatory Notices and Analyses

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

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion

under the National Environmental Policy Act in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures,'' paragraph 5–6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

Paragraph 6002 Class E Airspace Areas Designated as Surface Areas.

* * * * *

AEA WV E2 Beckley, WV [Amended]

Raleigh County Memorial Airport, WV
(Lat. 37°47′14″ N, long. 81°07′27″ W)
Raleigh County MEML: RWY 19–LOC
(Lat. 37°46′42″ N, long. 81°07′35″ W)

Within a 4.3-mile radius of Raleigh County Memorial Airport; and within 1 mile each side of the 007° bearing from the Raleigh County MEML: RWY 19–LOC extending from the 4.3-mile radius to 5.2 miles north of the Raleigh County MEML: RWY 19–LOC; and within 1 mile each side of the 008° bearing from the airport extending from the 4.3-mile radius to 4.9 miles north of the airport; and within 1 mile each side of the 048° bearing from the airport extending from the 4.3-mile radius to 5 miles northeast of the airport; and within 1 mile each side of the 187° bearing from the airport extending from the 4.3-mile radius to 5.1 miles south of the airport.

* * * * *

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

* * * * *

AEA WV E5 Beckley, WV [Amended]

Raleigh County Memorial Airport, WV
(Lat. 37°47′14″ N, long. 81°07′27″ W)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of Raleigh County Memorial Airport; and within 2 miles each side of the 048° bearing from the airport extending from the 6.8-mile radius to 8.9 miles northeast of the airport; and within 2 miles each side of the 187° bearing from the airport extending from the 6.8-mile radius to 8.8 miles south of the airport.

* * * * *

Issued in Fort Worth, Texas, on April 15, 2025.

Wayne L. Eckenrode,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2025–06688 Filed 4–17–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2737; Airspace Docket No. 24–ANM–115]

RIN 2120–AA66

Establishment of Class E Airspace at Pine Bluffs Municipal Airport, Pine Bluffs, WY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace extending upward from 700 feet above the surface at Pine Bluffs Municipal Airport, Pine Bluffs, WY, to support the airport's transition from visual flight rules (VFR) to instrument flight rules (IFR) operations. This airspace rule-making action enhances the safety and efficiency of IFR arrivals and departures by providing controlled airspace for instrument procedures.

DATES: Effective date 0901 UTC, June 12, 2025. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the Notice of Proposed Rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at *www.regulations.gov* using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* You may also contact the Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Keith T. Adams, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198; telephone (206) 231–2428.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes Class E airspace to support IFR operations at Pine Bluffs Municipal Airport, Pine Bluffs, WY.

History

The FAA published a notice of proposed rulemaking for Docket No. FAA–2024–2737 in the **Federal Register** (90 FR 5671; January 17, 2025), proposing to establish Class E airspace at Pine Bluffs Municipal Airport, Pine Bluffs, WY. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. Two comments were received, both of which were in favor of the Class E airspace proposal.

Differences From the NPRM

Upon further evaluation, the FAA has determined that the existing Denver En Route Domestic Class E airspace, which begins at 1,200 feet above the surface, sufficiently supports the transitional Class E airspace requirement needed for IFR operations at Pine Bluffs Municipal Airport. As a result, the proposed second layer of Class E airspace extending from 1,200 feet above the surface will not be established as that portion of the airspace was already designated as Class E airspace. Instead, this action establishes Class E airspace extending upward from 700 feet above the surface of the earth.

Additionally, the FAA has updated the Pine Bluffs Municipal Airport legal description in its database after publication of the NPRM. To be consistent with that updated legal description, the airport reference point in this Final Rule is amended to read lat. 41°09′09″ N, long. 104°08′05″ W. As this is a minor administrative change, it is implemented in this action.

Incorporation by Reference

Class E5 airspace areas are published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. These amendments will be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11J is publicly available as listed in the **ADDRESSES** section of this document.

FAA Order JO 7400.11J lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by establishing Class E airspace extending upward from 700 feet above the surface of the earth at Pine Bluffs Municipal Airport, Pine Bluffs, WY, which is transitioning from VFR to IFR operations due to the development of instrument procedures.

To support this effort, Class E airspace is established within a 7-mile radius of the airport, within 2.1 miles either side of the airport's 090° bearing extending 9.5 mile east, and within 2.1 miles either side of the airport's 270° bearing extending 12.2 miles west. This transitional Class E airspace supports IFR arrival and departure procedures within controlled airspace.

Regulatory Notices and Analyses

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

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures,'' paragraph 5–6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

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

* * * * *

ANM WY E5 Pine Bluffs, WY [New]

Pine Bluffs Municipal Airport, WY
(lat. 41°09′09″ N, long. 104°08′05″ W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the airport, within 2.1 miles either side of the airport's 090° bearing extending 9.5 mile east, within 2.1 miles either side of the airport's 270° bearing extending 12.2 miles west of Pine Bluffs Municipal Airport, WY.

* * * * *

Issued in Des Moines, Washington, on April 14, 2025.

B.G. Chew,

Group Manager, Operations Support Group, Western Service Center.

[FR Doc. 2025–06605 Filed 4–17–25; 8:45 am]

BILLING CODE 4910–13–P

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 232

[Release Nos. 33–11369; 34–102685; 39–2560; IC–35502]

Adoption of Updated EDGAR Filer Manual

AGENCY: Securities and Exchange Commission.

ACTION: Final rule.

SUMMARY: The Securities and Exchange Commission (''Commission'') is adopting amendments to Volume II of the Electronic Data Gathering, Analysis, and Retrieval system Filer Manual (''EDGAR Filer Manual'' or ''Filer Manual'') and related rules and forms. Version 73 of Volume II of the Filer Manual reflects and identifies changes to EDGAR made in connection with Release 25.1, and Version 74 of Volume II of the Filer Manual synthesizes changes from Version 73 with changes to EDGAR made in connection with the Commission's September 27, 2024, EDGAR Filer Access and Account Management rulemaking (''EDGAR Next''). The Commission is incorporating by reference Version 74 of Volume II.

DATES: *Effective date:* April 18, 2025. The incorporation by reference of certain material listed in this final rule is approved by the Director of the Federal Register as of April 18, 2025. The incorporation by reference of certain other material listed in this final rule was approved by the Director of the Federal Register as of March 24, 2025.

FOR FURTHER INFORMATION CONTACT: For questions regarding the amendments to Volume II of the Filer Manual, please contact Rosemary Filou, Deputy Director and Chief Counsel, Lidian Pereira, Senior Special Counsel, or Jane Patterson, Senior Special Counsel, in the EDGAR Business Office at (202) 551–3900. For questions regarding Inline XBRL tagging requirements for disclosures by Special Purpose Acquisition Companies, please contact Robert Errett, Sean Harrison, Todd Canali or Joseph Lonergan in the Disclosure Management Office in the Division of Corporation Finance at (202) 551–3225. For questions regarding filers' transition to access EDGAR Next, please contact Filer Support in the EDGAR Business Office at (202) 551–8900 and select option ''2''.

SUPPLEMENTARY INFORMATION: We are adopting updated versions of the Filer Manual, Volume II: ''EDGAR Filing,'' Versions 73 and 74 (March 2025) and

amendments to 17 CFR 232.301 (''Rule 301''). The updated Filer Manual is incorporated by reference into the Code of Federal Regulations.

I. Background

The Filer Manual contains information needed for filers to make submissions on EDGAR. Filers must comply with the applicable provisions of the Filer Manual in order to assure the timely acceptance and processing of filings made in electronic format.[1] Filers must consult the Filer Manual in conjunction with our rules governing mandated electronic filings when preparing documents for electronic submission.

II. EDGAR System Changes and Associated Modifications to Volume II of the Filer Manual

EDGAR is being updated in EDGAR Release 25.1 and in connection with the EDGAR Next rulemaking, and corresponding amendments to Volume II of the Filer Manual are being made to reflect these changes, as described below.[2]

Inline XBRL Tagging Requirements for Disclosures by Special Purpose Acquisition Companies (''SPACs'')

In January 2024, the Commission adopted new rules and form amendments applicable to initial public offerings by special purpose acquisition companies (''SPACs'') and in subsequent business combination transactions between SPACs and target companies.[3] Beginning in June 2025, registrants must tag disclosure required under the final rules in Inline XBRL. EDGAR is being updated to support compliance with the tagging requirements. These changes are reflected in Version 73 of Volume II, operational March 17, 2025.

EDGAR Filer Access and Account Management (''EDGAR Next'')

On September 27, 2024, the Commission adopted rule and form amendments related to EDGAR filer access and account management known as EDGAR Next, including but not limited to amendments to Form ID, the application for EDGAR access and the EDGAR Filer Manual, Volume I.[4] On March 24, 2025, pursuant to the EDGAR Next adopting release, amendments to Form ID and to Volume I of the Filer Manual were effective. In addition, the EDGAR Filer Management website ''dashboard'' was implemented, the EDGAR access process for asset-backed security issuing entities was moved from the EDGAR Filing website to the dashboard, and optional Application Interfaces for interaction with EDGAR became available for filers that have enrolled in EDGAR Next and those whose Form ID application for EDGAR access was granted on or after March 24, 2025.

In the EDGAR Next adopting release, the Commission also indicated that it expected to adopt additional changes to Volume II of the EDGAR Filer Manual in accord with the rule and form amendments prior to September 15, 2025. Volume II of the Filer Manual was, therefore, amended to correspond to the changes to Volume I of the Filer Manual that the Commission approved as part of the EDGAR Next rulemaking. These changes are reflected in Version 74 of Volume II. Volume II of the Filer Manual, Version 74 was posted on March 24, 2025, when amended Form ID and Volume I of the Filer Manual were effective.

III. Amendments to Rule 301 of Regulation S–T

Along with the adoption of the updated Filer Manual, we are amending Rule 301 of Regulation S–T to provide for the incorporation by reference into the Code of Federal Regulations of the current revisions. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

The updated EDGAR Filer Manual is available at *https://www.sec.gov/edgar/filerinformation/current-edgar-filer-manual.*

IV. Administrative Law Matters

Because the Filer Manual and rule amendments relate solely to agency procedures or practice and do not substantially alter the rights and obligations of non-agency parties, publication for notice and comment is not required under the Administrative Procedure Act (''APA'').[5] It follows that the amendments do not require analysis under requirements of the Regulatory Flexibility Act[6] or a report to Congress under the Small Business Regulatory Enforcement Fairness Act of 1996.[7]

The effective date for the updated Filer Manual and related rule amendments is April 18, 2025. In accordance with the APA,[8] we find that there is good cause to establish an effective date less than 30 days after publication of these rules. The Commission believes that establishing an effective date less than 30 days after publication of these rules is necessary to coordinate the effectiveness of the updated Filer Manual with the related system upgrades.

Statutory Basis

We are adopting the amendments to Regulation S–T under the authority in sections 6, 7, 8, 10, and 19(a) of the Securities Act of 1933,[9] sections 3, 12, 13, 14, 15, 15B, 23, and 35A of the Securities Exchange Act of 1934,[10] section 319 of the Trust Indenture Act of 1939,[11] and sections 8, 30, 31, and 38 of the Investment Company Act of 1940.[12]

List of Subjects in 17 CFR Part 232

Incorporation by reference, Reporting and recordkeeping requirements, Securities.

In accordance with the foregoing, title 17, chapter II of the Code of Federal Regulations is amended as follows:

PART 232—REGULATION S–T—GENERAL RULES AND REGULATIONS FOR ELECTRONIC FILINGS

■ 1. The general authority citation for part 232 continues to read as follows:

Authority: 15 U.S.C. 77c, 77f, 77g, 77h, 77j, 77s(a), 77z–3, 77sss(a), 78c(b), 78*l,* 78m, 78n, 78n–1,78o(d), 78w(a), 78*ll,* 80a–6(c), 80a–8, 80a–29, 80a–30, 80a–37, 7201 *et seq.*; and 18 U.S.C. 1350, unless otherwise noted.

* * * * *

■ 2. Section 232.301 is revised to read as follows:

§ 232.301 EDGAR Filer Manual.

Filers must prepare electronic filings in the manner prescribed by the EDGAR Filer Manual, promulgated by the Commission, which sets forth the technical formatting requirements for electronic submissions. The requirements for becoming an EDGAR Filer and updating company data are set forth in the EDGAR Filer Manual, Volume I: ''General Information,'' Version 42, issued September 27, 2024. The requirements for filing on EDGAR are set forth in the updated EDGAR Filer

[1] See Rule 301 of Regulation S–T.

[2] EDGAR Release 24.4 was deployed on Dec. 16, 2024.

[3] *See* Special Purpose Acquisition Companies, Shell Companies, and Projections, Release No. 33–11265 (Jan. 24, 2024) [89 FR 14158 (Feb. 26, 2024)]; Correction to amendatory instruction [89 FR 51823 (Feb. 26, 2024)].

[4] *See* EDGAR Filer Access and Account Management, Release No. 33–11313 (Sept. 27, 2024) [89 FR 106108 (Dec. 27, 2024)].

[5] 5 U.S.C. 553(b)(A).

[6] 5 U.S.C. 601 through 612.

[7] 5 U.S.C. 804(3)(c).

[8] 5 U.S.C. 553(d)(3).

[9] 15 U.S.C. 77f, 77g, 77h, 77j, and 77s(a).

[10] 15 U.S.C. 78c, 78*l,* 78m, 78n, 78*o,* 78*o*–4, 78w, and 78*ll.*

[11] 15 U.S.C. 77sss.

[12] 15 U.S.C. 80a–8, 80a–29, 80a–30, and 80a–37.

Manual, Volume II: ''EDGAR Filing,'' Version 74 (March 2025). All EDGAR material referenced in this paragraph is incorporated by reference into this section with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. You must comply with these requirements in order for documents to be timely received and accepted. The EDGAR Filer Manual is available for inspection at the Commission and at the National Archives and Records Administration (NARA). The EDGAR Filer Manual is available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549; (202) 551–3900; *Library@sec.gov,* on official business days between the hours of 10 a.m. and 3 p.m. Operating conditions may limit access to the Commission's Public Reference Room. The EDGAR Filer Manual may also be obtained from *https://www.sec.gov/edgar/filerinformation/current-edgar-filer-manual.* For information on the availability of the EDGAR Filer Manual at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations* or email *fr.inspection@nara.gov.*

By the Commission.

Dated: March 17, 2025.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–06698 Filed 4–17–25; 8:45 am]

BILLING CODE 8011–01–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

23 CFR Part 490

[Docket No. FHWA–2025–0001]

RIN 2125–AG16

National Performance Management Measures; Assessing Performance of the National Highway System, Greenhouse Gas Emissions Measure

AGENCY: Federal Highway Administration (FHWA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: This final rule repeals a requirement that State departments of transportation (State DOT) and metropolitan planning organizations (MPO) establish declining carbon dioxide (CO_2) targets for the greenhouse gas (GHG) measure and report on progress toward the achievement of the target.

DATES: This final rule is effective May 19, 2025.

FOR FURTHER INFORMATION CONTACT: Mr. Gary A. Jensen, Office of Natural Environment, (202) 366–2048, or via email at *Gary.Jensen@dot.gov,* or Mr. Lev Gabrilovich, Office of the Chief Counsel, (202) 366–3813, or via email at *Lev.Gabrilovich@dot.gov.* Office hours are from 8 a.m. to 4:30 p.m. ET, Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Purpose of the Deregulatory Action

The purpose of this deregulatory action is to repeal the requirement that State DOTs and MPOs assess the performance of the National Highway System (NHS) under the National Highway Performance Program (NHPP) by establishing declining CO_2 emissions targets and measuring and reporting on the percent change in tailpipe CO_2 emissions on the NHS from the calendar year 2022 (also referred to as the Greenhouse Gas or GHG measure). This repeal will alleviate a burden on State DOTs and MPOs that, had it been implemented, would have imposed costs with no predictable level of benefits and without clear legal authority. This final rule does not prohibit State DOTs and MPOs from choosing voluntarily to measure and assess CO_2 on the NHS or other roads.

B. Summary of the Deregulatory Action in Question

This final rule repeals the GHG measure. By repealing this measure, FHWA will remove regulations that, if they had been implemented, would have required State DOTs and MPOs to undertake administrative activities to establish declining GHG targets, calculate their progress toward their selected targets, report to FHWA, and determine a plan of action to make progress toward their selected targets if they fail to make significant progress during a performance period.

C. Costs and Benefits

This final rule is a deregulatory action. Because the final rule establishing the GHG measure was never implemented, States and MPOs incurred minimal, if any, costs to implement the GHG measure.[1] For these reasons, cost savings are not quantified. However, repealing this measure would have the qualitative benefit of streamlining FHWA regulations by removing regulations that were not authorized by statute from the Code of Federal Regulations (CFR). This deregulatory action would also have the qualitative benefit of providing regulatory certainty to State DOTs and MPOs by aligning the CFR with recent court decisions discussed below.

II. Regulatory History

The Moving Ahead for Progress in the 21st Century Act (MAP–21) (Pub. L. 112–141) transformed the Federal-aid Highway Program by establishing new requirements for performance management to ensure the most efficient investment of Federal transportation funds. The Fixing America's Surface Transportation (FAST) Act (Pub. L. 114–94) continued these requirements. Performance management increases the accountability and transparency of the Federal-aid Highway Program and provides a framework to support improved investment decision making through a focus on performance outcomes for key national transportation goals.

FHWA conducted several rulemakings implementing the MAP–21 and FAST Act performance management framework. Most relevant to this rule are three related national performance management measure rulemakings in which FHWA established various measures for State DOTs and MPOs to use to assess performance, found at 23 CFR part 490. The first rulemaking focused on Safety Performance Management (''PM1''), and a final rule published on March 15, 2016 (81 FR 13882) established performance measures for State DOTs to use to carry out the Highway Safety Improvement Program (HSIP). The second rulemaking on Infrastructure Performance Management (''PM2'') resulted in a final rule published on January 18, 2017 (82 FR 5886), which established performance measures for assessing pavement condition and bridge condition for the NHPP. The third rulemaking, System Performance Management (''PM3''), established measures for State DOTs and MPOs to use to assess the performance of the Interstate and non-Interstate NHS for the purpose of carrying out the NHPP; to assess freight movement on the Interstate System; and to assess traffic congestion and on-road mobile source emissions for the purpose of carrying out the Congestion Mitigation and Air Quality Improvement (CMAQ) Program.

[1] However, had the rule been implemented, FHWA estimates that this deregulatory action would have resulted in cost savings equivalent to the estimated costs of the rule over a 10-year period (*i.e.,* $10.8 million, discounted at 7 percent, or $12.7 million, discounted at 3 percent) (2020 dollars). This would have equated to estimated annualized cost savings of $1.5 million (2020 dollars). Costs associated with the establishment of the GHG measure can be found in the rulemaking docket for that action at: *www.regulations.gov/document/FHWA-2021-0004-39830.*

In the preamble to the PM3 NPRM, FHWA sought public comment on whether and how to establish a CO_2 emissions measure in the final rule. FHWA published the PM3 final rule on January 18, 2017 (82 FR 5970) (''2017 GHG rule''), and included the first iteration of a GHG measure, which required State DOTs and MPOs to measure the total annual tons of CO_2 emissions from all on-road mobile sources.

On October 5, 2017 (82 FR 46427), FHWA proposed to repeal the PM3 final rule's GHG measure in light of policy direction to review existing regulations and determine whether changes would be appropriate to eliminate duplicative regulations, reduce costs, and streamline regulatory processes. After considering the public comments received, on May 31, 2018 (83 FR 24920), FHWA repealed the PM3 final rule's GHG measure, effective on July 2, 2018 (''2018 GHG repeal''). FHWA identified three main reasons for the repeal: (1) reconsideration of the underlying legal authority; (2) the cost of the GHG measure in relation to the lack of demonstrated benefits; and (3) potential duplication of information produced by the GHG measure and information produced by other initiatives related to measuring CO_2 emissions. All other performance management measures established by the PM3 final rule remain in place.

FHWA published a NPRM on July 15, 2022 (87 FR 42401), proposing to reestablish the GHG measure. After reconsidering the arguments for the 2018 GHG repeal, FHWA again proposed to require State DOTs and MPOs that have NHS mileage within their State geographic boundaries and metropolitan planning area boundaries, respectively, to establish, not only targets for reducing CO_2 emissions generated by on-road mobile sources, but *declining* targets—an even more burdensome requirement than 2017 GHG rule. FHWA explained in the preamble that the reestablishment of the GHG measure was intended to advance the policy preferences outlined in two Executive Orders.[2]

FHWA issued a final rule reestablishing the GHG measure in December 2023 (''2023 GHG rule''). As it did in the 2017 GHG rule, FHWA's 2023 GHG rule relied on 23 U.S.C. 150(c)(3) as authority for the GHG measure, and concluded that the agency's determination to the contrary in the 2018 GHG repeal represented an unduly narrow view of the statute.[3] However, the 2023 GHG rule never took effect because 22 States filed lawsuits challenging the 2023 GHG rule in Federal courts located in Texas and Kentucky.[4] Those courts have since concluded the 2023 final rule is not authorized by 23 U.S.C. 150(c)(3) and that the GHG measure was promulgated in excess of FHWA's statutory authority or arbitrary and capricious.[5] Upon motions filed by DOT, the appeals were dismissed by the Courts of Appeals for both the Fifth and Sixth Circuits. There is no pending litigation, and no other party may challenge the voluntary dismissal. This final rule to repeal the GHG measure will provide regulatory certainty to State DOTs and MPOs.

After further consideration and review of the governing statutory provisions; the relevant judicial rulings; and Executive Order 14148, *Initial Rescissions of Harmful Executive Orders and Actions* (90 FR 8237), Executive Order 14154, *Unleashing American Energy* (90 FR 8353), and Executive Order 14219, *Ensuring Lawful Governance and Implementing the President's* ''*Department of Government Efficiency*'' Deregulatory Initiative (90 FR 10583), FHWA repeals the 2023 GHG rule.

III. Administrative Procedure Act

Under the Administrative Procedure Act, the requirement for prior notice and an opportunity for public comment does not apply when the agency, for good cause, finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' *See* 5 U.S.C. 553(b)(B). FHWA finds that notice and an opportunity for public comment are unnecessary for this rulemaking because FHWA does not have legal discretion to allow the GHG measure to become effective. Specifically, two U.S. District Courts held that FHWA exceeded its statutory authority in promulgating the 2023 GHG rule or that the rule was arbitrary and capricious, the rule has been vacated, and appeals of those decisions have been dismissed. Consequently, this rule cannot become effective, and so repealing the rule has no substantive effect on the public. Further, in light of the underlying lack of statutory authority to regulate in this area, repeal of the GHG measure is not discretionary as a matter of law and so there is no benefit to providing time for comment on the agency's course of action.[6] Therefore, FHWA finds good cause to issue this final rule without notice and an opportunity for public comment.

IV. Repeal of the GHG Measure

This final rule repeals the GHG measure adopted in the 2023 GHG rule. After reconsidering and rejecting the analysis supporting the 2018 GHG repeal, FHWA readopted the GHG measure in the 2023 GHG rule as a matter of discretion through a strained reading of statutory language found in 23 U.S.C. 150(c). Today, we stand by the best reading of the plain language of the statute, which was summarized in the preamble to the 2018 GHG repeal.[7] The statute does not address CO_2 emissions explicitly or require FHWA to include a GHG measure among the national performance measures. While the establishment of the measure may have been a matter of discretion for FHWA, its repeal is not. Rather, repeal is necessary in light of subsequent court rulings supporting the legal analysis provided in the 2018 GHG repeal. Finally, repeal of the GHG measure does not preclude State DOTs and MPOs from tracking CO_2 emissions related to their own transportation programs, or from establishing their own measures and targets outside the national performance management program.

After further consideration and review of the governing statutory provisions, and the relevant judicial rulings, FHWA has again reconsidered its interpretation of the statutory language of 23 U.S.C. 150(c)(3) and now believes the narrow construction adopted in the 2018 GHG rule is the best reading of the statute. FHWA incorporates the analysis of the 2018 GHG repeal herein by reference and

[2] *See* Executive Order 13990, *Protecting Public Health and the Environment and Restoring Science To Tackle the Climate Crisis,* and Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad.* These executive orders have since been revoked by the President on January 20, 2025, in Executive Order 14148, *Initial Rescissions of Harmful Executive Orders and Actions,* and Executive Order 14154, *Unleashing American Energy.*

[3] *See* 88 FR 85367.

[4] *See Texas* v. *USDOT,* C.A. No. 5:23–cv–304, (N.D. Tex.); *Kentucky* v. *Fed. Highway Admin.,* C.A. No. 5:23–cv–162 (W.D. Ky.).

[5] *See Texas* v. *USDOT,* 726 F. Supp. 3d 695 (N.D. Tex. 2024); *Kentucky* v. *Fed. Highway Admin.,* 728 F. Supp. 3d 501 (W.D. Ky. 2024).

[6] *See, e.g., Priests for Life* v. *U.S. Dep't of HHS,* 772 F.3d 229, 276 (D.C. Cir. 2014), *vacated and remanded on other grounds sub nom. Zubik* v. *Burwell,* 578 U.S. 403 (2016) (per curiam) (good cause existed to issue rule without notice and comment period where agency reasonably interpreted that promulgating the rule was necessary to comply with court order); *see also EME Homer City Generation, LP* v. *EPA,* 795 F.3d 118, 134–35 (D.C. Cir. 2015) (agency had good cause to issue interim rule without notice and opportunity for comments to rescind agency's prior regulatory approvals consistent with D.C. Circuit decision holding those approvals to have been erroneous; ''commentators could not have said anything during a notice and comment period that would have changed that fact.'').

[7] *See* 2018 GHG repeal, section B(1), Reconsideration of Legal Authority to Adopt GHG Measure, 83 FR 24923.

proposes to repeal the GHG measure based on the same reasoning expressed therein, as well as on the reasoning of the decisions by the Federal courts in Kentucky and Texas.

V. Rulemaking Analyses and Notices

A. Executive Order 12866 (Regulatory Planning and Review)

The Office of Management and Budget (OMB) has determined that this final rule is a significant regulatory action within the meaning of Executive Order (E.O.) 12866 and within the meaning of DOT regulatory policies and procedures due to the significant public interest in regulations related to performance management. It is anticipated that the economic impact of this rulemaking will not meet the threshold in section 3(f)(1) of E.O. 12866 for the reasons discussed below.

Because the 2023 final rule establishing the GHG measure was never implemented, States and MPOs incurred minimal, if any, costs to implement the GHG measure.[8] For these reasons, cost savings are not quantified. However, repealing this measure would have the qualitative benefit of streamlining FHWA regulations by removing regulations that were not authorized by statute from the Code of Federal Regulations. This deregulatory action would also have the qualitative benefit of providing regulatory certainty to State DOTs and MPOs by aligning the CFR with recent court decisions as previously discussed.

B. Executive Order 14192 (Unleashing Prosperity Through Deregulation)

This final rule is an E.O. 14192 deregulatory action. Cost savings are not quantified.

C. Regulatory Flexibility Act

Since notice and comment rulemaking is not necessary for this rule, the analytical requirements of the Regulatory Flexibility Act (Pub. L. 96–354, 5 U.S.C. 601–612) do not apply.

[8] However, had the rule been implemented, FHWA estimates that a deregulatory action repealing the rule would have resulted in cost savings equivalent to the estimated costs of the rule over a 10-year period, *i.e.,* $10.8 million, discounted at 7 percent, and $12.7 million, discounted at 3 percent, equating to an estimated annualized cost of $1.5 million. This would equate to estimated annualized cost savings of $1.5 million. See the Regulatory Impact Analysis for the 2023 final rule, *National Performance Management Measures; Assessing Performance of the National Highway System, Greenhouse Gas Emissions Measure, RIN 2125–AF99, Final Regulatory Impact Analysis, Final Regulatory Flexibility Analysis,* FHWA–2021–0004–39830.

D. Unfunded Mandates Reform Act of 1995

FHWA has determined that this final rule does not impose unfunded mandates as defined by the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4, March 22, 1995, 109 Stat. 48). This rule does not include a Federal mandate that may result in expenditures of $151 million or more in any 1 year (when adjusted for inflation) for either State, local, and tribal governments in the aggregate, or by the private sector. Additionally, the definition of ''Federal mandate'' in the Unfunded Mandates Reform Act excludes financial assistance of the type in which State, local, or tribal governments have authority to adjust their participation in the program in accordance with changes made in the program by the Federal Government. The Federal-aid highway program permits this type of flexibility.

E. Executive Order 13132 (Federalism Assessment)

FHWA has analyzed this action in accordance with the principles and criteria contained in E.O. 13132. FHWA has determined that this final rule does not have sufficient federalism implications to warrant the preparation of a federalism assessment. FHWA has also determined that this final rule does not preempt any State law or State regulation or affect the States' ability to discharge traditional State governmental functions.

F. Executive Order 12372 (Intergovernmental Review)

The regulations implementing E.O. 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program. Local entities should refer to the Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction, for further information.

G. Paperwork Reduction Act

Under the PRA (44 U.S.C. 3501, *et seq.*), Federal agencies must obtain approval from the OMB for each collection of information they conduct, sponsor, or require through regulations. The DOT has analyzed this rule under the PRA and has determined that this rulemaking does not contain collection of information requirements for the purposes of the PRA.

H. National Environmental Policy Act

FHWA has analyzed this final rule for the purpose of NEPA, as amended (42 U.S.C. 4321 *et seq.*), and has determined that this rule would not have any effect on the quality of the environment and meets the criteria for the categorical exclusion at 23 CFR 771.117(c)(20). Further, as the Texas court concluded, FHWA lacked authority under the statute to promulgate the greenhouse gas measure, so FHWA lacks discretion to maintain the measure; as a non-discretionary action, further NEPA analysis is not required. Further NEPA analysis is not required for the additional reason that the greenhouse gas measure was enjoined before taking effect (and never went into effect), meaning that the final rule repealing the measure will not change the status quo.

I. Executive Order 13175 (Tribal Consultation)

FHWA has analyzed this final rule under E.O. 13175, dated November 6, 2000, and believes that the action would not have substantial direct effects on one or more Indian tribes; would not impose substantial direct compliance costs on Indian tribal governments; and would not preempt tribal laws. The rulemaking addresses obligations of Federal funds to State DOTs for Federal-aid Highway Projects and would not impose any direct compliance requirements on Indian tribal governments. Therefore, a tribal summary impact statement is not required.

J. Executive Order 13211 (Energy Effects)

FHWA has analyzed this final rule under E.O. 13211, *Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.* FHWA has determined that this is not a significant energy action under that order and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. Therefore, a Statement of Energy Effects is not required.

K. Regulation Identifier Number

A RIN is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in the spring and fall of each year. The RIN number contained in the heading of this document can be used to cross-reference this action with the Unified Agenda.

List of Subjects in 23 CFR Part 490

Bridges, Highway safety, Highways and roads, Reporting and recordkeeping requirements.

Issued under authority delegated in 49 CFR 1.85 on:

Gloria M. Shepherd,

Executive Director, Federal Highway Administration.

In consideration of the foregoing, FHWA amends Title 23, Code of Federal Regulations by revising part 490 to read as follows:

PART 490—NATIONAL PERFORMANCE MANAGEMENT MEASURES

■ 1. The authority citation for part 490 continues to read as follows:

Authority: 23 U.S.C. 134, 135, 148(i), and 150; 49 CFR 1.85.

Subpart A—General Information

§ 490.101 [Amended]

■ 2. Amend § 490.101 by removing the definition for *Fuels and Financial Analysis System-Highways (Fuels & FASH).*

§ 490.105 [Amended]

■ 3. Amend § 490.105 by:
■ a. Removing and reserving paragraph (c)(5);
■ b. Removing ''and (4)'' in paragraph (d) introductory text;
■ c. Removing and reserving paragraphs (d)(1)(v) and (d)(4);
■ d. Removing and reserving paragraphs (e)(1)(i), (e)(1)(ii), and (e)(4)(i)(C);
■ e. Removing '', and (e)(10)(i)'' in paragraph (e)(4)(iii);
■ f. Removing and reserving paragraph (e)(10);
■ g. Removing the second sentence of paragraph (f)(1)(i);
■ h. Removing the first instance of ''MPOs'' in paragraph (f)(3) introductory text and adding in its place ''and MPOs''; and
■ i. Removing and reserving paragraph (f)(10).

§ 490.107 [Amended]

■ 4. Amend § 490.107 by:
■ a. Removing '', and (d)'' in paragraph (a)(1);
■ b. Removing '', except for the GHG measure specified in § 490.105(c)(5)'' from the second sentence of paragraph (b)(1)(i), the third sentence of paragraph (b)(1)(i), and removing and reserving paragraph (b)(1)(ii)(H);
■ c. Removing '', except for the GHG measure specified in § 490.105(c)(5)'' from the second sentence of paragraph (b)(2)(i), the third sentence of paragraph (b)(2)(i), and removing and reserving paragraph (b)(2)(ii)(J);
■ d. Removing '', except for the GHG measure specified in § 490.105(c)(5)'' from the second sentence of paragraph (b)(3)(i), removing the third sentence of paragraph (b)(3)(i), and removing and reserving paragraph (b)(3)(ii)(I);
■ e. Removing the second sentence in paragraph (c)(2) introductory text and removing paragraphs (c)(2)(i) and (ii) and (d).

§ 490.109 [Amended]

■ 5. Amend § 490.109 by removing and reserving paragraph (d)(1)(v), removing ''§§ 490.105(c)(1) through (5)'' in paragraph (d)(1)(vi) and adding in its place ''§§ 490.105(c)(1) through (4)'', removing the second sentence of paragraph (d)(1)(vi), and removing paragraphs (d)(1)(vii) and (viii), (e)(4)(vi) and (vii), (e)(6), and (f)(1)(v).

Subpart E—National Performance Management Measures To Assess Performance of the National Highway System

§ 490.503 [Amended]

■ 6. In § 490.503 remove and reserve paragraph (a)(2).

§ 490.505 [Amended]

■ 7. In § 490.505 remove the definitions of ''Greenhouse gas'' and ''Reference year''.

§ 490.507 [Amended]

■ 8. Amend § 490.507 by:
■ a. Removing the word ''three'' in paragraph (a) introductory text and adding in its place ''two''; and
■ b. Removing and reserving paragraph (b).

§ 490.509 [Amended]

■ 9. In § 450.509 remove paragraphs (f) through (h).

§ 490.511 [Amended]

■ 10. In § 490.511 remove and reserve paragraphs (a)(2), (c), (d), and (f).

§ 490.513 [Amended]

■ 11. In § 490.513 remove paragraph (d).

§ 490.515 [Removed]

■ 12. Remove and reserve § 490.515.

[FR Doc. 2025–06664 Filed 4–17–25; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF JUSTICE

28 CFR Part 202

[Docket No. NSD 104]

RIN 1124–AA01

Pertaining To Preventing Access to U.S. Sensitive Personal Data and Government-Related Data by Countries of Concern or Covered Persons

AGENCY: National Security Division, Department of Justice.

ACTION: Correcting amendment.

SUMMARY: On January 8, 2025, the Department of Justice published a final rule, prohibiting and restricting certain data transactions with certain countries or persons. That document incorrectly listed a cross-reference. This document corrects the final rule.

DATES: Effective April 18, 2025.

FOR FURTHER INFORMATION CONTACT: Email (preferred): *NSD.FIRS.datasecurity@usdoj.gov*. Otherwise, please contact: Lee Licata, Deputy Chief for National Security Data Risks, Foreign Investment Review Section, National Security Division, U.S. Department of Justice, 175 N Street NE, Washington, DC 20002; Telephone: 202–514–8648.

SUPPLEMENTARY INFORMATION: In FR Doc. 2024–31486 (90 FR 1636) appearing on page 1636 in the **Federal Register** of January 8, 2025, an incorrect cross-reference was given on page 1719. This document corrects that error.

List of Subjects in 28 CFR Part 202

Military personnel, National security, Personally identifiable information, Privacy, Reporting and recordkeeping requirements, Security measures.

Accordingly, 28 CFR part 202 is corrected by making the following correcting amendment:

PART 202—ACCESS TO U.S. SENSITIVE PERSONAL DATA AND GOVERNMENT-RELATED DATA BY COUNTRIES OF CONCERN OR COVERED PERSONS

■ 1. The authority citation for part 202 continues to read as follows:

Authority: 50 U.S.C. 1701 *et seq.;* 50 U.S.C. 1601 *et seq.;* E.O. 14117, 89 FR 15421.

§ 202.401 [Amended]

■ 2. Amend § 202.401 in paragraph (a) by removing the phrase ''as defined by § 202.408'' and adding in its place ''as defined by § 202.248''.

Dated: April 7, 2025.

Sue J. Bai,

Supervisory Official, National Security Division, U.S. Department of Justice.

[FR Doc. 2025–06477 Filed 4–17–25; 8:45 am]

BILLING CODE 4410–PF–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 250414–0067; RTID 0648–XE684]

Fisheries of the Northeastern United States; Northeast Skate Complex; 2025 Specifications

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

ACTION: Final rule.

SUMMARY: NMFS is finalizing specifications for the 2025 Northeast skate fishery. This action is necessary to implement previously projected 2025 allowable harvest levels for the skate fishery that prevent overfishing while enabling optimum yield.

DATES: Effective May 1, 2025.

FOR FURTHER INFORMATION CONTACT: Caroline Potter, Fishery Resource Management Specialist, (978) 281–9325.

SUPPLEMENTARY INFORMATION: The Council manages a complex of seven skate species (*i.e.,* barndoor, clearnose, little, rosette, smooth, thorny, and winter) off the New England and mid-Atlantic coasts through the Northeast Skate Complex Fishery Management Plan (FMP). Skates are harvested and managed through two different targeted fisheries: (1) food (*i.e.,* the wing fishery); and (2) bait in other fisheries (*i.e.,* the bait fishery). The Northeast Skate Complex FMP requires that annual catch and possession limits for the skate fishery be reviewed annually and specified through the specifications process for up to two fishing years at a time, with the second year subject to review and change during the specifications process. Framework Adjustment 12 to the Northeast Skate Complex FMP (Framework 12) (89 FR 58076, July 17, 2024) set management measures and specifications for the skate fishery for the 2024 fishing year and projected specifications for the 2025 fishing year. Two comments were received on the proposed rule for Framework 12 (89 FR 45621, May 23, 2024). The comments were addressed in the final rule (89 FR 58076, July 17, 2024), in which we stated that no changes to the proposed rule's specifications were necessary as a result of the comments. Subsequent to publication of the final rule, the Council considered the 2025 projected specifications, the 2024 Skate Annual Monitoring Report, and other skate fishery status and performance information, at its meeting on September 24, 2024. The Council did not recommend any changes to the 2025 projected specifications. This action implements the projected skate specifications for the 2025 fishing year.

Table 1 summarizes the 2024 and 2025 specifications. No changes have been made from what was projected in the final rule for Framework 12 (89 FR 58076, July 17, 2024).

TABLE 1—2024 AND 2025 SKATE FISHERY SPECIFICATIONS, IN METRIC TONS

Acceptable Biological Catch and Annual Catch Limit (ACL)	32,155
Annual Catch Target (90% of ACL)	28,940
Overall Fishery Total Allowable Landings (TAL)	15,718
Wing TAL (66.5% of Overall TAL)	10,453
Wing Season 1 TAL (57% of Wing TAL)	5,958
Wing Season 2 TAL (43% of Wing TAL)	4,495
Bait TAL (33.5% of Overall TAL)	5,266
Bait Season 1 TAL (30.8% of Bait TAL)	1,622
Bait Season 2 TAL (37.1% of Bait TAL)	1,954
Bait Season 3 TAL (32.1% of Bait TAL)	1,690

Classification

NMFS is issuing this rule pursuant to 305(d) of the Magnuson-Stevens Fishery Conservation and Management Act, which authorizes the Secretary to implement management measures necessary to carry out an approved fishery management plan. Skate specifications are implemented pursuant to the regulations at 50 CFR 648.320(a)(7). The NMFS Assistant Administrator has determined that this final rule is consistent with the Northeast Skate Complex FMP, Framework 12, and other applicable law.

This final rule is exempt from review under Executive Order 12866, and is not regulatory under Executive Order 14192.

Pursuant to 5 U.S.C. 553(b)(B), NMFS finds good cause to waive prior public notice and opportunity for public comment on this action, because allowing time for notice and comment would be unnecessary and contrary to the public interest. The proposed rule for Framework 12 provided the public with the opportunity to comment on the 2024 and projected 2025 specifications (89 FR 45621, May 23, 2024). NMFS received two comments on the proposed rule, which were addressed in the final rule (89 FR 58076, July 17, 2024), and determined that no changes to the final rule were necessary as a result of the comments. Through both proposed and final rulemaking for Framework 12, NMFS alerted the public that a review of the projected 2025 specifications would be conducted and that NMFS would either confirm the specifications as projected or publish a proposed rule for any necessary changes prior to the May 1st start of the 2025 fishing year. In addition, the Council reviewed the 2025 projected specifications along with the 2024 Annual Skate Monitoring Report at its public meeting on September 24, 2024, which included an additional opportunity for public comment. The Council did not recommend any changes to the projected specifications. The opportunity for and consideration of public comments in the proposed and final rulemaking process for implementing Framework 12, combined with the opportunity for public comment during the Council's review of more recent data from the 2024 Annual Skate Monitoring Report in its September 24, 2024, public meeting, have already provided the public with multiple opportunities to comment on the 2025 specifications. Providing additional notice and comment on the 2025 specifications at this point would be unnecessary. In addition, doing so even though the 2025 specifications are unchanged from the 2024 specifications

could cause confusion, and therefore would be contrary to the public interest.

Pursuant to 5 U.S.C. 553(d)(3), NMFS finds that there is good cause to waive the 30-day delay in the date of effectiveness for this action. The 2025 fishing year begins on May 1, 2025, and the 2025 specifications are the same as the 2024 specifications. Requiring a 30-day delay before this final rule becomes effective does not provide any benefit to the regulated parties, as no additional time is required to come into compliance with this final rule. Unlike actions that require an adjustment period, skate fishing vessels will not need to purchase new equipment or otherwise expend time or money to comply with these management measures, because compliance simply means adhering to the same catch limits and possession limits as those for the 2024 fishing year. These specifications should be effective by the start of the skate fishing year on May 1, 2025. If this final rule is delayed for a short period, the prior year's specifications would roll over to allow continued operation of the fishery until the 2025 specifications are implemented. However, having the 2025 specifications in place by the start of the fishing season and preventing a rollover could reduce potential confusion about the 2025 specifications.

The Chief Counsel for Regulation, Department of Commerce, previously certified to the Chief Counsel for Advocacy of the Small Business Administration (SBA) that Framework 12, which set specifications for 2024 and projected specifications for 2025, would not have a significant economic impact on a substantial number of small entities. Implementing the 2025 specifications will not change the conclusions drawn in that previous certification to the SBA. No comments were received regarding this prior certification. As a result, no new regulatory flexibility analysis is required and none has been prepared.

This action does not contain a collection of information requirement for purposes of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 15, 2025.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2025–06713 Filed 4–17–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 250312–0037; RTID 0648–XE857]

Fisheries of the Exclusive Economic Zone off Alaska; Shortraker Rockfish in the Central Regulatory Area of the Gulf of Alaska

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting retention of shortraker rockfish in the Central Regulatory Area of the Gulf of Alaska (GOA) except by catcher/processors checked-in to the Central GOA Rockfish Program who are fishing with a rockfish cooperative quota permit. This action is necessary because the 2025 total allowable catch of shortraker rockfish for vessels other than these catcher/processors has been reached.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), April 15, 2025, through 2400 hours, A.l.t., December 31, 2025.

FOR FURTHER INFORMATION CONTACT: Abby Jahn, 907–586–7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the GOA (FMP) prepared and recommended by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2025 total allowable catch (TAC) of shortraker rockfish in the Central Regulatory Area of the GOA for vessels other than catcher/processors checked-in to the Central GOA Rockfish Program who are fishing with a rockfish cooperative quota permit is 113 metric tons as established by the final 2025 and 2026 harvest specifications for groundfish of the GOA (90 FR 12468, March 18, 2025).

In accordance with § 679.20(d)(2), the Regional Administrator has determined that the 2025 TAC of shortraker rockfish for vessels other than catcher/processors checked-in to the Central GOA Rockfish Program who are fishing with a rockfish cooperative quota permit will soon be or has been reached. Therefore, NMFS is requiring that shortraker rockfish for vessels in the Central Regulatory Area of the GOA be treated as prohibited species in accordance with § 679.21(a)(2) for the remainder of the year, except for shortraker rockfish in the Central Regulatory Area of the GOA caught by catcher vessels using hook-and-line, pot, or jig gear as described in § 679.20(j), or catcher vessels using trawl gear participating in the electronic monitoring program as described in § 679.21(a)(2). This action does not apply to catcher/processors checked in to the Central GOA Rockfish Program who are fishing with a rockfish cooperative quota permit.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR part 679, which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest, as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay prohibiting the retention of shortraker rockfish for vessels other than catcher/processors checked-in to the Rockfish Program who are fishing with a rockfish cooperative quota permit. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data on shortraker rockfish catch only became available as of April 14, 2025.

The Assistant Administrator for Fisheries, NOAA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 15, 2025.

Kelly Denit,

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

[FR Doc. 2025–06761 Filed 4–15–25; 4:15 pm]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 90, No. 74
Friday, April 18, 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.

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

5 CFR Part 1655

Procedures for Applying Payments to Principal and Interest Upon Loan Reamortization

AGENCY: Federal Retirement Thrift Investment Board.

ACTION: Proposed rule.

SUMMARY: The Federal Retirement Thrift Investment Board (FRTIB) proposes to amend a loan reamorization rule that requires payment of all accrued interest prior to allowing payments on the principal and current interest. Under the proposed rule, the Thrift Savings Plan (TSP) record keeper would combine the accrued interest with the outstanding principal when reamortizing a loan.

DATES: Comments must be received on or before May 19, 2025.

ADDRESSES: You may submit comments using one of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Office of General Counsel, Attn: Dharmesh Vashee, Federal Retirement Thrift Investment Board, 77 K Street NE, Suite 1000, Washington, DC 20002.

Comments will be made available to the public online at *https://www.regulations.gov.* Do not include any personally identifiable or confidential information that you do not want publicly disclosed. Anonymous comments are acceptable.

FOR FURTHER INFORMATION CONTACT:

For press inquiries: Jim Kaplan at (202) 864–7150.

For information about how to comment on this proposed rule: Laurissa Stokes at (202) 308–7707.

SUPPLEMENTARY INFORMATION: The FRTIB administers the TSP, which was established by the Federal Employees' Retirement System Act of 1986 (FERSA), Public Law 99–335, 100 Stat. 514. The TSP is a tax-deferred retirement savings plan for Federal civilian employees and members of the uniformed services. The TSP is similar to cash or deferred arrangements established for private-sector employees under section 401(k) of the Internal Revenue Code (26 U.S.C. 401(k)). The provisions of FERSA that govern the TSP are codified, as amended, largely at 5 U.S.C. 8351 and 8401–79.

Section 1655.16 of the Code of Federal Regulations requires the TSP record keeper to follow specific procedures when a TSP loan is reamortized. Currently, under § 1655.16(b), the outstanding principal balance of a participant's loan remains the same upon reamortization, and any accrued interest is paid off first before payments are applied to principal and current interest.

The FRTIB proposes to update this regulation to require the TSP record keeper to combine the accrued interest with the outstanding principal when reamortizing a loan. This proposed rule aligns the TSP's procedures with the procedures that the TSP record keeper uses for processing reamortized loan repayments of individuals who participate in the private sector plans that the TSP record keeper also services.

Regulatory Flexibility Act: This proposed regulation will not have a significant economic impact on a substantial number of small entities. This regulation will affect Federal employees, members of the uniformed services who participate in the TSP and who take out a loan from their TSP account and later have their loan reamortized.

Paperwork Reduction Act: This proposed regulation does not require additional reporting under the criteria of the Paperwork Reduction Act.

Unfunded Mandates Reform Act of 1995: Pursuant to the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 602, 632, 653, and 1501–1571, the effects of this regulation on State, local, and Tribal governments and the private sector have been assessed. This regulation will not compel the expenditure in any one year of $100 million or more by State, local, and Tribal governments, in the aggregate, or by the private sector. Therefore, a statement under 2 U.S.C. 1532 is not required.

List of Subjects in 5 CFR Part 1655

Government employees, Pensions, Retirement, Loan programs.

Ravindra Deo,

Executive Director, Federal Retirement Thrift Investment Board.

The FRTIB proposes to amend 5 CFR part 1655 as follows:

PART 1655—LOAN PROGRAM

■ 1. The authority citation for part 1655 continues to read as follows:

Authority: 5 U.S.C. 8432d, 8433(g), 8439(a)(3) and 8474.

■ 2. Amend § 1655.16 by revising paragraph (b) to read as follows:

§ 1655.16 Reamortization.

* * * * *

(b) Upon reamortization, the new principal balance of the loan will equal the outstanding principal on the date of reamortization, plus any accrued interest.

* * * * *

[FR Doc. 2025–06684 Filed 4–17–25; 8:45 am]

BILLING CODE 6760–01–P

DEPARTMENT OF ENERGY

10 CFR Part 430

[EERE–2025–BT–DET–0004]

RIN 1904–AF74

Energy Conservation Program: Proposed Withdrawal of Determination of Portable Electric Spas as a Covered Consumer Product

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

ACTION: Notice of proposed rulemaking; proposed withdrawal of determination.

SUMMARY: DOE is proposing to withdraw its prior determination that portable electric spas (''PESs'') qualify as covered products under Part A of Title III of the Energy Policy and Conservation Act, as amended (''EPCA'').

DATES: Written comments, data, and information are requested and will be accepted on or before May 19, 2025.

ADDRESSES: Interested persons are encouraged to submit comments using the Federal eRulemaking Portal at *www.regulations.gov* under docket number EERE–2025–BT–DET–0004.

Follow the instructions for submitting comments. Alternatively, interested persons may submit comments, identified by docket number EERE–2025–BT–DET–0004, by any of the following methods:

(1) *Email: PES2025DET0004@ee.doe.gov.* Include the docket number EERE–2025–BT–DET–0004 in the subject line of the message.

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

(3) *Hand Delivery/Courier:* Appliance and Equipment Standards Program, U.S. Department of Energy, Building Technologies Office, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 287–1445. If possible, please submit all items on a CD, in which case it is not necessary to include printed copies.

No telefacsimiles (''faxes'') will be accepted. For detailed instructions on submitting comments and additional information on this process, see section III of this document.

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

The docket web page can be found at *www.regulations.gov/docket/EERE-2025-BT-DET-0004.* The docket web page contains instructions on how to access all documents, including public comments, in the docket. See section III of this document for information on how to submit comments through *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT:

Dr. Carl Shapiro, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (240) 315–4339. Email: *ApplianceStandardsQuestions@ee.doe.gov.*

Ms. Kristin Koernig, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–4798. Email: *Kristin.koernig@hq.doe.gov.*

SUPPLEMENTARY INFORMATION:

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I. General Discussion

Under EPCA, DOE may add consumer products to the list of covered products for which energy conservation standards can be established. 42 U.S.C. 6292(b)(1) The coverage determination procedures require DOE to conclude that classifying products of such type as covered products is necessary or appropriate to carry out the purposes of this chapter, among other requirements. *Id.* at 42 U.S.C. 6292(b)(1)(A). Only after coverage is determined, DOE may then adopt standards and test procedures regulating such products, pursuant to the requirements set out in the statute. See generally 42 U.S.C. 6293, 6295.

On February 16, 2022, DOE published in the **Federal Register** a notice of proposed determination (''NOPD'') that proposed to determine coverage for PESs. 87 FR 8745 (February 16, 2022) (''February 2022 NOPD''). After considering public comments, data, and information from interested parties submitted in response to the February 2022 NOPD, DOE finalized the coverage determination for PESs. 87 FR 54123 (Sept. 2, 2022) (''September 2022 Determination''). As part of the determination, DOE adopted a definition of ''portable electric spa.'' [1]

DOE has reevaluated whether including portable electric spas as a covered product is necessary and appropriate to carry out the purposes of EPCA. Based on that evaluation, DOE has tentatively determined that, at this time, it is not necessary or appropriate to classify portable electric spas as a covered product to carry out the purposes of EPCA. EPCA provides the Secretary discretion in classifying a type of consumer product as a covered product as the Secretary *may* classify if certain requirements are met. (See 42 U.S.C. 6292(b) (emphasis added)). While DOE found in the September 2022 Determination that classifying PESs as a covered product was needed to set energy conservation standards for PESs and carry out EPCA's purposes to conserve energy supplies and provide for improved energy efficiency of other consumer products, DOE has reevaluated that determination. See 87 FR 54123, 54126. Using the discretion provided by EPCA for classifying additional covered products, DOE has tentatively determined that there are other avenues to conserve energy supplies than classifying PESs as a covered product and establishing standards. Therefore, DOE has tentatively found that classifying PESs as a covered product is not necessary or appropriate to carry out the purposes of EPCA.

DOE requests comment on its proposal to withdraw coverage for portable electric spas.

II. Procedural Issues and Regulatory Review

A. Review Under Executive Orders 12866 and 13563

Executive Order (''E.O.'') 12866, ''Regulatory Planning and Review,'' as supplemented and reaffirmed by E.O. 13563, ''Improving Regulation and Regulatory Review, 76 FR 3821 (Jan. 21, 2011), requires agencies, to the extent permitted by law, to (1) propose or adopt a regulation only upon a reasoned determination that its benefits justify its costs (recognizing that some benefits and costs are difficult to quantify); (2) tailor regulations to impose the least burden on society, consistent with obtaining regulatory objectives, taking into account, among other things, and to the extent practicable, the costs of cumulative regulations; (3) select, in choosing among alternative regulatory approaches, those approaches that maximize net benefits (including potential economic, environmental,

[1] DOE defined ''portable electric spa'' as a factory-built electric spa or hot tub, supplied with equipment for heating and circulating water at the time of sale or sold separately for subsequent attachment. *See* 10 CFR 430.2.

public health and safety, and other advantages; distributive impacts; and equity); (4) to the extent feasible, specify performance objectives, rather than specifying the behavior or manner of compliance that regulated entities must adopt; and (5) identify and assess available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior, such as user fees or marketable permits, or providing information upon which choices can be made by the public. DOE emphasizes as well that E.O. 13563 requires agencies to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible. In its guidance, the Office of Information and Regulatory Affairs (''OIRA'') in the Office of Management and Budget (''OMB'') has emphasized that such techniques may include identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes. For the reasons stated in the preamble, this proposed regulatory action is consistent with these principles.

Section 6(a) of E.O. 12866 also requires agencies to submit ''significant regulatory actions'' to OIRA for review. OIRA has determined that this proposed regulatory action does not constitute a ''significant regulatory action'' under section 3(f) of E.O. 12866. Accordingly, this proposed action was not submitted to OIRA for review under E.O. 12866.

B. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires preparation of an initial regulatory flexibility analysis (''IRFA'') and a final regulatory flexibility analysis (''FRFA'') for any rule that by law must be proposed for public comment, unless the agency certifies that the rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. As required by E.O. 13272, ''Proper Consideration of Small Entities in Agency Rulemaking,'' 67 FR 53461 (Aug. 16, 2002), DOE published procedures and policies on February 19, 2003, to ensure that the potential impacts of its rules on small entities are properly considered during the rulemaking process. 68 FR 7990. DOE has made its procedures and policies available on the Office of the General Counsel's website (*www.energy.gov/gc/office-general-counsel*).

DOE reviewed this proposed withdrawal of determination under the provisions of the Regulatory Flexibility Act and the policies and procedures published on February 19, 2003. This proposal does not establish test procedures or standards for PESs, and, if adopted, DOE would no longer have the authority to consider establishing or amending such measures. Therefore, DOE initially concludes that the impacts of the proposed withdrawal of determination would not have a ''significant economic impact on a substantial number of small entities,'' and that the preparation of an IRFA is not warranted. DOE will transmit this certification and supporting statement of factual basis to the Chief Counsel for Advocacy of the Small Business Administration for review under 5 U.S.C. 605(b).

C. Review Under the Paperwork Reduction Act

This proposed withdrawal of determination, which proposes that PESs do not meet the criteria for a covered product for which the Secretary may consider prescribing energy conservation standards pursuant to 42 U.S.C. 6295(o) and (p), imposes no new information or record-keeping requirements. Accordingly, the OMB clearance is not required under the Paperwork Reduction Act. (44 U.S.C. 3501 *et seq.*)

D. Review Under the National Environmental Policy Act of 1969

Pursuant to the National Environmental Policy Act of 1969 (''NEPA''), DOE is analyzing this proposed withdrawal of determination in accordance with NEPA and DOE's NEPA implementing regulations (10 CFR part 1021). DOE's regulations include a categorical exclusion for rulemakings that are strictly procedural. See 10 CFR part 1021, subpart D, appendix A6. DOE anticipates that this proposed rulemaking qualifies for categorical exclusion A6 because it is a strictly procedural rulemaking and otherwise meets the requirements for application of a categorical exclusion. See 10 CFR 1021.410. DOE will complete its NEPA review before issuing the final determination.

E. Review Under Executive Order 13132

E.O. 13132, ''Federalism,'' 64 FR 43255 (Aug. 10, 1999), imposes certain requirements on Federal agencies formulating and implementing policies or regulations that preempt State law or that have federalism implications. The Executive order requires agencies to examine the constitutional and statutory authority supporting any action that would limit the policymaking discretion of the States and to carefully assess the necessity for such actions. The Executive order also requires agencies to have an accountable process to ensure meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications. On March 14, 2000, DOE published a statement of policy describing the intergovernmental consultation process it will follow in the development of such regulations. 65 FR 13735. DOE has examined this proposed withdrawal of determination and has tentatively determined that it would not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. EPCA governs and prescribes Federal preemption of State regulations as to energy conservation for the products that are the subject of this proposed withdrawal of determination. States can petition DOE for exemption from such preemption to the extent, and based on criteria, set forth in EPCA. (42 U.S.C. 6297) Therefore, no further action is required by E.O. 13132.

F. Review Under Executive Order 12988

With respect to the review of existing regulations and the promulgation of new regulations, section 3(a) of E.O. 12988, ''Civil Justice Reform,'' imposes on Federal agencies the general duty to adhere to the following requirements: (1) eliminate drafting errors and ambiguity, (2) write regulations to minimize litigation, (3) provide a clear legal standard for affected conduct rather than a general standard, and (4) promote simplification and burden reduction. 61 FR 4729 (Feb. 7, 1996). Regarding the review required by section 3(a), section 3(b) of E.O. 12988 specifically requires that Executive agencies make every reasonable effort to ensure that the regulation (1) clearly specifies the preemptive effect, if any, (2) clearly specifies any effect on existing Federal law or regulation, (3) provides a clear legal standard for affected conduct while promoting simplification and burden reduction, (4) specifies the retroactive effect, if any, (5) adequately defines key terms, and (6) addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General. Section 3(c) of E.O. 12988 requires Executive agencies to review regulations in light of applicable standards in section 3(a) and section 3(b) to determine whether they are met or it is unreasonable to meet one or more of them. DOE has completed the required review and determined that, to the extent permitted by law, this proposed withdrawal of determination

meets the relevant standards of E.O. 12988.

G. Review Under the Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (''UMRA'') requires each Federal agency to assess the effects of Federal regulatory actions on State, local, and Tribal governments and the private sector. Public Law 104–4, sec. 201 (codified at 2 U.S.C. 1531). For a regulatory action likely to result in a rule that may cause the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector of $100 million or more in any one year (adjusted annually for inflation), section 202 of UMRA requires a Federal agency to publish a written statement that estimates the resulting costs, benefits, and other effects on the national economy. (2 U.S.C. 1532(a), (b)) The UMRA also requires a Federal agency to develop an effective process to permit timely input by elected officers of State, local, and Tribal governments on a ''significant intergovernmental mandate,'' and requires an agency plan for giving notice and opportunity for timely input to potentially affected small governments before establishing any requirements that might significantly or uniquely affect them. On March 18, 1997, DOE published a statement of policy on its process for intergovernmental consultation under UMRA. 62 FR 12820. DOE's policy statement is also available at *www.energy.gov/sites/prod/files/gcprod/documents/umra_97.pdf.*

DOE examined this proposed withdrawal of determination according to UMRA and its statement of policy and determined that the proposed withdrawal of determination does not contain a Federal intergovernmental mandate, nor is it expected to require expenditures of $100 million or more in any one year by State, local, and Tribal governments, in the aggregate, or by the private sector. As a result, the analytical requirements of UMRA do not apply.

H. Review Under the Treasury and General Government Appropriations Act, 1999

Section 654 of the Treasury and General Government Appropriations Act, 1999 (Pub. L. 105–277) requires Federal agencies to issue a Family Policymaking Assessment for any rule that may affect family well-being. This proposed withdrawal of determination would not have any impact on the autonomy or integrity of the family as an institution. Accordingly, DOE has concluded that it is not necessary to prepare a Family Policymaking Assessment.

I. Review Under Executive Order 12630

Pursuant to E.O. 12630, ''Governmental Actions and Interference with Constitutionally Protected Property Rights,'' 53 FR 8859 (March 18, 1988), DOE has determined that this proposed withdrawal of determination would not result in any takings that might require compensation under the Fifth Amendment to the U.S. Constitution.

J. Review Under the Treasury and General Government Appropriations Act, 2001

Section 515 of the Treasury and General Government Appropriations Act, 2001 (44 U.S.C. 3516, note) provides for Federal agencies to review most disseminations of information to the public under information quality guidelines established by each agency pursuant to general guidelines issued by OMB. OMB's guidelines were published at 67 FR 8452 (Feb. 22, 2002), and DOE's guidelines were published at 67 FR 62446 (Oct. 7, 2002). Pursuant to OMB Memorandum M–19–15, Improving Implementation of the Information Quality Act (April 24, 2019), DOE published updated guidelines which are available at: *www.energy.gov/sites/prod/files/2019/12/f70/DOE%20Final%20Updated%20IQA%20Guidelines%20Dec%202019.pdf.* DOE has reviewed this proposed withdrawal of determination under the OMB and DOE guidelines and has concluded that it is consistent with applicable policies in those guidelines.

K. Review Under Executive Order 13211

E.O. 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use,'' 66 FR 28355 (May 22, 2001), requires Federal agencies to prepare and submit to OIRA at OMB, a Statement of Energy Effects for any significant energy action. A ''significant energy action'' is defined as any action by an agency that promulgates or is expected to lead to promulgation of a final rule, and that: (1) is a significant regulatory action under Executive Order 12866, or any successor order and is likely to have a significant adverse effect on the supply, distribution, or use of energy; or (2) is designated by the Administrator of OIRA as a significant energy action. For any significant energy action, the agency must give a detailed statement of any adverse effects on energy supply, distribution, or use should the proposal be implemented, and of reasonable alternatives to the action and their expected benefits on energy supply, distribution, and use.

This proposed withdrawal of determination, which does not amend or establish energy conservation standards for PESs, is not a significant regulatory action under E.O. 12866. Moreover, it would not have a significant adverse effect on the supply, distribution, or use of energy, nor has it been designated as such by the Administrator at OIRA. Accordingly, DOE has not prepared a Statement of Energy Effects.

L. Review Under the Information Quality Bulletin for Peer Review

On December 16, 2004, OMB, in consultation with the Office of Science and Technology Policy (''OSTP''), issued its Final Information Quality Bulletin for Peer Review (''the Bulletin''). 70 FR 2664 (Jan. 14, 2005). The Bulletin establishes that certain scientific information shall be peer reviewed by qualified specialists before it is disseminated by the Federal Government, including influential scientific information related to agency regulatory actions. The purpose of the Bulletin is to enhance the quality and credibility of the Government's scientific information. Under the Bulletin, the energy conservation standards rulemaking analyses are ''influential scientific information,'' which the Bulletin defines as ''scientific information the agency reasonably can determine will have, or does have, a clear and substantial impact on important public policies or private sector decisions.'' 70 FR 2664, 2667.

In response to OMB's Bulletin, DOE conducted formal peer reviews of the energy conservation standards development process and the analyses that are typically used and prepared a report describing that peer review.[2] Generation of this report involved a rigorous, formal, and documented evaluation using objective criteria and qualified and independent reviewers to make a judgment as to the technical/scientific/business merit, the actual or anticipated results, and the productivity and management effectiveness of programs and/or projects. Because available data, models, and technological understanding have changed since 2007, DOE has engaged with the National Academy of Sciences to review DOE's analytical methodologies to ascertain whether

[2] The 2007 ''Energy Conservation Standards Rulemaking Peer Review Report'' is available at the following website: *www.energy.gov/eere/buildings/downloads/energy-conservation-standards-rulemaking-peer-review-report-0* (last accessed July 1, 2022).

modifications are needed to improve the Department's analyses. DOE is in the process of evaluating the resulting report.[3]

M. Review Under Additional Executive Orders and Presidential Memoranda

DOE has examined this proposed withdrawal of determination and has tentatively determined that it is consistent with the policies and directives outlined in E.O. 14154 ''Unleashing American Energy,'' E.O. 14192, ''Unleashing Prosperity Through Deregulation,'' and Presidential Memorandum, ''Delivering Emergency Price Relief for American Families and Defeating the Cost-of-Living Crisis.'' This proposed withdrawal of determination, if finalized as proposed, is expected to be an E.O. 14192 deregulatory action.

III. Public Participation

A. Submission of Comments

DOE will accept comments, data, and information regarding this notification of proposed determination no later than the date provided in the **DATES** section at the beginning of this document. Interested parties may submit comments, data, and other information using any of the methods described in the **ADDRESSES** section at the beginning of this document.

Submitting comments via www.regulations.gov. The *www.regulations.gov* web page will require you to provide your name and contact information. Your contact information will be viewable to DOE Building Technologies staff only. Your contact information will not be publicly viewable except for your first and last names, organization name (if any), and submitter representative name (if any). If your comment is not processed properly because of technical difficulties, DOE will use this information to contact you. If DOE cannot read your comment due to technical difficulties and cannot contact you for clarification, DOE may not be able to consider your comment.

However, your contact information will be publicly viewable if you include it in the comment or in any documents attached to your comment. Any information that you do not want to be publicly viewable should not be included in your comment, nor in any document attached to your comment. Otherwise, persons viewing comments will see only first and last names, organization names, correspondence containing comments, and any documents submitted with the comments.

Do not submit to *www.regulations.gov* information for which disclosure is restricted by statute, such as trade secrets and commercial or financial information (hereinafter referred to as Confidential Business Information (''CBI'')). Comments submitted through *www.regulations.gov* cannot be claimed as CBI. Comments received through the website will waive any CBI claims for the information submitted. For information on submitting CBI, see the Confidential Business Information section.

DOE processes submissions made through *www.regulations.gov* before posting. Normally, comments will be posted within a few days of being submitted. However, if large volumes of comments are being processed simultaneously, your comment may not be viewable for up to several weeks. Please keep the comment tracking number that *www.regulations.gov* provides after you have successfully uploaded your comment.

Submitting comments via email. Comments and documents submitted via email also will be posted to *www.regulations.gov.* If you do not want your personal contact information to be publicly viewable, do not include it in your comment or any accompanying documents. Instead, provide your contact information in a cover letter. Include your first and last names, email address, telephone number, and optional mailing address. With this instruction followed, the cover letter will not be publicly viewable as long as it does not include any comments.

Include contact information each time you submit comments, data, documents, and other information to DOE. No faxes will be accepted.

Comments, data, and other information submitted to DOE electronically should be provided in PDF (preferred), Microsoft Word or Excel, or text (ASCII) file format. Provide documents that are not secured, that are written in English, and that are free of any defects or viruses. Documents should not contain special characters or any form of encryption and, if possible, they should carry the electronic signature of the author.

Campaign form letters. Please submit campaign form letters by the originating organization in batches of between 50 to 500 form letters per PDF or as one form letter with a list of supporters' names compiled into one or more PDFs. This reduces comment processing and posting time.

Confidential Business Information. Pursuant to 10 CFR 1004.11, any person submitting information that he or she believes to be confidential and exempt by law from public disclosure should submit via email two well-marked copies: One copy of the document marked ''confidential'' including all the information believed to be confidential, and one copy of the document marked ''non-confidential'' with the information believed to be confidential deleted. DOE will make its own determination about the confidential status of the information and treat it according to its determination.

It is DOE policy that all comments may be included in the public docket, without change and as received, including any personal information provided in the comments (except information deemed to be exempt from public disclosure).

B. Issues on Which DOE Seeks Comments

DOE welcomes comments on all aspects of this proposed withdrawal of determination. DOE is particularly interested in receiving comments and views of interested parties concerning whether withdrawing the coverage determination of portable electric spas as a covered product is consistent with the purposes of EPCA.

DOE is also interested in receiving views concerning other relevant issues that participants believe would affect the tentative conclusions presented in this document.

After the expiration of the period for submitting written statements, DOE will consider all comments and additional information that is obtained from interested parties or through further analyses, and it may prepare a final withdrawal of the coverage determination for PESs.

IV. Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this notice of proposed rulemaking; proposed withdrawal of determination.

List of Subjects in 10 CFR Part 430

Administrative practice and procedure, Confidential business information, Energy conservation, Household appliances, Imports, Intergovernmental relations, Reporting and recordkeeping requirements, and Small businesses.

Signing Authority

This document of the Department of Energy was signed on April 11, 2025, by Louis Hrkman, Principal Deputy

[3] The report is available at *www.nationalacademies.org/our-work/review-of-methods-for-setting-building-and-equipment-performance-standards.*

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

Signed in Washington, DC, on April 15, 2025.

Treena V. Garrett,

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

For the reasons set forth in the preamble, DOE is proposing to amend part 430 of chapter II, subchapter D, of title 10 of the Code of Federal Regulations, to read as set forth below:

PART 430—ENERGY CONSERVATION PROGRAM FOR CONSUMER PRODUCTS

■ 1. The authority citation for part 430 continues to read as follows:

Authority: 42 U.S.C. 6291–6309; 28 U.S.C. 2461 note.

■ 2. Amend § 430.2 by:

■ a. Revising the definition of ''Covered product''; and

■ b. Removing the definition of ''Portable electric spa''.

The revision reads as follows:

§ 430.2 Definitions.

* * * * *

Covered product means a consumer product—

(1) Of a type specified in section 322 of the Act; or

(2) That is an air cleaner, battery charger, ceiling fan, ceiling fan light kit, dehumidifier, external power supply, medium base compact fluorescent lamp, miscellaneous refrigeration product, portable air conditioner, or torchiere.

* * * * *

[FR Doc. 2025–06729 Filed 4–17–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2055; Airspace Docket No. 22–AWP–56]

RIN 2120–AA66

Modification of Class D Airspace, Establishment of Class E Airspace; San Bernardino International Airport, San Bernardino, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Proposed rule; withdrawal.

SUMMARY: The FAA is withdrawing the notice of proposed rulemaking (NPRM) published in the **Federal Register** on October 11, 2024, which proposed to modify the Class D airspace, establish Class E airspace designated as an extension to a Class D surface area, and update the administrative portion of the legal description at San Bernardino International Airport, CA (KSBD).

DATES: Effective as of 0901 UTC, April 18, 2025, the proposed rule for KSBD (89 FR 82538; October 11, 2024) is withdrawn.

FOR FURTHER INFORMATION CONTACT: Nathan A. Chaffman, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198; telephone (206) 231–3460.

SUPPLEMENTARY INFORMATION:

History

The FAA published an NPRM in the **Federal Register** for Docket No. FAA–2024–2055 (89 FR 82538; October 11, 2024) to modify the Class D airspace, establish Class E airspace designated as an extension to a Class D surface area, and update the administrative portion of the legal description at KSBD. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. Forty-six written comments and three phone calls were received in reference to the proposed action. Most comments were against the proposal and centered around KSBD/Redland Municipal Airport's (KREI) airspace proximity/complexity, lack of RADAR/surveillance equipment at KSBD, and/or the effects of wake turbulence. Two comments were received in favor of the proposal.

The three comments received by phone requested either an extension to the comment period or an image of the proposal. The FAA published an NPRM in the **Federal Register** for Docket No. FAA–2024–2055 (89 FR 86761; October 31, 2024) to extend the docket's comment period by 15 days. On November 20, 2024, the FAA added an image of the proposed airspace to the docket via a comment that estimated how it would be presented within a visual flight rules (VFR) sectional chart.

Thirty commentors expressed concern over the 100-foot proximity between KREI's published traffic pattern altitude (2,500 feet mean sea level [MSL]) and the base of the proposed Class D airspace shelf (2,600 feet MSL), and that the lack of vertical separation between the two areas could introduce conflicts to aircraft operating in and around the vicinity of KREI. The FAA agrees that the Class D shelf within the proposal could compress KREI traffic under the shelf. Two of the 26 comments on this subject suggested the establishment of a terminal radar service area as a potential mitigation tool; this would define an area in which participating VFR aircraft would be separated from instrument flight rules (IFR) aircraft and other participating VFR aircraft, in addition to basic radar services.

Eighteen comments expressed concern about wake turbulence that could be caused by the arrival procedures to Runway 24 at KSBD. These comments are not germane to this proposal.

Twenty-three comments suggested installing surveillance equipment at KSBD. These comments are not germane to the proposal.

Eighteen comments expressed environmental concerns of increased noise, air pollution, insufficient lighting, and economic impacts to the surrounding areas. These comments are not germane to the proposal.

Nine comments expressed concern that a Class E airspace surface area extension north through east of KREI would prohibit ultralight operations. Code of Federal Regulations Title 14 § 103.17 states that no person may operate an ultralight vehicle within Class A, Class B, Class C, or Class D airspace or within the lateral boundaries of the surface area of Class E airspace designated *for an airport* unless that person has prior authorization from the air traffic control facility having jurisdiction over that airspace. Ultralight activity is permitted within Class E airspace areas designated as an extension to a Class D or Class E surface area, as the airspace is not designated *for an airport.*

Nine comments expressed concern over the lack of a common traffic frequency/universal communication frequency or facility-to-facility coordination. These comments are not germane to the proposal.

Five comments expressed concern about the lack of official weather reporting equipment at KREI. These comments are not germane to the proposal.

One commenter pointed out that KREI's sole instrument approach would impose on the proposed Class D shelf at KSBD. This comment is not germane, as the proposal is being withdrawn.

Concern was expressed by seven commenters over a perceived safety risk to northerly KREI departures caused by the proposed Class D shelf. The FAA acknowledges that the proposed Class D shelf could compress KREI traffic. Five commenters expressed concern that the proposed expansion to the northern lateral boundary to the Class D surface area would impact northern circumnavigation of KSBD. This proposal is being withdrawn and future designs will take these comments into consideration.

The Withdrawal

In consideration of the foregoing, the NPRM for Docket No. FAA–2024–2055 (89 FR 82538; October 11, 2024), FR Doc. 2024–23497 is hereby withdrawn.

Issued in Des Moines, Washington, on April 14, 2025.

B.G. Chew,

Group Manager, Operations Support Group, Western Service Center.

[FR Doc. 2025–06609 Filed 4–17–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–0670; Airspace Docket No. 25–AGL–4]

RIN 2120–AA66

Amendment of Class D and Class E Airspace; Fargo, ND

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend the Class D and Class E airspace at Fargo, ND. The FAA is proposing this action as the result of a biennial airspace review. This action will also update the geographic coordinates of the Hector International Airport, Fargo, ND, and the name of the Fargo VOR/DME to coincide with the FAA's aeronautical database. This action will bring the airspace into compliance with FAA orders and support instrument flight rule (IFR) procedures and operations.

DATES: Comments must be received on or before June 2, 2025.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2025–0670 and Airspace Docket No. 25–AGL–4 using any of the following methods:

* *Federal eRulemaking Portal:* Go to *www.regulations.gov* and follow the online instruction for sending your comments electronically.

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 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.

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go 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.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/*. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 600 Independence Avenue SW, Washington DC 20597; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the Class D airspace, the Class E airspace designated as an extension to Class D airspace, and the Class E airspace extending upward from 700 feet above the surface at Hector International Airport, Fargo, ND, to support IFR operations at this airport.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it received on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking 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–14FDMS), which can be reviewed at *www.dot.gov/privacy.*

Availability of Rulemaking Documents

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

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the

ADDRESSES section for the address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Incorporation by Reference

Class D and E airspace is published in paragraphs 5000, 6004, and 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. These updates would be published subsequently in the next update to FAA Order JO 7400.11. That order is publicly available as listed in the **ADDRESSES** section of this document.

FAA Order JO 7400.11J lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by:

Amending the Class D airspace to within a 4.4-mile (reduced from a 4.5-mile) radius of Hector International Airport, Fargo, ND;

Amending the Class E airspace designated as an extension to Class D airspace to within 1.9 (increased from 1.7) miles each side of the 009° bearing (previously radial) of the Fargo VOR/DM extending from the 4.4-mile (reduced from a 4.5-mile) radius of Hector International Airport to 6.6 (reduced from 7.8) miles south of the airport; and removing the city associated with the airport in the header of the airspace legal description to comply with changed to FAA Order JO 7400.2P, Procedures for Handling Airspace Matters.

Also, amending the Class E airspace extending from 700 ft above the surface to within a 6.9-mile (reduced from a 7-mile) radius of Hector International Airport; removing the extensions north, southwest, and southwest of the airport as they are no longer needed; adding an extension 1.1 miles each side of the 009° bearing from the Fargo VOR/DME extending from the 6.9-mile radius to 8.1 miles south of the airport; removing the airspace extending upward from 1,200 feet above the surface as it is redundant to the Class E airspace extending upward from 1,200 feet above the surface over the State of North Dakota and State of Minnesota; removing the city associated with the airport in the header of the airspace legal description to comply with changes to FAA Order JO 7400.2P; and updating the geographic coordinates of Hector International Airport and the name of the Fargo VOR/DME (previously Fargo VORTAC) to coincide with the FAA's aeronautical database.

This action is the result of a biennial airspace review.

Regulatory Notices and Analyses

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

Environmental Review

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

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

AGL ND D Fargo, ND [Amended]

Hector International Airport, ND
(Lat. 46°55′14″ N, long. 96°48′57″ W)

That airspace extending upward from the surface to and including 3,400 feet MSL within a 4.4-mile radius of Hector International Airport.

* * * * *

Paragraph 6004 Class E Airspace Areas Designated as an Extension to a Class D or Class E Surface Area.

* * * * *

AGL ND E4 Fargo, ND [Amended]

Hector International Airport, ND
(Lat. 46°55′14″ N, long. 96°48′57″ W)
Fargo VOR/DME
(Lat. 46°45′12″ N, long. 96°51′05″ W)

That airspace extending upward from the surface within 1.9 miles each side of the 009° bearing from the Fargo VOR/DME extending from the 4.4-mile radius of Hector International Airport to 6.6 miles south of the airport.

* * * * *

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

* * * * *

AGL ND E5 Fargo, ND [Amended]

Hector International Airport, ND
(Lat. 46°55′14″ N, long. 96°48′57″ W)
Fargo VOR/DME
(Lat. 46°45′12″ N, long. 96°51′05″ W)

That airspace extending upward from 700 feet above the surface within a 6.9-mile radius of Hector International Airport; and within 1.1 miles each side of the 009° bearing from the Fargo VOR/DME extending from the 6.9-mile radius of the airport to 8.1 miles south of the airport.

* * * * *

Issued in Fort Worth, Texas, on April 15, 2025.

Wayne L. Eckenrode,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2025–06689 Filed 4–17–25; 8:45 am]

BILLING CODE 4910–13–P

POSTAL SERVICE

39 CFR Part 20

International Mailing Services: Proposed Price Changes

AGENCY: Postal Service™.

ACTION: Proposed rule; request for comments.

SUMMARY: The Postal Service proposes to revise, Notice 123, *Price List,* to reflect changes coincident with the recently announced mailing services price adjustments.

DATES: We must receive your comments on or before May 19, 2025.

ADDRESSES: Mail or deliver comments to the director, Product Classification, U.S. Postal Service®, 475 L'Enfant Plaza SW, Rm. 4446, Washington, DC 20260–5015. You may inspect and photocopy all written comments at USPS® Headquarters Library, 475 L'Enfant Plaza SW, 11th Floor N, Washington, DC by appointment only between the hours of 9 a.m. and 4 p.m., Monday through Friday by calling 1–202–268–2906 in advance. Email comments, containing the name and address of the commenter, to: *PCFederalRegister@usps.gov,* with a subject line of ''July 13, 2025, International Mailing Services Proposed Price Changes.'' Faxed comments are not accepted.

FOR FURTHER INFORMATION CONTACT: Dale Kennedy at 202–268–6592 or Tonya Franklin-Whetts at 202–268–6308 or Rose Stevenson at 202–913–1670.

SUPPLEMENTARY INFORMATION: All submitted comments and attachments are part of the public record and subject to disclosure. Do not enclose any material in your comments that you consider to be confidential or inappropriate for public disclosure.

International Price and Service Adjustments

On April 9, 2025, the Postal Service filed a notice of mailing services price adjustments with the Postal Regulatory Commission (PRC), effective on July 13, 2025. The Postal Service proposes to revise Notice 123, *Price List,* available on Postal Explorer® at *https://pe.usps.com,* to reflect these new price changes. The new prices are or will be available under Docket Number R2025–1 on the Postal Regulatory Commission's website at *www.prc.gov.*

This proposed rule describes the price changes for the following market dominant international services:

- First-Class Mail International (FCMI) service.
- International extra services and fees

First-Class Mail International

The Postal Service plans to increase prices for single-piece FCMI postcards, letters, and flats by approximately 4.6%. The proposed price for a single-piece postcard will increase to $1.70 worldwide. The First-Class Mail International letter nonmachinable surcharge will increase to $0.49. The proposed FCMI single-piece letter and flat prices will be as follows:

LETTERS

Weight not over (oz.)	Price groups		
	1	2	3–9
1	1.70	1.70	1.70
2	2.00	2.55	3.40
3	2.70	3.40	5.10
3.5	3.40	4.15	5.75

FLATS

Weight not over (oz.)	Price groups		
	1	2	3–9
1	3.15	3.15	3.15
2	3.65	4.25	4.55
3	4.15	5.35	5.95
4	4.65	6.45	7.35
5	5.15	7.55	8.75
6	5.65	8.65	10.15
7	6.15	9.75	11.55
8	6.65	10.85	12.95
12	7.60	13.00	15.75
15.994	8.55	15.15	18.55

International Extra Services and Fees

The Postal Service plans to increase prices for certain market dominant international extra services including:

- Certificate of Mailing
- Registered Mail™
- Return Receipt
- Customs Clearance and Delivery Fee
- International Business Reply™ Mail Service

CERTIFICATE OF MAILING

	Fee
Individual pieces:	
Individual article (PS Form 3817)	$2.40
Duplicate copy of PS Form 3817 or PS Form 3665 (per page)	2.40
Firm mailing sheet (PS Form 3665), per piece (minimum 3), First-Class Mail International only	0.70
Bulk quantities:	
For first 1,000 pieces (or fraction thereof)	13.50
Each additional 1,000 pieces (or fraction thereof)	1.70
Duplicate copy of PS Form 3606	2.40

Registered Mail

Fee: $23.40.

Return Receipt

Fee: $6.70.

Customs Clearance and Delivery

Fee: per piece $9.50.

International Business Reply Service

Fee: Cards $2.45; Envelopes up to 2 ounces $3.05.

Following the completion of Docket No. R2025–1, the Postal Service will adjust the prices for products and services covered by the International Mail Manual. These prices will be on Postal Explorer at *pe.usps.com.*

Accordingly, although exempt from the notice and comment requirements of the Administrative Procedure Act (5 U.S.C. 553(b), (c)) regarding proposed rulemaking by 39 U.S.C. 410(a), the Postal Service invites public comment on the proposed changes to Notice 123, *Price List,* set out in this **SUPPLEMENTARY INFORMATION.**

The Postal Service will publish an appropriate update to Notice 123, *Price List,* to reflect these changes following the completion of the notice and comment period for this proposed rule.

Kevin Rayburn,

Attorney, Ethics and Legal Compliance.

[FR Doc. 2025–06656 Filed 4–17–25; 8:45 am]

BILLING CODE 7710–12–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2025–0174; FRL–12731–01–R3]

Air Plan Approval; West Virginia; Regional Haze State Implementation Plan for the Second Implementation Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule and withdrawal of proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve the regional haze State implementation plan (SIP) revision submitted by West Virginia (West Virginia, WV, or the State) on August 12, 2022, to address applicable requirements under the Clean Air Act (CAA) and the EPA's Regional Haze Rule (RHR) for the regional haze program's second implementation period. The EPA is proposing this action pursuant to the CAA. The EPA is also withdrawing its previous proposed rule to disapprove West Virginia's regional haze SIP revision as published in the **Federal Register** on January 21, 2025.

DATES: *Comments:* Written comments must be received on or before May 19, 2025.

As of April 18, 2025, the proposed rule published on January 21, 2025, at 90 FR 6932, is withdrawn.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R03–OAR–2025–0174, at *www.regulations.gov.* For comments submitted at *Regulations.gov,* follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be confidential business information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. Commenters who would like the EPA to consider any comments relevant to this proposed rulemaking that they provided on the January 21, 2025 rulemaking proposing to disapprove West Virginia's regional haze SIP submission must resubmit those comments to the EPA during this proposal's comment period. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Michael Gordon, U.S. Environmental Protection Agency, Region 3, 1600 John F. Kennedy Boulevard, Philadelphia, Pennsylvania 19103–2852, at (215) 814–2039, or by email at *gordon.mike@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. What action is the EPA proposing?
II. Background and Requirements for Regional Haze Plans
III. Requirements for Regional Haze Plans for the Second Implementation Period
IV. Withdrawal of Prior Proposed Disapproval
V. The EPA's Rationale for Proposing Approval
VI. The EPA's Evaluation of West Virginia's Regional Haze Submission for the Second Planning Period
VII. Proposed Action
VIII. Statutory and Executive Order Reviews

I. What action is the EPA proposing?

The EPA is proposing to approve West Virginia's regional haze SIP revision for the second implementation period, also referred to as the second planning period. As required by section 169A of the CAA, the RHR calls for State and Federal agencies to work together to improve visibility in 156 national parks and wilderness areas, known as mandatory Class I Federal areas.[1] The rule requires the States, in coordination with the EPA, the National Park Service, the Fish and Wildlife Service, the Forest Service, and other interested parties, to develop and implement air quality protection plans to reduce the pollution that causes visibility impairment in mandatory Class I Federal areas. Based on our change in policy discussed in section V of this document, the EPA proposes that West Virginia's regional haze SIP meets the statutory and regulatory requirements for the regional haze second planning period.

II. Background and Requirements for Regional Haze Plans

A detailed history and background of the regional haze program is provided in multiple prior EPA proposal actions.[2] For additional background on the 2017 RHR revisions, please refer to section III of this document. Overview of Visibility Protection Statutory Authority, Regulation, and Implementation of ''Protection of Visibility: Amendments to Requirements for State Plans'' of the 2017 RHR.[3] The following is an abbreviated history and background of the regional haze program and 2017 Regional Haze Rule as it applies to the current action.

A. Regional Haze

In the 1977 CAA Amendments, Congress created a program for protecting visibility in the nation's mandatory Class I Federal areas, which include certain national parks and wilderness areas.[4] CAA section 169A. The CAA establishes as a national goal the ''prevention of any future, and the remedying of any existing, impairment of visibility in mandatory class I Federal areas which impairment results from manmade air pollution.'' CAA section 169A(a)(1).

In CAA section 169A(a)(1), Congress established the national goal of preventing any future and remedying any existing impairment of visibility in mandatory Class I Federal areas that results from manmade (anthropogenic) air pollution. The core component of a regional haze SIP submission for the second planning period is a strategy that addresses regional haze in each Class I area within the state's borders and each Class I area outside the state that may be affected by emissions originating from within the state, CAA section 169A(b)(2)(B), 40 CFR 51.308(f)(2), and makes ''reasonable progress'' toward the national goal based on consideration of the four statutory factors in CAA section 169A(g)(1)—the costs of compliance, the time necessary for compliance, the energy and non-air quality environmental impacts of compliance, and the remaining useful life of any potentially affected sources.[5]

Regional Haze is visibility impairment that is produced by a multitude of anthropogenic sources and activities

[1] *See* 40 CFR part 81, subpart D.

[2] *See, e.g.,* 90 FR 13516 (March 24, 2025).

[3] *See* 82 FR 3078 (January 10, 2017), located at *www.federalregister.gov/documents/2017/01/10/2017-00268/protection-of-visibility-amendments-to-requirements-for-State-plans#h-16.*

[4] Areas statutorily designated as mandatory Class I Federal Areas consist of national parks exceeding 6,000 acres, wilderness areas and national memorial parks exceeding 5,000 acres, and all international parks that were in existence on August 7, 1977. CAA 162(a). There are 156 mandatory Class I Areas. The list of areas to which the requirements of the visibility protection program apply is in 40 CFR part 81, subpart D.

[5] CAA section 169A(g)(1); 40 CFR 51.308(f)(2)(i).

which are located across a broad geographic area and that emit pollutants that impair visibility. Visibility impairing pollutants include fine and coarse PM (*e.g.,* sulfates, nitrates, organic carbon, elemental carbon, and soil dust) and their precursors (*e.g.,* SO_2, NO_X, and, in some cases, VOC and NH_3). Fine particle precursors react in the atmosphere to form fine PM ($PM_{2.5}$), which impairs visibility by scattering and absorbing light. Visibility impairment reduces the perception of clarity and color, as well as visible distance.[6]

To address Regional Haze visibility impairment, the 1999 RHR established an iterative planning process that requires both states in which Class I Areas are located and states ''the emissions from which may reasonably be anticipated to cause or contribute to any impairment of visibility'' in a Class I Area to periodically submit SIP revisions to address such impairment. CAA section 169A(b)(2);[7] see also 40 CFR 51.308(b), (f) (establishing submission dates for iterative Regional Haze SIP revisions); 64 FR 35768 (July 1, 1999).

On January 10, 2017, the EPA promulgated revisions to the RHR (82 FR 3078, January 10, 2017), that apply for the second and subsequent implementation periods. The reasonable progress requirements as revised in the 2017 rulemaking (referred to here as the 2017 RHR Revisions) are codified at 40 CFR 51.308(f).

B. West Virginia's Regional Haze Plan for the Second Implementation Period

On August 12, 2022, the West Virginia Department of Environmental Protection (WV DEP) submitted a revision to the West Virginia SIP to address regional haze for the second planning period. WV DEP made this SIP submission to satisfy the requirements of the CAA's regional haze program pursuant to CAA sections 169A and 169B and 40 CFR 51.308.

On January 21, 2025 (90 FR 6932), the EPA published a notice of proposed rulemaking (NPRM) proposing disapproval of West Virginia's August 12, 2022, SIP submission as failing to satisfy the regional haze requirements for the second planning period contained in the CAA and 40 CFR 51.308. As we will discuss later in this document, the EPA is withdrawing the proposed disapproval of West Virginia's SIP submission. The rulemaking docket for the now withdrawn action is available under Docket ID Number EPA–R03–OAR–2024–0625 at *www.regulations.gov.*

III. Requirements for Regional Haze Plans for the Second Implementation Period

Under the CAA and the EPA's regulations, all 50 states, the District of Columbia, and the U.S. Virgin Islands are required to submit regional haze SIPs satisfying the applicable requirements for the second implementation period of the regional haze program by July 31, 2021. Each state's SIP must contain a long-term strategy for making reasonable progress toward meeting the national goal of remedying any existing and preventing any future anthropogenic visibility impairment in Class I areas. CAA section 169A(b)(2)(B). To this end, 40 CFR 51.308(f) lays out the process by which states determine what constitutes their long-term strategies, with the order of the requirements in paragraphs (f)(1) through (3) generally mirroring the order of the steps in the reasonable progress analysis[8] and paragraphs (f)(4) through (6) containing additional, related requirements.

Broadly speaking, a state first must identify the Class I areas within the state and determine the Class I areas outside the state in which visibility may be affected by emissions from the state. These are the Class I areas that must be addressed in the state's long-term strategy. See 40 CFR 51.308(f) introductory text, (f)(2). For each Class I area within its borders, a state must then calculate the baseline (five-year average period of 2000–2004), current, and natural visibility conditions (*i.e.,* visibility conditions without anthropogenic visibility impairment) for that area, as well as the visibility improvement made to date and the ''uniform rate of progress'' (URP).

The URP is the linear rate of progress needed to attain natural visibility conditions, assuming a starting point of baseline visibility conditions in 2004 and ending with natural conditions in 2064. This linear interpolation is used as a tracking metric to help states assess the amount of progress they are making towards the national visibility goal over time in each Class I area. See 40 CFR 51.308(f)(1). Each state having a Class I area and/or emissions that may affect visibility in a Class I area must then develop a long-term strategy that includes the enforceable emission limitations, compliance schedules, and other measures that are necessary to make reasonable progress in such areas. A reasonable progress determination is based on applying the four factors in CAA section 169A(g)(1) to sources of visibility impairing pollutants that the state has selected to assess for controls for the second implementation period. Additionally, as further explained below, the RHR at 40 CFR 51.308(f)(2)(iv) separately provides five ''additional factors'' [9] that states must consider in developing their long-term strategies. See 40 CFR 51.308(f)(2).

A state evaluates potential emission reduction measures for those selected sources and determines which are necessary to make reasonable progress. Those measures are then incorporated into the state's long-term strategy. After a state has developed its long-term strategy, it then establishes Reasonable Progress Goals (RPGs) for each Class I area within its borders by modeling the visibility impacts of all reasonable progress controls at the end of the second implementation period, *i.e.,* in 2028, as well as the impacts of other requirements of the CAA. The RPGs include reasonable progress controls not only for sources in the state in which the Class I area is located, but also for sources in other states that contribute to visibility impairment in that area. The RPGs are then compared to the baseline visibility conditions and the URP to ensure that progress is being made towards the statutory goal of preventing any future and remedying any existing anthropogenic visibility impairment in Class I areas. 40 CFR 51.308(f)(2) and (3). There are additional requirements in the rule, including Federal Land Manager (FLM) consultation, that apply to all visibility protection SIPs and SIP revisions. *See e.g.,* 40 CFR 51.308(i).

In addition to satisfying the requirements at 40 CFR 51.308(f) related

[6] There are several ways to measure the amount of visibility impairment, *i.e.,* haze. One such measurement is the deciview, which is the principal metric used by the RHR. Under many circumstances, a change in one deciview will be perceived by the human eye to be the same on both clear and hazy days. The deciview is unitless. It is proportional to the logarithm of the atmospheric extinction of light, which is the perceived dimming of light due to its being scattered and absorbed as it passes through the atmosphere. Atmospheric light extinction (bext.) is a metric used for expressing visibility and is measured in inverse megameters (Mm–1).

[7] The RHR expresses the statutory requirement for states to submit plans addressing out-of-state Class I Areas by providing that states must address visibility impairment ''in each mandatory Class I Federal Area located outside the State that may be affected by emissions from within the State.'' 40 CFR 51.308(d), (f).

[8] The EPA explained in the 2017 RHR Revisions that we were adopting new regulatory language in 40 CFR 51.308(f) that, unlike the structure in 40 CFR 51.308(d), ''tracked the actual planning sequence.'' 82 FR 3091 (January 10, 2017).

[9] The five ''additional factors'' for consideration in 40 CFR 51.308(f)(2)(iv) are distinct from the four factors listed in CAA section 169A(g)(1) and 40 CFR 51.308(f)(2)(i) that states must consider and apply to sources in determining reasonable progress.

to reasonable progress, the regional haze SIP revisions for the second implementation period must address the requirements in § 51.308(g)(1) through (5) pertaining to periodic reports describing progress towards the RPGs, 40 CFR 51.308(f)(5), as well as requirements for FLM consultation that apply to all visibility protection SIPs and SIP revisions. See *e.g.,* 40 CFR 51.308(i).

A state must submit its regional haze SIP and subsequent SIP revisions to the EPA according to the requirements applicable to all SIP revisions under the CAA and the EPA's regulations. See CAA section 169A(b)(2); CAA section 110(a). Upon approval by the EPA, a SIP is enforceable by the Agency and the public under the CAA. If the EPA finds that a state fails to make a required SIP revision, or if the EPA finds that a state's SIP is incomplete or if it disapproves the SIP, the Agency must promulgate a Federal implementation plan (FIP) that satisfies the applicable requirements. CAA section 110(c)(1).

A. Identification of Class I Areas

The first step in developing a regional haze SIP is for a state to determine which Class I areas, in addition to those within its borders, ''may be affected'' by emissions from within the state. In the 1999 RHR, the EPA determined that all states contribute to visibility impairment in at least one Class I area, 64 FR 35720–22, and explained that the statute and regulations lay out an ''extremely low triggering threshold'' for determining ''whether States should be required to engage in air quality planning and analysis as a prerequisite to determining the need for control of emissions from sources within their State.'' *Id.* at 35721.

A state must determine which Class I areas must be addressed by its SIP by evaluating the total emissions of visibility impairing pollutants from all sources within the state The determination of which Class I areas may be affected by a state's emissions is subject to the requirement in 40 CFR 51.308(f)(2)(iii) to ''document the technical basis, including modeling, monitoring, cost, engineering, and emissions information, on which the State is relying to determine the emission reduction measures that are necessary to make reasonable progress in each mandatory Class I Federal area it affects.''

B. Calculation of Baseline, Current, and Natural Visibility Conditions; Progress to Date; and Uniform Rate of Progress

As part of assessing whether a SIP submission for the second implementation period is providing for reasonable progress towards the national visibility goal, the RHR contains requirements in § 51.308(f)(1) related to tracking visibility improvement over time. The requirements of this section apply only to states having Class I areas within their borders; the required calculations must be made for each such Class I area. The EPA's 2018 Visibility Tracking Guidance provides recommendations to assist states in satisfying their obligations under § 51.308(f)(1); specifically, in developing information on baseline, current, and natural visibility conditions, and in making optional adjustments to the URP to account for the impacts of international anthropogenic emissions and prescribed fires. See 82 FR 3103–05.

The RHR requires tracking of visibility conditions on two sets of days: the clearest and the most impaired days. Visibility conditions for both sets of days are expressed as the average deciview index for the relevant five-year period (the period representing baseline or current visibility conditions). The RHR provides that the relevant sets of days for visibility tracking purposes are the 20% clearest (the 20% of monitored days in a calendar year with the lowest values of the deciview index) and 20% most impaired days (the 20% of monitored days in a calendar year with the highest amounts of anthropogenic visibility impairment). 40 CFR 51.301. A state must calculate visibility conditions for both the 20% clearest and 20% most impaired days for the baseline period of 2000–2004 and the most recent five-year period for which visibility monitoring data are available (representing current visibility conditions). 40 CFR 51.308(f)(1)(i), (iii). States must also calculate natural visibility conditions for the clearest and most impaired days, by estimating the conditions that would exist on those two sets of days absent anthropogenic visibility impairment. 40 CFR 51.308(f)(1)(ii). Using all these data, states must then calculate, for each Class I area, the amount of progress made since the baseline period (2000–2004) and how much improvement is left to achieve to reach natural visibility conditions.

Using the data for the set of most impaired days only, states must plot a line between visibility conditions in the baseline period and natural visibility conditions for each Class I area to determine the URP—the amount of visibility improvement, measured in deciviews, that would need to be achieved during each implementation period to achieve natural visibility conditions by the end of 2064. The URP is used in later steps of the reasonable progress analysis for informational purposes and to provide a non-enforceable benchmark against which to assess a Class I area's rate of visibility improvement. Additionally, in the 2017 RHR Revisions, the EPA provided states the option of proposing to adjust the endpoint of the URP to account for impacts of anthropogenic sources outside the United States and/or impacts of certain types of wildland prescribed fires. These adjustments, which must be approved by the EPA, are intended to avoid any perception that states should compensate for impacts from international anthropogenic sources and to give states the flexibility to determine that limiting the use of wildland-prescribed fire is not necessary for reasonable progress. 82 FR 3107 footnote 116.

The EPA's 2018 Visibility Tracking Guidance can be used to help satisfy the 40 CFR 51.308(f)(1) requirements, including in developing information on baseline, current, and natural visibility conditions, and in making optional adjustments to the URP. In addition, the 2020 Data Completeness Memo provides recommendations on the data completeness language referenced in § 51.308(f)(1)(i) and provides updated natural conditions estimates for each Class I area.

C. Long-Term Strategy for Regional Haze

The core component of a regional haze SIP submission is a long-term strategy that addresses regional haze in each Class I area within a state's borders and each Class I area outside the state that may be affected by emissions from the state. The long-term strategy ''must include the enforceable emissions limitations, compliance schedules, and other measures that are necessary to make reasonable progress, as determined pursuant to paragraphs (f)(2)(i) through (iv). 40 CFR 51.308(f)(2). The amount of progress that is ''reasonable progress'' is based on applying the four statutory factors in CAA section 169A(g)(1) in an evaluation of potential control options for sources of visibility impairing pollutants, which is referred to as a ''four-factor'' analysis. The outcome of that analysis is the emission reduction measures that a particular source or group of sources needs to implement to make reasonable progress towards the national visibility goal. See 40 CFR 51.308(f)(2)(i). Emission reduction measures that are necessary to make reasonable progress may be either new, additional control measures for a source, or they may be the existing emission reduction

measures that a source is already implementing. See 82 FR 3078, 3092–93. Such measures must be represented by ''enforceable emissions limitations, compliance schedules, and other measures'' (*i.e.,* any additional compliance tools) in a state's long-term strategy in its SIP. 40 CFR 51.308(f)(2).

Section 51.308(f)(2)(i) provides the requirements for the four-factor analysis. The first step of this analysis entails selecting the sources to be evaluated for emission reduction measures; to this end, the RHR requires states to consider ''major and minor stationary sources or groups of sources, mobile sources, and area sources'' of visibility impairing pollutants for potential four-factor control analysis. 40 CFR 51.308(f)(2)(i). A threshold question at this step is which visibility impairing pollutants will be analyzed.

While states have discretion to choose any source selection methodology that is reasonable, whatever choices they make should be reasonably explained. To this end, 40 CFR 51.308(f)(2)(i) requires that a state's SIP submission include ''a description of the criteria it used to determine which sources or groups of sources it evaluated.'' The technical basis for source selection, which may include methods for quantifying potential visibility impacts such as emissions divided by distance metrics, trajectory analyses, residence time analyses, and/or photochemical modeling, must also be appropriately documented, as required by 40 CFR 51.308(f)(2)(iii).

Once a state has selected the set of sources, the next step is to determine the emissions reduction measures for those sources that are necessary to make reasonable progress for the second implementation period.[10] This is accomplished by considering the four factors—''the costs of compliance, the time necessary for compliance, and the energy and non-air quality environmental impacts of compliance, and the remaining useful life of any existing source subject to such requirements.'' CAA section 169A(g)(1). The EPA has explained that the four-factor analysis is an assessment of potential emission reduction measures (*i.e.,* control options) for sources: ''use of the terms 'compliance' and 'subject to such requirements' in section 169A(g)(1) strongly indicates that Congress intended the relevant determination to be the requirements with which sources would have to comply to satisfy the CAA's reasonable progress mandate.'' 82 FR 3091 (January 10, 2017). Thus, for each source it has selected for four-factor analysis,[11] a state must consider a ''meaningful set'' of technically feasible control options for reducing emissions of visibility impairing pollutants. *Id.* at 3088.

The EPA has also explained that, in addition to the four statutory factors, states have flexibility under the CAA and RHR to reasonably consider visibility benefits as an additional factor alongside the four statutory factors. Ultimately, while states have discretion to reasonably weigh the factors and to determine what level of control is needed, 40 CFR 51.308(f)(2)(i) provides that a state ''must include in its implementation plan a description of . . . how the four factors were taken into consideration in selecting the measure for inclusion in its long-term strategy.''

As explained above, 40 CFR 51.308(f)(2)(i) requires states to determine the emission reduction measures for sources that are necessary to make reasonable progress by considering the four factors. Pursuant to 40 CFR 51.308(f)(2), measures that are necessary to make reasonable progress towards the national visibility goal must be included in a state's long-term strategy and in its SIP. If the outcome of a four-factor analysis is that an emissions reduction measure is necessary to make reasonable progress towards remedying existing or preventing future anthropogenic visibility impairment, that measure must be included in the SIP.

The characterization of information on each of the factors is also subject to the documentation requirement in 40 CFR 51.308(f)(2)(iii). The reasonable progress analysis is a technically complex exercise, and also a flexible one, that provides states with bounded discretion to design and implement approaches appropriate to their circumstances. Given this flexibility, 40 CFR 51.308(f)(2)(iii) plays an important function in requiring a state to document the technical basis for its decision making so that the public and the EPA can comprehend and evaluate the information and analysis the state relied upon to determine what emission reduction measures must be in place to make reasonable progress. The technical documentation must include the modeling, monitoring, cost, engineering, and emissions information on which the state relied to determine the measures necessary to make reasonable progress. Additionally, the RHR at 40 CFR 51.308(f)(2)(iv) separately provides five ''additional factors'' [12] that states must consider in developing their long-term strategies: (1) emission reductions due to ongoing air pollution control programs, including measures to address reasonably attributable visibility impairment; (2) measures to reduce the impacts of construction activities; (3) source retirement and replacement schedules; (4) basic smoke management practices for prescribed fire used for agricultural and wildland vegetation management purposes and smoke management programs; and (5) the anticipated net effect on visibility due to projected changes in point, area, and mobile source emissions over the period addressed by the long-term strategy.

Because the air pollution that causes regional haze crosses state boundaries, 40 CFR 51.308(f)(2)(ii) requires a state to consult with other states that also have emissions that are reasonably anticipated to contribute to visibility impairment in a given Class I area. If a state, pursuant to consultation, agrees that certain measures (*e.g.,* a certain emission limitation) are necessary to make reasonable progress at a Class I area, it must include those measures in its SIP. 40 CFR 51.308(f)(2)(ii)(A). Additionally, the RHR requires that states that contribute to visibility impairment at the same Class I area consider the emission reduction measures the other contributing states have identified as being necessary to make reasonable progress for their own sources. 40 CFR 51.308(f)(2)(ii)(B). If a state has been asked to consider or adopt certain emission reduction measures, but ultimately determines those measures are not necessary to make reasonable progress, that state must document in its SIP the actions taken to resolve the disagreement. 40 CFR 51.308(f)(2)(ii)(C). Under all circumstances, a state must document in its SIP submission all substantive

[10] The CAA provides that, ''[i]n determining reasonable progress there shall be taken into consideration'' the four statutory factors. CAA section 169A(g)(1). However, in addition to four-factor analyses for selected sources, groups of sources, or source categories, a state may also consider additional emission reduction measures for inclusion in its long-term strategy, *e.g.,* from other newly adopted, on-the-books, or on-the-way rules and measures for sources not selected for four-factor analysis for the second implementation period.

[11] ''Each source'' or ''particular source'' is used here as shorthand. While a source-specific analysis is one way of applying the four factors, neither the statute nor the RHR requires states to evaluate individual sources. Rather, states have ''the flexibility to conduct four-factor analyses for specific sources, groups of sources or even entire source categories, depending on state policy preferences and the specific circumstances of each state.'' 82 FR 3088 (January 10, 2017).

[12] The five ''additional factors'' for consideration in 40 CFR51.308(f)(2)(iv) are distinct from the four factors listed in CAA section 169A(g)(1) and 40 CFR 51.308(f)(2)(i) that states must consider and apply to sources in determining reasonable progress.

consultations with other contributing states. 40 CFR 51.308(f)(2)(ii)(C).

D. Reasonable Progress Goals

Reasonable progress goals ''measure the progress that is projected to be achieved by the control measures states have determined are necessary to make reasonable progress based on a four-factor analysis.'' 82 FR 3091 (January 10, 2017). For the second implementation period, the RPGs are set for 2028. Reasonable progress goals are not enforceable targets, 40 CFR 51.308(f)(3)(iii). While states are not legally obligated to achieve the visibility conditions described in their RPGs, 40 CFR 51.308(f)(3)(i) requires that ''[t]he long-term strategy and the reasonable progress goals must provide for an improvement in visibility for the most impaired days since the baseline period and ensure no degradation in visibility for the clearest days since the baseline period.''

RPGs may also serve as a metric for assessing the amount of progress a state is making towards the national visibility goal. To support this approach, the RHR requires states with Class I areas to compare the 2028 RPG for the most impaired days to the corresponding point on the URP line (representing visibility conditions in 2028 if visibility were to improve at a linear rate from conditions in the baseline period of 2000–2004 to natural visibility conditions in 2064). If the most impaired days RPG in 2028 is above the URP (*i.e.,* if visibility conditions are improving more slowly than the rate described by the URP), each state that contributes to visibility impairment in the Class I area must demonstrate, based on the four-factor analysis required under 40 CFR 51.308(f)(2)(i), that no additional emission reduction measures would be reasonable to include in its long-term strategy. 40 CFR 51.308(f)(3)(ii). To this end, 40 CFR 51.308(f)(3)(ii) requires that each state contributing to visibility impairment in a Class I area that is projected to improve more slowly than the URP provide ''a robust demonstration, including documenting the criteria used to determine which sources or groups [of] sources were evaluated and how the four factors required by paragraph (f)(2)(i) were taken into consideration in selecting the measures for inclusion in its long-term strategy.''

E. Monitoring Strategy and Other State Implementation Plan Requirements

Section 51.308(f)(6) requires states to have certain strategies and elements in place for assessing and reporting on visibility. Individual requirements under this section apply either to states with Class I areas within their borders, states with no Class I areas but that are reasonably anticipated to cause or contribute to visibility impairment in any Class I area, or both. Compliance with the monitoring strategy requirement may be met through a state's participation in the Interagency Monitoring of Protected Visual Environments (IMPROVE) monitoring network, which is used to measure visibility impairment caused by air pollution at the 156 Class I areas covered by the visibility program. 40 CFR 51.308(f)(6) introductory text, (f)(6)(i) and (iv).

All states' SIPs must provide for procedures by which monitoring data and other information are used to determine the contribution of emissions from within the state to regional haze visibility impairment in affected Class I areas, as well as a statewide inventory documenting such emissions. 40 CFR 51.308(f)(6)(ii), (iii), and (v). All states' SIPs must also provide for any other elements, including reporting, recordkeeping, and other measures, that are necessary for states to assess and report on visibility. 40 CFR 51.308(f)(6)(vi).

F. Requirements for Periodic Reports Describing Progress Towards the Reasonable Progress Goals

Section 51.308(f)(5) requires a state's regional haze SIP revision to address the requirements of paragraphs 40 CFR 51.308(g)(1) through (5) so that the plan revision due in 2021 will serve also as a progress report addressing the period since submission of the progress report for the first implementation period. The regional haze progress report requirement is designed to inform the public and the EPA about a state's implementation of its existing long-term strategy and whether such implementation is in fact resulting in the expected visibility improvement. *See* 81 FR 26942, 26950 (May 4, 2016), 82 FR 3119 (January 10, 2017). To this end, every state's SIP revision for the second implementation period is required to assess changes in visibility conditions and describe the status of implementation of all measures included in the state's long-term strategy, including BART and reasonable progress emission reduction measures from the first implementation period, and the resulting emissions reductions. 40 CFR 51.308(g)(1) and (2).

G. Requirements for State and Federal Land Manager Coordination

CAA section 169A(d) requires that before a state holds a public hearing on a proposed regional haze SIP revision, it must consult with the appropriate FLM or FLMs; pursuant to that consultation, the state must include a summary of the FLMs' conclusions and recommendations in the notice to the public. Consistent with this statutory requirement, the RHR also requires that states ''provide the [FLM] with an opportunity for consultation, in person and at a point early enough in the State's policy analyses of its long-term strategy emission reduction obligation so that information and recommendations provided by the [FLM] can meaningfully inform the State's decisions on the long-term strategy.'' 40 CFR 51.308(i)(2). For the EPA to evaluate whether FLM consultation meeting the requirements of the RHR has occurred, the SIP submission should include documentation of the timing and content of such consultation. The SIP revision submitted to the EPA must also describe how the state addressed any comments provided by the FLMs. 40 CFR 51.308(i)(3). Finally, a SIP revision must provide procedures for continuing consultation between the state and FLMs regarding the state's visibility protection program, including development and review of SIP revisions, five-year progress reports, and the implementation of other programs having the potential to contribute to impairment of visibility in Class I areas. 40 CFR 51.308(i)(4).

IV. Withdrawal of Prior Proposed Disapproval

On January 21, 2025 (90 FR 6932), the EPA proposed to disapprove West Virginia's August 12, 2022, regional haze SIP submission in accordance with sections 110 and 169A of the CAA. The action received two submissions with comments opposing disapproval, and four submissions with comments in support of disapproval. In this document, we are withdrawing our January 21, 2025, proposed disapproval. We are now reproposing as an approval based on a change in policy, as discussed in section V of this document. Commenters who would like the EPA to consider any comments submitted on the January 21, 2025, rule proposal that are relevant to this proposed action must resubmit such comments during the comment period for this proposed action.

V. The EPA's Rationale for Proposing Approval

The EPA is now proposing to approve West Virginia's submission because we have determined that the West Virginia regional haze SIP submittal for the

second planning period meets the applicable statutory and regulatory requirements. After further evaluating the SIP submittal, as well as the comments received during the comment period on our initial proposal, the EPA agrees with West Virginia's determination that, for the second planning period, no additional measures are necessary to achieve reasonable progress towards natural visibility at Class I areas impacted by emissions from West Virginia sources. The SIP submittal included evaluations, including cost analyses, for six emissions sources and a four-factor analysis conducted by Pleasants Power Station. Based on these evaluations and analyses, the State determined that no additional measures were necessary for reasonable progress. In reaching this determination, West Virginia also considered historical emissions data, existing control technologies on major sources, and the large SO_2 reductions and visibility improvements that have already occurred in the second planning period in West Virginia and nearby Class I areas. Because the State assessed the potential for additional measures, considered the four statutory factors, and the projected 2028 visibility conditions for Class I areas influenced by emissions from West Virginia sources are all below the uniform rate of progress (URP), the EPA proposes that the SIP submittal meets the CAA and regulatory requirement to make reasonable progress towards the national visibility goal.

In this action, the EPA is announcing that it is the Agency's new policy that, where visibility conditions for a Class I area impacted by a State are below the URP and the State has considered the four statutory factors, the State will have presumptively demonstrated reasonable progress for the second planning period for that area. The EPA acknowledges that this proposed action reflects a change in policy from current guidance as to how the URP should be used in the evaluation of regional haze second planning period SIPs. However, the EPA believes that this policy aligns with the purpose of the statute and RHR, which is achieving ''reasonable'' progress, not maximal progress, toward Congress' natural visibility goal. In addition, certain commenters advocated for this policy during the public comment period on our initial proposal including Monongahela Power Company (Mon Power), the owner of two of the power plants selected for evaluation in the SIP submittal.[13] Consequently, this proposed action is a result of the EPA's evaluation of the West Virginia SIP submittal and the comments submitted during the public comment period on our initial proposal.

In developing the regulations required by CAA section 169A(b), the EPA established the concept of the uniform rate of progress, or URP, for each Class I area. The URP is determined by drawing a straight line from the measured 2000–2004 baseline conditions (in deciviews) for the 20% most impaired days at each Class I area to the estimated 20% most impaired days natural conditions (in deciviews) in 2064. From this calculation, a URP value can be calculated for each year between 2004 and 2064. The URP was developed as a metric to address the diverse concerns of Eastern and Western states and accounts for the varying levels of visibility impairment in Class I areas around the country while ensuring an equitable approach nationwide. For each Class I area, there is a regulatory requirement to compare the projected visibility impairment represented by the RPG at the end of each planning period to the URP (*e.g.,* in 2028 for the second planning period).[14] 40 CFR 51.308(f)(1)(vi). If the projected RPG is above the URP, then an additional ''robust demonstration'' requirement is triggered for each state that contributes to that Class I area. 40 CFR 51.308(f)(3)(ii).

In comments on EPA's initial NPRM (90 FR 6932, January 21, 2025), West Virginia explained the following: ''The DAQ [WV DEP's Division of Air Quality] asserts progress towards decreasing visibility impairment since the first implementation period has immensely exceeded the expectations of the EPA, States, Federal land managers, and the public, causing an unreasonable belief additional visibility improvement can continue indefinitely at such a rapid pace via arbitrary federally enforceable emissions limits.'' [15] The State also disagreed ''with the assertion that its four-factor analysis was insufficient because it did not reach the conclusion additional controls were required.'' [16] Similarly, MonPower commented that Class I areas ''are presently well below the URP glide paths, proving that already implemented past measures have been and continue to be successful.'' [17] In this proposed action, the EPA is proposing to approve the SIP submittal because the State evaluated potential additional measures, considered the four statutory factors, and the visibility conditions for affected Class I areas are below the URP, thus supporting the State's decision regarding reasonable progress for the second planning period.

The EPA has the discretion and authority to change policy. In *FCC* v. *Fox Television Stations, Inc.,* the U.S. Supreme Court plainly stated that an agency is free to change a prior policy and ''need not demonstrate . . . that the reasons for the new policy are better than the reasons for the old one; it suffices that the new policy is permissible under the statute, that there are good reasons for it, and that the agency believes it to be better.'' 566 U.S. 502, 515 (2009) (referencing Motor *Vehicle Mfrs. Ass'n of United States, Inc.* v. *State Farm Mut. Auto. Ins. Co.,* 463 U.S. 29 (1983)). *See also Perez* v. *Mortgage Bankers Assn.,* 135 S. Ct. 1199 (2015). As stated above, the EPA believes that its new policy here aligns with the purpose of the statute and RHR, which is achieving ''reasonable'' progress, not maximal progress, toward Congress' natural visibility goal.

In the 2017 RHR Revisions, the EPA addressed the role of the URP as it relates to a State's development of its second planning period SIP. 82 FR 3078 (January 10, 2017). Specifically, in response to comments suggesting that the URP should be considered a ''safe harbor'' and relieve States of any obligation to consider the four statutory factors, the EPA explained that the URP was not intended to be such a safe harbor. 82 FR 3099 (January 10, 2017). Some commenters stated a desire for corresponding rule text dealing with situations where RPGs are equal to (''on'') or better than (''below'') the URP or glidepath. Several commenters stated that the URP or glidepath should be a ''safe harbor,'' opining that states should be permitted to analyze whether projected visibility conditions for the end of the implementation period will be on or below the glidepath based on on-the-books or on-the-way control measures, and that in such cases a four-

[13] See MonPower's February 20, 2025, comment letter.

[14] We note that RPGs are a regulatory construct that we developed to address statutory mandate in CAA section 169B(e)(1), which required our regulations to include ''criteria for measuring 'reasonable progress' toward the national goal.'' Under 40 CFR 51.308(f)(3)(ii), RPGs measure the progress that is projected to be achieved by the control measures a state has determined are necessary to make reasonable progress. Consistent with the 1999 RHR, the RPGs are unenforceable, though they create a benchmark that allows for analytical comparisons to the URP and mid-implementation-period course corrections if necessary. 82 FR 3091–3092 (January 10, 2017).

[15] See p. 5 of WV DEP's February 19, 2025, comment letter.

[16] See p. 5 of WV DEP's February 19, 2025, comment letter.

[17] See p. 1 of MonPower's February 20, 2025, comment letter.

factor analysis should not be required. *Id.* Other 2017 RHR comments indicated a similar approach, such as ''a somewhat narrower entrance to a 'safe harbor,' '' by suggesting that if current visibility conditions are already below the end-of-planning-period point on the URP line, a four-factor analysis should not be required. *Id.* The EPA stated in its response that we do not agree with either of these recommendations. The CAA requires that each SIP revision contain long-term strategies for making reasonable progress, and that in determining reasonable progress states must consider the four statutory factors. Treating the URP as a safe harbor would be inconsistent with the statutory requirement that states assess the potential to make further reasonable progress towards natural visibility goal in every implementation period. *Id.*

However, so long as a State considers the four factors, the presumption that a Class I area below the URP is achieving reasonable progress is consistent with the CAA and RHR. Indeed, we believe this policy also recognizes the considerable improvements in visibility impairment that have been made by a wide variety of State and Federal programs in recent decades. EPA invites comments on this proposed policy. In sum, West Virginia selected a number of sources, evaluated emissions control measures, and considered the four statutory factors. In addition, visibility conditions at all Class I areas to which West Virginia contributes are below the URP. In light of these facts, the EPA agrees with West Virginia's conclusion that no additional measures are necessary to make reasonable progress during the second planning period and is proposing to approve the State's SIP submittal. The EPA's determinations are described in more detail in section VI of this document.

VI. The EPA's Evaluation of West Virginia's Regional Haze Submission for the Second Planning Period

The EPA invites comments on the following subsections that contain our evaluation of WV's regional haze plan submittal with respect to the requirements of the CAA and RHR for the second planning period of the regional haze program.

1. Identification of Class I Areas

Section 169A(b)(2) of the CAA requires each State in which any Class I Area is located or ''the emissions from which may reasonably be anticipated to cause or contribute to any impairment of visibility'' in a Class I Area to have a plan for making reasonable progress toward the national visibility goal. The RHR implements this statutory requirement at 40 CFR 51.308(f) introductory text, which provides that each State's plan ''must address Regional Haze in each mandatory Class I Federal Area located within the State and in each mandatory Class I Federal Area located outside the State that may be affected by emissions from within the State,'' and 40 CFR 51.308(f)(2), which requires each State's plan to include a long-term strategy that addresses Regional Haze in such Class I Areas.

The EPA concluded in the 1999 RHR that ''all [s]tates contain sources whose emissions are reasonably anticipated to contribute to regional haze in a Class I area,'' 64 FR 35721 (July 1, 1999), and this determination was not changed in the 2017 RHR. Critically, the statute and regulation both require that the cause-or-contribute assessment consider all emissions of visibility impairing pollutants from a state, as opposed to emissions of a particular pollutant or emissions from a certain set of sources.

To address 40 CFR 51.308(f), WV DEP identified Class I areas within West Virginia and out-of-state Class I areas downwind of West Virginia that were affected by West Virginia statewide emissions of visibility impairing pollutants. West Virginia has two mandatory Class I areas within its borders: Dolly Sods Wilderness Area (Dolly Sods) and Otter Creek Wilderness Area (Otter Creek). Out-of-state Class I Areas affected by West Virginia included Acadia National Park (Maine), James River Face Wilderness Area (Virginia), Lye Brook Wilderness Area (Vermont), Moosehorn Wilderness Area (Maine), Roosevelt Campobello International Park (Maine/New Brunswick), Shenandoah National Park (Virginia), and Swanquarter Wilderness Area (North Carolina). West Virginia, like other Visibility Improvement State and Tribal Association of the Southeast (VISTAS) States, implemented a two-step process to select sources contributing to visibility impairment in Class I areas within and outside the State. West Virginia presented the results of Particulate Matter Source Apportionment Technology (PSAT) [18] modeling that VISTAS conducted to estimate the projected impact of statewide SO_2 and NO_X emissions across all emissions sectors in 2028 on total light extinction for the 20 percent most impaired days in all Class I areas in the VISTAS modeling domain.[19] PSAT results were used to calculate the percent contribution of each tagged facility to the total sulfate and nitrate point source (electric generating unit (EGU) + non-EGU) contribution at each Class I area; more details of the PSAT analysis can be found in Appendix E–7b of WV DEP's SIP submittal. West Virginia also relied on facility-level SO_2 and NO_X Area of Influence (AoI) analyses [20] for each Class I area to assess relative visibility impacts from each facility.[21] WV DEP concluded that sources and emissions within the State contribute to visibility impairment at seven out-of-state Class I Areas and took part in the emission control strategy consultation process as a member of VISTAS. WV DEP also included analyses of visibility impairing pollutant emissions and visibility impacts from other regional planning organizations (RPOs) and States, and their impact on Class I Areas within VISTAS.[22] From these analyses, WV DEP concluded that ''sulfate will generally be a much larger contributor to visibility impairment in 2028 at VISTAS mandatory Federal Class I areas than nitrates'' and, that ''emissions from other planning organizations . . . generally have higher contributions to 2028 visibility impairment at mandatory Federal Class I areas in VISTAS than the emissions from the home State.'' [23] The

[18] PSAT is Particulate Matter Source Apportionment Technology, which is an option in the photochemical visibility impact modeling performed by VISTAS that is a methodology to track the fate of both primary and secondary PM. PSAT allows emissions to be tracked (''tagged'') for individual facilities as well as various combinations of sectors and geographic areas (*e.g.,* by state). The PSAT results provide the modeled contribution of each of the tagged sources or groups of sources to the total visibility impacts.

[19] West Virginia did not include primary PM (directly emitted) data in this analysis because the PSAT analyses performed by VISTAS tagged statewide emissions of SO_2 and NO_X and did not tag primary total PM emissions in the analysis after concluding that emissions of the PM precursors SO_2 and NO_X, particularly from point sources, are projected to have the largest impact on visibility impairment in 2028 and that SO_2 and NO_X are the most significant visibility impairing pollutants from controllable anthropogenic sources.

[20] States often use an AoI analysis to help identify the areas and sources most likely contributing to poor visibility in Class I areas. The AoI analysis involves running a backward trajectory model to determine the origin of the air parcels affecting visibility, which is then combined with emissions data to determine the sources or source sectors most likely contributing to pollutant emissions. For more information on AoI analyses, see Appendix D of WV DEP's Regional Haze SIP Submittal for the 2nd Planning Period.

[21] See section 7.5, ''Area of Influence Analyses for West Virginia Class I Areas,'' of WV DEP's Regional Haze SIP Submittal for the 2nd Planning Period.

[22] See section 7.2.3, ''Projected VISTAS 2028 Emissions Inventory'', section 7.2.5, ''2028 Visibility Projection Results'', and section 7.4, ''Relative Contributions to Visibility Impairment: Pollutants, Source Categories, and Geographic Areas,'' of WV DEP's Regional Haze SIP Submittal for the 2nd Planning Period.

[23] See section 7.4, ''Relative Contributions to Visibility Impairment: Pollutants, Source Categories, and Geographic Areas,'' of WV DEP's

State adequately addressed the elements of 40 CFR 51.308(f) regarding identification of its statewide visibility impacts to Class I areas outside of the State and consulting with States with Class I areas which may reasonably be anticipated to cause or contribute to any impairment of visibility due to West Virginia's emissions. The State's approach of focusing on SO_2 and NO_X impacts from West Virginia on the basis that for current visibility conditions evaluated for the 2014–2018 period, ammonium sulfate is the dominant visibility impairing pollutant at most of the VISTAS Class I areas followed by organic carbon and ammonium nitrate (depending on the area) is reasonable. VISTAS focused on controllable emissions from point sources and thus, initially considered impacts from sulfates and nitrates on regional haze at Class I areas affected by VISTAS States.

The EPA is proposing that West Virginia has satisfied the requirements of 40 CFR 51.308(f)(2), related to the identification of Class I areas outside of West Virginia that may be affected by emissions from within the State and consultation with affected States because the State analyzed its statewide sulfate and nitrate contributions to total visibility impairment at out-of-state Class I areas (Figure 7–14 of WV DEP's submittal); none of the Class I areas that WV sources contribute to from Figure 7–14 of WV DEP's submittal have 2028 RPGs on the 20 percent most impaired days above the URP; West Virginia analyzed its in-state and out-of-state impacts through modeling; and the State completed consultation with VISTAS and Mid-Atlantic/Northeast Visibility Union (MANE–VU) States via the RPO processes.

2. Calculation of Baseline, Current, and Natural Visibility Conditions; Progress to Date; and the Uniform Rate of Progress (URP)

Section 51.308(f)(1) requires states to determine the following for ''each mandatory Class I Federal area located within the State'': baseline visibility conditions for the clearest days and most impaired days, natural visibility conditions for clearest days and most impaired days, progress to date for the clearest days and most impaired days, the differences between current visibility conditions and natural visibility conditions, and the URP. This section also provides the option for states to propose adjustments to the URP line for a Class I area to account for visibility impacts from anthropogenic sources outside the United States and/or the impacts from wildland prescribed fires that were conducted for certain, specified objectives. See 40 CFR 51.308(f)(1)(vi)(B). The URP can then be used in the manner described in section V. of this document.

In its submittal, WV DEP included baseline visibility conditions (2000–2004) in Table 2–3; current visibility conditions (2014–2018) in Table 2–5;[24] and natural visibility conditions in Table 2–2 for the 20 percent most impaired and 20 percent clearest days for the State's Class I areas in deciviews. WV DEP also included for its Class I areas the actual progress made toward natural visibility conditions to date since the baseline period (current minus baseline), and the additional progress needed to reach natural visibility conditions from current conditions (natural minus current), in deciviews, in Table 2–6 (for the 20 percent most impaired days) and Table 2–7 (for the 20 percent clearest days).

Additionally, Figure 3–1 of WV DEP's submittal provide the URP figures for the 20 percent most impaired days for Dolly Sods, which also represents the URP for Otter Creek. The URPs were developed using EPA guidance[25] and used data collected from the IMPROVE monitoring network which is used to measure visibility impairment caused by air pollution at the 156 Class I areas covered by the visibility program. All West Virginia Class I areas are projected to be below the 2028 URP values for the second planning period based on VISTAS' modeling.

WV DEP's submittal meets the requirements of 40 CFR 51.308(f)(1) because the State provided for its two Class I areas: baseline, current, and natural visibility conditions for the 20 percent clearest days and most impaired days; progress to date for the 20 percent clearest days and most impaired days; differences between the current visibility conditions and natural visibility conditions; and the URP for each Class I area in West Virginia. Therefore, the EPA is proposing to approve the portions of WV DEP's SIP submission related to 40 CFR 51.308(f)(1).

3. Long-Term Strategy (LTS) for Regional Haze

The core component of a regional haze SIP submission is a long-term strategy that addresses regional haze in each Class I area within a State's borders and each Class I area that may be affected by emissions from the State. The long-term strategy ''must include the enforceable emissions limitations, compliance schedules, and other measures that are necessary to make reasonable progress, as determined pursuant to (f)(2)(i) through (iv).'' 40 CFR 51.308(f)(2). The amount of progress that is ''reasonable progress'' is based on applying the four statutory factors in CAA section 169A(g)(1) in an evaluation of potential control options for sources of visibility impairing pollutants, which is referred to as a ''four-factor'' analysis. The outcome of that analysis is the emission reduction measures that a particular source or group of sources needs to implement in order to make reasonable progress towards the national visibility goal. See 40 CFR 51.308(f)(2)(i). Emission reduction measures that are necessary to make reasonable progress may be either new, additional control measures for a source, or they may be the existing emission reduction measures that a source is already implementing. See 2019 Guidance at 43; 2021 Clarifications Memo at 8–10. Such measures must be represented by ''enforceable emissions limitations, compliance schedules, and other measures'' (*i.e.,* any additional compliance tools) in a State's long-term strategy in its SIP. 40 CFR 51.308(f)(2).

Section 51.308(f)(2)(i) provides the requirements for the four-factor analysis. The first step of this analysis entails selecting the sources to be evaluated for emission reduction measures; to this end, the RHR requires States to consider ''major and minor stationary sources or groups of sources, mobile sources, and area sources'' of visibility impairing pollutants for potential four-factor control analysis. 40 CFR 51.308(f)(2)(i). A threshold question at this step is which visibility impairing pollutants will be analyzed, which we previously addressed in section VI.1 of this document.

To determine the necessary emission reductions measures, a state must first select the sources to evaluate. WV DEP included information on the emissions impacts from numerous sources within the state on various Class I Areas. Section 7.6.1, Table 7–17 of the WV DEP submittal lists the facilities selected for PSAT tagging in Virginia and West

Regional Haze SIP Submittal for the 2nd Planning Period.

[24] The period 2014–2018 represents current visibility conditions for West Virginia because it is the most recent five-year period for which visibility monitoring data were available at the time of SIP development.

[25] ''Technical Guidance on Tracking Visibility Progress for the Second Implementation Period of the Regional Haze Program.'' EPA Office of Air Quality Planning and Standards, Research Triangle Park (December 20, 2018). *www.epa.gov/sites/default/files/2018-12/documents/technical_guidance_tracking_visibility_progress.pdf* and *www.epa.gov/sites/default/files/2020-06/documents/memo_data_for_regional_haze_technical_addendum.pdf.*

Virginia based on an AOI visibility contribution of 0.2% or more which include thirteen facilities located in West Virginia.[26] West Virginia then decided not to select eight of those facilities for analysis of reasonable progress measures or controls.[27] The State considered a percent contribution of greater than or equal to 1.00% (individual facility contribution divided by the total sulfate and nitrate contributions from EGU + non-EGU point sources) to determine whether to select a facility for a reasonable progress analysis. West Virginia excluded seven of the eight unselected facilities in part based on a PSAT modeling result of <1.00% as well as various factors through a qualitative weight-of-the evidence approach.[28] The remaining of the unselected facilities, Grant Town Plant,[29] had a PSAT modeling result of ≥1.00% which WV DEP scaled down to <1.00% contribution to Dolly Sods based on recent emissions data.[30] WV DEP also included discussion as to why no reasonable progress analysis is warranted for Mountaineer Plant, a ninth facility that was not tagged for PSAT modeling.[31]

After excluding eight of the thirteen facilities selected for PSAT tagging—along with Mountaineer Plant, which had not been selected for PSAT—West Virginia then selected the remaining five facilities: Harrison Power Station; Fort Martin Power Station; Pleasants Power Station; Mitchell Plant; and the John E. Amos Plant, to perform a four-factor analysis.[32] WV DEP also included in its reasonable progress discussion at section 7.8 of the SIP submittal a sixth facility—Grant Town Plant—which was initially included among the eight facilities for which WV DEP explained that no reasonable progress analysis was warranted.[33] Although the State then selected Grant Town Plant for a reasonable progress evaluation, it did not contact the facility to request such analysis giving as the reason, ''the facility is already subject to a federally enforceable Title V permit (R30–04900026–2020) that limits SO_2 emissions to less than the quantity projected to exceed the 1.00% visibility threshold of the VISTAS PSAT modeling.'' [34] We refer to these particular facilities as the ''selected six facilities'' or the ''six selected sources''.

Section 7.6.2, Table 7–19 of the SIP submittal contains PSAT results for the Dolly Sods Area, which includes fifteen facilities where sulfate contributions are ≥1.00% and addresses nearly 36.5% of the entire sulfate plus nitrate point source visibility impact in 2028; six of these fifteen facilities are located in West Virginia.[35] Table 7–20 contains PSAT results for the Otter Creek Wilderness Area, which includes fourteen facilities where sulfate contributions are ≥1.00% and addresses more than 34.7% of the entire sulfate plus nitrate point source visibility impact in 2028; five of these fourteen facilities are located in West Virginia.[36] The West Virginia facilities listed in Tables 7–19 and 7–20 are the same as the five facilities plus Grant Town Plant in section 7.8 of the SIP submittal.

Tables 7–21 through 7–27 contain the PSAT results for the five West Virginia facilities [37] that WV DEP selected for evaluation of emissions control measures based on sulfate contributions of ≥1.00% to the following out-of-state Class I Areas: Acadia National Park (Maine), James River Face Wilderness Area (Virginia), Lye Brook Wilderness Area (Vermont), Moosehorn Wilderness Area (Maine), Roosevelt Campobello International Park (Maine/New Brunswick), Shenandoah National Park (Virginia), and Swanquarter Wilderness Area (North Carolina), respectively.

Further, WV DEP states that (1) the Allegheny Energy Supply Co LLC—Harrison facility [38] affects eight Class I areas; (2) Monongahela Power Co.—Pleasants Power Station impacts six Class I areas; (3) Mitchell Plant impacts four Class I areas; (4) Monongahela Power Co.—Fort Martin Power impacts three Class I areas; (5) Appalachian Power Company—John E. Amos Plant impacts three Class I areas; and (6) American Bituminous Power—Grant Town Plant impacts one Class I area. The full list of tagged facilities and their contributions to each Class I area can be found in Appendix E–7b of the SIP submittal. WV DEP ultimately identifies six West Virginia facilities as contributing to visibility impairment in at least one Class I Area, and five of these facilities as contributing to visibility impairment in multiple Class I Areas.[39]

Thus, West Virginia selected six facilities via their source selection process: Harrison Power Station; Fort Martin Power Station; Pleasants Power Station; Mitchell Plant; Grant Town; and the John E. Amos Plant. All the selected facilities are coal- or coal waste-fired EGUs, and as such are already subject to many Federal and State air pollution regulatory programs, which were described in WV DEP's submittal. Each of the coal-fired EGUs already have scrubber technology installed, except for one,[40] and are operating pursuant to the Cross-State Air Pollution Rule (CSAPR) program; and Mitchell Power Plant has an SO_2 emission limit of 3,149 lbs/hr on a 30-day rolling average in the West Virginia SIP.[41]

WV DEP's Regional Haze SIP submittal included a general cost analysis for the six selected sources. This included cost analyses for replacing SO_2 controls at the six selected facilities with limestone forced

[26] Allegheny Energy Supply Co, LLC—Harrison; American Bituminous Power—Grant Town Plant; Appalachian Power Company—John E. Amos Plant; Dominion Resources, Inc.—Mount Storm Power Station; Equitrans—Copley Run CS 70; Files Creek; Glady; Kingsford Manufacturing Company; Longview Power; Mitchell Plant; Monongahela Power Co.—Fort Martin Power; Monongahela Power Co.—Pleasants Power Station; Morgantown Energy Associates.

[27] See section 7.6.4, ''Selection of Sources for Reasonable Progress Evaluation'' of WV DEP's Regional Haze SIP submittal for the 2nd Planning Period (''section 7.6.4'' or ''section 7.6.4 of the SIP submittal'').

[28] *Id.*

[29] West Virginia refers to this facility as ''Grant Town Plant'' as well as ''Grant Town Power Plant'' in the SIP submittal.

[30] *Id.* at 182 of 257.

[31] *Id.* at 187 of 257. West Virginia might have included Mountaineer because the EPA's January 5, 2022 comments submitted during the public comment period asked for ''further explanation of why the 4th largest SO_2 source in the state was not selected for a 4-factor analysis. . . .'' Appendix H–4 ''West Virginia Department of Environmental Protection Division of Air Quality Responses to EPA Region 3 Comments on the West Virginia Draft Regional Haze State Implementation Plan August 2022,'' section. 6.e.

[32] See section 7.8, ''Reasonable Progress for Individual Sources to be Included in the Long-Term Strategy'', of WV DEP's Regional Haze SIP submittal for the 2nd Planning Period (''section 7.8'' or ''section 7.8 of the SIP submittal'').

[33] *Id.* and section 7.6.4 of the SIP submittal.

[34] Section 7.8 of the SIP submittal at 197 of 257.

[35] Allegheny Energy Supply Co, LLC—Harrison; Monongahela Power Co—Pleasants Power Station; Kentucky Power Company—Mitchell Plant; Appalachian Power Company—John E. Amos Plant; Monongahela Power Co—Fort Martin Power; and American Bituminous Power—Grant Town Plant.

[36] Allegheny Energy Supply Co, LLC—Harrison; Monongahela Power Co—Pleasants Power Station; Kentucky Power Company—Mitchell Plant; Appalachian Power Company—John E. Amos Plant; and Monongahela Power Co—Fort Martin Power.

[37] Allegheny Energy Supply Co, LLC—Harrison; Monongahela Power Co—Pleasants Power Station; Kentucky Power Company—Mitchell Plant; Appalachian Power Company—John E. Amos Plant; and Monongahela Power Co—Fort Martin Power.

[38] WV DEP sometimes refers to this facility as Monongahela Power Company—Harrison Power Station, with a Facility ID of 54033–6271711. This is the same Facility ID used for Allegheny Energy Supply Co LLC—Harrison.

[39] See section 7.6.2, ''PSAT Contributions at West Virginia Class I Areas,'' and section 7.6.3, ''AoI versus PSAT Contributions,'' of WV DEP's Regional Haze SIP submittal for the 2nd Planning Period.

[40] American Bituminous Power—Grant Town Plant consists of two circulating fluidized bed boilers. Although theses boilers do not have flue gas desulfurization (scrubbers), limestone is introduced directly into the combustion area of the boilers to capture and remove SO_2.

[41] See 40 CFR 52.2520(d) and 85 FR 67664, October 26, 2020.

oxidation (LFSO) scrubbers, assuming 98% control efficiency and a remaining useful life of 20 years. WV DEP stated that LFSO was chosen because it is considered the best control technology with the highest SO_2 removal efficiency for coal boiler acid gas controls, and noted that LFSO was already installed and in operation at several of these facilities.[42] Additionally, for these sources, WV DEP estimated the replacement costs per facility, and per unit, of their Flue Gas Desulfurization (FGD) systems.[43] WV DEP determined that the cost to replace scrubbers on these facilities and units was not cost effective.

The WV Regional Haze SIP submittal also contains a detailed four-factor analysis for Pleasants Power Station, which reviewed three pre-combustion and five post-combustion SO_2 emissions controls.[44] The pre-combustion control options considered were: utilization of lower sulfur coals; fuel blending with limestone; and coal cleaning. The post-combustion controls considered were: wet limestone scrubbers, also known as LSFO;[45] spray dry absorbers (SDA); dry sorbent injection (DSI); circulating dry scrubbers with fabric filters (DS/FF); and hydrated ash reinjection (HAR).''[46] Based on the documentation provided within the submittal, it appears WV DEP relied, at least in part, on the January 2021 ''Regional Haze Four-Factor Analysis''[47] provided by Energy Harbor to eliminate all potential control options, aside from LSFO, from further consideration under the four statutory factors under the basis of technological feasibility. The single feasible technology, LFSO, was analyzed using the four factors. The estimated cost-effectiveness of the LFSO system is $11,292.95 per ton, or $9,931.94 per ton for one scrubber, and was determined by WV DEP to not be economically feasible to install.

If a State determines through consideration of the four statutory factors that no measures are necessary to make reasonable progress for this planning period for a Class I area that is below the URP, then the State generally does not need to include any additional measures in its long-term strategy. The purpose of the long-term strategy is to make reasonable progress toward Congress' national goal, but if the state has considered the four factors, and a Class I area is below the URP, it has presumptively already made reasonable progress for the planning period. It thus follows that additional measures for West Virginia's long-term strategy are unnecessary for this planning period, particularly when there is no evidence in the record that visibility conditions at the impacted Class I areas might deteriorate absent enforceable measures.

Section 51.308(f)(2)(ii) provides that states must consult with other states that are reasonably anticipated to contribute to visibility impairment in a Class I Area to develop coordinated emission management strategies containing the emission reductions measures that are necessary to make reasonable progress. Section 51.308(f)(2)(ii)(A) and (B) require states to consider the emission reduction measures identified by other states as necessary for reasonable progress and to include agreed upon measures in their SIPs. Section 51.308(f)(2)(ii)(C) requires a State to document in its SIP submission all substantive consultations with other contributing States and also speaks to what happens if states cannot agree on what measures are necessary to make reasonable progress. WV DEP included documentation of its calls, webinars, presentations, and other consultation with VISTAS and non-VISTAS states from December 2017 to October 2020. West Virginia's consultation documentation confirms that no states disagreed with or provided comment on West Virginia's approach to its long-term strategy.

Section 51.308(f)(2)(iii) requires that the emissions information considered to determine the measures that are necessary to make reasonable progress include information on emissions for the most recent year for which the state has submitted triennial emissions data to the EPA (or a more recent year), with a twelve-month exemption period for newly submitted data. WV DEP included emissions information from the most recent year in its submittal; 2017, 2018, and 2019 emissions information that had been previously reported to the EPA and compared these emissions to the 2028 emissions used in its modeling.[48] Table 7–35 shows all West Virginia facilities with greater than 100 tpy SO_2 emissions in 2017 and Table 7–36 shows all West Virginia facilities with greater than 100 tpy NO_X emissions in 2017.

Section 51.308(f)(2)(iv) requires states to consider the following additional factors in developing its long-term strategy: (1) emission reductions due to ongoing air pollution control programs, including measures to address reasonably attributable visibility impairment; (2) measures to mitigate the impacts of construction activities; (3) source retirement and replacement schedules; (4) basic smoke management practices for prescribed fire used for agricultural and wildland vegetation management purposes and smoke management programs; and (5) the anticipated net effect on visibility due to projected changes in point, area, and mobile source emissions over the period addressed by the long-term strategy. WV DEP includes information on these factors in its SIP submittal, including additional information on smoke management practices and measures to mitigate the impacts of construction activities.[49]

Based on the reasoning described in section V and VI in this document, EPA is proposing that West Virginia has met the requirements of 40 CFR 51.308(f)(2).

4. Reasonable Progress Goals (RPGs)

West Virginia identified 2028 RPGs for each of its Class I areas in deciviews for the 20 percent most impaired days and the 20 percent clearest days in Tables 8–1 and 8–2 of its regional haze plan submittal, respectively, which are well below the 2028 URP value for each Class I area. Table 1, in this document, summarizes the 2028 RPGs and 2028 URP for West Virginia's Class I areas.

[42] Section 7.8 of the SIP submittal at 202 of 257, and Table 7–37.

[43] Section 7.8 of the SIP submittal at 204 of 257, and Table 7–38.

[44] Section 7.8 of the SIP submittal at 199 of 257.

[45] LSFO is the correct abbreviation, though West Virginia also uses the incorrect abbreviation LFSO multiple times in the SIP submittal as quoted by EPA.

[46] Section 7.8 of the SIP submittal at 199 of 257.

[47] Appendix G–2 at G–2d, ''Response Letter from Energy Harbor (Pleasants Station),'' WV DEP's Regional Haze SIP Submittal for the 2nd Planning Period.

[48] *See* section 7.6.5, ''Evaluation of Recent Emission Inventory Information,'' of WV DEP's Regional Haze SIP Submittal for the 2nd Planning Period.

[49] Section 7.9 of the SIP submittal at 207 of 257.

TABLE 1—WEST VIRGINIA'S CLASS I AREA 2028 RPGS AND URP IN DECIVIEWS (dv)

Class I area	2028 RPG for 20% clearest days	2028 RPG for 20% most impaired days	2028 Uniform rate of progress (URP)
Dolly Sods Wilderness Area	7.55	15.29	20.54
Otter Creek Wilderness Area	7.55	15.29	20.54

Figure 3–1 of the WV DEP regional haze plan submittal shows the URP for the 20 percent most impaired days for Dolly Sods Wilderness Area which also represents the URP for the Otter Creek Wilderness Area. Therefore, EPA is proposing that West Virginia satisfied the applicable requirements of 40 CFR 51.308(f)(3)(i). The State established 2028 RPGs expressed in deciviews that reflect the visibility conditions that are projected to be achieved by the end of the second planning period. West Virginia's RPGs illustrate improvement in visibility for the 20 percent most impaired days since the baseline period (2000–2004) and demonstrate that there is no degradation in visibility for the 20 percent clearest days since the baseline period. EPA is also proposing that West Virginia has satisfied the applicable requirements of 40 CFR 51.308(f)(3)(ii) because the projected 2028 visibility conditions for both in-state and out-of-state Class I areas influenced by emissions from West Virginia sources are all below the URP.

5. Monitoring Strategy and Other State Implementation Plan Requirements

Section 51.308(f)(6) specifies that each comprehensive revision of a State's Regional Haze SIP must contain or provide for certain elements, including monitoring strategies, emissions inventories, and any reporting, recordkeeping and other measures needed to assess and report on visibility. A main requirement of this section is for States with Class I Areas to submit monitoring strategies for measuring, characterizing, and reporting on visibility impairment. Section 51.308(f)(6)(ii) requires SIPs to provide for procedures by which monitoring data and other information are used in determining the contribution of emissions from within the State to Regional Haze visibility impairment at mandatory Class I Federal Areas both within and outside the State. Section 51.308(f)(6)(iii) requires SIPs to provide procedures by which monitoring data and other information are used in determining the contribution of emissions from within the State to Regional Haze visibility impairment at mandatory Class I Federal Areas in other States. Section 51.308(f)(6)(iv) requires the SIP to provide for the reporting of all visibility monitoring data to the Administrator at least annually for each Class I area in the State. Section 51.308(f)(6)(v) requires SIPs to provide for a statewide inventory of emissions of pollutants that are reasonably anticipated to cause or contribute to visibility impairment, including emissions for the most recent year for which data are available. Section 51.308(f)(6)(v) also requires States to include estimates of future projected emissions and include a commitment to update the inventory periodically.

With respect to 40 CFR 51.308(f)(6)(i), WV DEP stated that the existing IMPROVE monitors for the State's Class I areas are sufficient for the purposes of this SIP revision. With respect to 40 CFR 51.308(f)(6)(ii), WV DEP stated that it will use data from these IMPROVE monitors for future haze plans and progress reports. Section 51.308(f)(6)(iii) does not apply to West Virginia, as this provision only applies to States with no Class I areas. With respect to 40 CFR 51.308(f)(6)(iv), the U.S. National Park Service (NPS) manages and oversees the IMPROVE monitoring network and reviews, verifies, and validates IMPROVE data before its submission to the EPA's Air Quality System (AQS). With respect to 40 CFR 51.308(f)(6)(v), WV DEP provided a baseline emissions inventories, current emissions data, and 2028 future emissions projections for visibility-impairing pollutants for source categories and specific point sources, and committed to update the inventory periodically.[50] With respect to 40 CFR 51.308(f)(6)(vi), West Virginia affirmed that there are no elements, including reporting, recordkeeping, or other measures, necessary to address and report on visibility for West Virginia's Class I areas or Class I areas outside the State that are affected by sources in West Virginia. Therefore, EPA is proposing that West Virginia has satisfied the applicable requirements of 40 CFR 51.308(f)(6).

6. Requirements for Periodic Reports Describing Progress Toward the RPGs

Section 51.308(f)(5) requires a state's regional haze SIP revision to address the requirements of paragraphs 40 CFR 51.308(g)(1) through (5) so that the plan revision due in 2021 will serve also as a progress report addressing the period since submission of the progress report for the first planning period. The regional haze progress report requirement is designed to inform the public and EPA about a state's implementation of its existing LTS and whether such implementation is in fact resulting in the expected visibility improvement. See 81 FR 26942, 26950 (May 4, 2016), 82 FR 3119 (January 10, 2017).

A core component of the progress report requirements is an assessment of changes in visibility conditions on the clearest and most impaired days. For second planning period progress reports, 40 CFR 51.308(g)(3) requires states with Class I areas within their borders to first determine current visibility conditions for each area on the most impaired and clearest days, 40 CFR 51.308(g)(3)(i), and then to calculate the difference between those current conditions and baseline (2000–2004) visibility conditions to assess progress made to date. See 40 CFR 51.308(g)(3)(ii). States must also assess the changes in visibility impairment for the most impaired and clearest days since they submitted their first planning period progress reports. See 40 CFR 51.308(f)(5) and (g)(3)(iii). Since different states submitted their first planning period progress reports at different times, the starting point for this assessment will vary state by state.

Similarly, states must provide analyses tracking the change in emissions of pollutants contributing to visibility impairment from all sources and activities within the state over the period since they submitted their first planning period progress reports. See 40 CFR 51.308(f)(5) and (g)(4). Changes in emissions should be identified by the type of source or activity. Section 51.308(g)(5) also addresses changes in emissions since the period addressed by

[50] See section 4, ''Types of Emissions Impacting Visibility Impairment in West Virginia Class I Areas'', section 7.2.4, ''EPA Inventories'', and section 13, ''Progress Report,'' of WV DEP's Regional Haze SIP Submittal for the 2nd Planning Period.

the previous progress report and requires states' implementation plan revisions to include an assessment of any significant changes in anthropogenic emissions within or outside the state. This assessment must include an explanation of whether these changes in emissions were anticipated and whether they have limited or impeded progress in reducing emissions and improving visibility relative to what the state projected based on its LTS for the first planning period.

With respect to the progress report elements pursuant to 40 CFR 51.308(f)(5), WV DEP addressed these elements in section 13 of its submittal for the period 2011 to 2018, the end of the first period.

Regarding 40 CFR 51.308(g)(1) and (2), WV DEP describes the status of the implementation of the measures of the LTS from the first planning period in section 13.3 of its submittal and provides a summary of the emission reductions achieved by implementing those measures. Regarding 40 CFR 51.308(g)(3), WV DEP calculated current visibility conditions, the difference between current visibility conditions compared to the baseline, and the change in visibility impairment for the most and least impaired days over the past five years for the State's two Class I areas in Tables 13–5, 13–6, 13–7, and 13–8. WV DEP concluded that IMPROVE monitoring data show that all West Virginia Class I areas are well below the 2018 RPG for the 20 percent worst days and there is no degradation on the 20 percent best/clearest days which is illustrated in Figures 13–2 and 13–3 of WV DEP's submittal.

Regarding 40 CFR 51.308(g)(4), in section 13.5, WV DEP provided emissions trends from 2011 through 2019 for $PM_{2.5}$, NO_X, and SO_2 which reflect the emissions reductions from the measures in the first planning period LTS. WV DEP reviewed anthropogenic SO_2 and NO_X emissions trends based on emissions included in the 2011, 2014, and 2017 National Emissions Inventories (NEIs) for the VISTAS states and all of the RPOs. The data show a decline in SO_2 and NO_X emissions from 2014 through 2019 in Table 13–10 and Figures 13–11, 13–12, and Table 13–13 of WV DEP's submittal. WV DEP concluded that there does not appear to be any anthropogenic emissions within West Virginia that would have limited or impeded progress in reducing pollutant emissions or improving visibility.

The EPA is proposing that WV DEP has met the requirements of 40 CFR 51.308(g)(1) through (5) because its submittal adequately describes the status of the measures included in the LTS from the first planning period and the emission reductions achieved from those measures; the visibility conditions and changes at the West Virginia Class I areas; an analysis tracking the changes in emissions since the first planning period progress report using available emissions data from 2011–2019, including annual 2018 and 2019 emissions data and 2017 NEI data which is the most recent triennial emissions inventory submission from WV DEP prior to submission of their 2022 haze submittal in accordance with the RHR; and assessed whether any significant changes in anthropogenic emissions within or outside the State have occurred since the end of the period addressed by WV DEP's first planning period progress report, including whether these changes in anthropogenic emissions were anticipated in that most recent plan and whether they have limited or impeded progress in reducing pollutant emissions and improving visibility. Thus, EPA is proposing that West Virginia has satisfied the progress report elements pursuant to 40 CFR 51.308(f)(5).

7. Requirements for State and Federal Land Manager (FLM) Coordination

EPA is proposing that West Virginia satisfied the requirements for State and Federal Land Manager coordination. West Virginia submitted a draft of its haze plan to the FLMs for review on August 27, 2021. WV DEP held a consultation call with NPS, U.S. Fish and Wildlife Service, U.S. Forest Service, and EPA on October 19, 2021. WV DEP held a public hearing on its proposed haze plan on November 30, 2021. On November 5, 2021, WV DEP opened the comment period, and after two extensions the comment period closed on January 10, 2022. As part of extending the comment period, WV DEP included in a notice a reference to materials including the FLMs conclusions and recommendations made available to the public.

The EPA is proposing that, as required by CAA section 169A(d), that the State consulted with the FLMs prior to holding a public hearing on its proposed haze plan, and that the State also provided the FLMs' conclusions and recommendations to the public during the comment period. The State also satisfied the requirements of 40 CFR 51.308(i). As required by 40 CFR 51.308(i)(2), WV DEP provided the FLMs with the opportunity to consult. In accordance with 40 CFR 51.308(i)(3), WV DEP also responded to the FLMs' comments in Appendix H–2 of its submittal. Finally, sections 1.6 and 11 of the regional haze SIP describe how WV DEP will meet the requirements of 40 CFR 51.308(i)(4) regarding procedures for continuing consultation.

VII. Proposed Action

For the reasons set forth in this rulemaking, EPA is proposing to approve West Virginia's August 12, 2022 SIP submittal as satisfying the regional haze requirements for the second planning period contained in 40 CFR 51.308(f).

VIII. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Clean Air Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- 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);
- Executive Order 14192 (90 FR 9065, February 6, 2025) does not apply because SIP actions are exempt from review under Executive Order 12866;
- 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 subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- 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, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Catherine A. Libertz,

Acting Regional Administrator, Region III.

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Notices

Federal Register
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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

Submission for OMB Review; Comment Request

The Department of Agriculture will submit the following information collection requirement(s) to OMB for review and approval under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. Comments are requested regarding: (1) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (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, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding these information collections are best assured of having their full effect if received by November 30, 2023. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Economic Research Service

Title: Generic Clearance for Survey Research Studies.

OMB Control Number: 0536–0073.

Summary of Collection: The Economic Research Service (ERS) of the United States Department of Agriculture (USDA) requests renewal from the Office of Management and Budget (OMB) for generic clearance that will allow ERS to conduct research to improve the quality of data collection by developing, testing, and evaluating its survey instruments, methodologies, technology, interview processes, and respondent recruitment protocols. The primary objective of ERS is providing timely research and analysis to public and private decision makers on topics related to agriculture, food, the environment, and rural America. This request is part of an on-going initiative to improve the quality of ERS' data products in general and surveys in specific as recommended by both its own guidelines and those of OMB.

Need and Use of the Information: The information collected in this program will be used by staff from the ERS and sponsoring agencies to evaluate and improve the quality of the data in the surveys and censuses that are ultimately conducted. Specifically, the information will be used to reduce respondent burden while simultaneously improving the quality of the data collected in these surveys. These objectives are met when respondents are presented with plain, coherent and unambiguous questionnaires that ask for information, which are compatible with respondents' memory and/or current reporting and record keeping practices. The purpose of the survey improvement projects will be to ensure that ERS surveys continuously attempt to meet these standards of excellence.

Description of Respondents: Individuals or households; Business or other for-profit; Not-for-profit institutions; Farms; State, Local or Tribal Government.

Number of Respondents: 3,630.

Frequency of Responses: Reporting annually.

Total Burden Hours: 1,815.

Rachelle Ragland-Greene,

Departmental Information Collection Clearance Officer.

[FR Doc. 2025–06670 Filed 4–17–25; 8:45 am]

BILLING CODE 3410–18–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

The Department of Agriculture will submit the following information collection requirement(s) to OMB for review and approval under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. Comments are requested regarding: (1) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (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, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding these information collections are best assured of having their full effect if received by November 30, 2023. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it

displays a currently valid OMB control number.

National Agricultural Statistics Service

Title: Stocks Reports.

OMB Control Number: 0535–0007.

Summary of Collection: The National Agricultural Statistics Service's primary function is to prepare and issue current, official State and national estimates of crop and livestock production, stocks, disposition, and prices. As part of this function, estimates are made for stocks of off-farm grains and oilseeds, hops, peanuts, potatoes, and rice. Statistics for the set of crops included in this docket are collected because of the large volume produced, high value of production, and significant public interest. General authority for data collection is granted under U.S. Code title 7, section 2204. This statute specifies that ''The Secretary of Agriculture shall procure and preserve all information concerning agriculture which he can obtain . . . by the collection of statistics . . . and shall distribute them among agriculturists.''

Need and Use of the Information: The primary objective of the National Agricultural Statistics Service is to prepare and issue State and national estimates of crop and livestock production, stocks, disposition, and prices. The *Stocks Report* surveys, provide estimates of stocks of grains, hops, oilseeds, peanuts, potatoes, and rice that are stored off-farm. These off-farm stocks are combined with on-farm stocks to estimate stocks in all positions. The *Stocks Reports* are a principle economic indicator as defined by OMB. Stocks statistics are used by the U.S. Department of Agriculture to help administer programs; by State agencies to develop, research, and promote the marketing of products; and by producers and buyers to find their best market opportunity(s). The *Stocks Reports* are instrumental in providing timely, accurate data to help grain market participants. In order to maintain a complete and comprehensive list of operations, NASS needs to conduct an Operation Profile survey annually to add new operations to the survey population. This profile is also used to identify operations that do not meet the criteria to be included in the Off-farm Grain and Oilseeds Survey.

Description of Respondents: Farms and Businesses.

Number of Respondents: 9,925.

Frequency of Responses: Reporting: Monthly; Quarterly; Annually.

Total Burden Hours: 5,757.

Rachelle Ragland-Greene,

Departmental Information Collection Clearance Officer.

[FR Doc. 2025–06675 Filed 4–17–25; 8:45 am]

BILLING CODE 3410–20–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments are requested regarding; whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by May 19, 2025 will be considered. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Animal and Plant Health Inspection Service

Title: A Survey of Livestock Producer Perceptions of Predators and Predator Damage Management Methods.

OMB Control Number: 0579–NEW.

Summary of Collection: Under the Act of March 2, 1931 (7 U.S.C. 8351), the Secretary of Agriculture is authorized to conduct a program of wildlife services with respect to injurious animal species and take any action the Secretary considers necessary in conducting the program. Additionally, the Secretary of Agriculture is authorized to conduct activities to control nuisance mammals and birds (except for urban rodent control) and those mammals and bird species that are reservoirs for zoonotic disease. This authority has been delegated to the Animal and Plant Health Inspection Service (APHIS) Wildlife Services (WS). Two responsibilities of the Deputy Administrator of WS are to assist Federal, State, local, and foreign agencies and individuals regarding wildlife damage and control and conduct research to develop wildlife damage management methods (7 CFR 371.6).

Need and Use of the Information: APHIS plans to conduct a survey of livestock producers who (1) experienced livestock loss from predators, (2) worked with WS to try and mitigate losses through WS Nonlethal Initiative programs, and (3) allowed WS State Directors to share their contact information within APHIS to measure respondents' perceptions of various predator damage management methods and willingness to continue using such methods.

Data collected, analyzed, and interpreted from the Livestock Producer Perceptions of Predators and Predator Damage Management Methods study will be disseminated to a variety of constituents, including within APHIS WS and open access or subscription-based journals. Additionally, all data and metadata collected and used in peer-reviewed publications will be made publicly accessible in a data repository per the USDA Departmental Regulation 1020–006. APHIS will not link survey information with respondent name or contact information.

APHIS will use the data collected to:

- Analyze how producers conceptualize losses from predators (*i.e.,* animals missing vs. animal carcasses found vs. confirmed kills);
- Identify any correlations between frequency of communication, trust, and acceptance of nonlethal predator damage management methods suggested by WS;
- Provide input into the WS Nonlethal Initiative programs and WS' damage management policy and outreach; and
- Help inform policy by providing scientifically accurate data.

Description of Respondents: Business; Individual or Household.

Number of Respondents: 200.

Frequency of Responses: Reporting: On occasion; Annually.

Total Burden Hours: 265.

Rachelle Ragland-Greene,

Departmental Information Collection Clearance Officer.

[FR Doc. 2025–06674 Filed 4–17–25; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2022–0055]

Notice of Availability of Final Programmatic Environmental Impact Statement for Outbreak Response Activities for Highly Pathogenic Avian Influenza Outbreaks in Poultry in the United States and U.S. Territories

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of availability.

SUMMARY: We are advising the public that a final programmatic environmental impact statement (EIS) has been prepared by the Animal and Plant Health Inspection Service relative to our response activities to highly pathogenic avian influenza outbreaks in commercial and backyard poultry operations located throughout the United States. The final EIS analyses and compares the potential environmental effects of using three action alternatives during an HPAI outbreak. We are making this final programmatic EIS available to the public for review.

DATES: There will be a 30-day review period to May 19, 2025, after which time the agency will issue a Record of Decision (ROD).

ADDRESSES: The final EIS is available for review at:

- The Federal eRulemaking Portal. Go to *www.regulations.gov.* Enter APHIS–2022–0055 in the Search field.
- In our reading room, located in room 1620 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC 20250. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: Ms. Chelsea Bare, Chief of Staff, Veterinary Services, APHIS, U.S. Department of Agriculture, 1400 Independence Avenue SW, Whitten Building Room 318–E, Washington, DC 20250; *chelsea.j.bare@usda.gov.*

SUPPLEMENTARY INFORMATION: The Secretary of Agriculture is authorized to protect the health of livestock, including poultry, in the United States by preventing the introduction and interstate spread of serious diseases and pests of livestock, and for eradicating such diseases within the United States when feasible (7 U.S.C. 8301–8322). This authority has been delegated to the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Veterinary Services (VS).

Highly pathogenic avian influenza (HPAI) is one such serious disease of livestock. In February of 2004, the first outbreak of HPAI in the United States in 20 years occurred in Texas. Since then, HPAI outbreaks in poultry have continued to occur across the United States and impact commercial poultry facilities and backyard flocks.

USDA APHIS VS works closely with States, Tribes, and the poultry industry to prevent HPAI from becoming established in the U.S. poultry population. Once established, HPAI rapidly spreads within and between flocks and can cause severe, painful conditions, including hemorrhaging and neurologic conditions, widespread organ failure, and high mortality. Keeping our nation's poultry operations free from HPAI helps protect the poultry industry, farmers' livelihoods, the availability of poultry and poultry products for U.S. consumers, international trade, the health of wild birds, and the health of people who are in close, regular contact with poultry. While HPAI is extremely infectious and fatal in poultry, the risks from HPAI infections to humans are low.

USDA APHIS VS has prepared a programmatic environmental impact statement (EIS) to analyze the potential environmental impacts associated with action alternatives that could be taken during an HPAI outbreak in poultry in the United States. The chosen alternative must (1) detect, control, and contain HPAI in poultry as quickly as possible; (2) eradicate the HPAI virus using strategies that protect public health and the environment, and stabilize animal agriculture, the food supply, and the economy; and (3) provide science- and risk-based approaches and systems to facilitate continuity of business for non-infected animals and non-contaminated animal products. The findings of the programmatic EIS will be used to support HPAI outbreak response activity planning and decision-making and enhance the decisionmakers' ability to protect the environment and human health when an HPAI outbreak occurs. USDA APHIS VS may use information presented in this EIS to promptly fulfill its National Environmental Policy Act (NEPA) obligations and any future, relevant site-specific NEPA documents may tier to it. The EIS also informs the public about the potential environmental effects of HPAI outbreak response activities.

The final programmatic EIS presents the purpose and need for the action, a description of the affected environment, and an analysis of potential environmental impacts of three alternative actions: (1) No Federal Operational Assistance Alternative; (2) Federal Operational Assistance (No Action) Alternative; and (3) Federal Operational Assistance with Biosecurity Incentive Alternative (Preferred Alternative).

Under the No Federal Operational Assistance Alternative, State and local authorities, Tribes, and poultry owners and producers would be responsible for depopulating HPAI-infected flocks, disposing of carcasses and other potentially HPAI-contaminated materials, and managing any necessary transportation, cleanup and disinfection. USDA APHIS VS would not be involved in managing, overseeing, and/or actively implementing any of these operational activities. State authorities, Tribes, and poultry owners and producers would make all the decisions regarding the depopulation and carcass disposal methods chosen for implementation. Upon request from the States, Tribes, or poultry owners and producers, USDA APHIS VS would provide technical guidance (*e.g.,* recommendations, issuance of guidance documents) about surveillance testing to owners and producers of commercial and backyard flocks that are not experiencing signs of clinical illness to determine if infections of the virus have occurred. USDA APHIS VS may provide indemnity and/or financial compensation.

Under the Federal Operational Assistance Alternative, USDA APHIS VS would conduct all activities as described under the No Federal Operational Assistance Alternative. In addition, upon request from State, local, or Tribal authorities, USDA APHIS VS would provide operational assistance through managing, overseeing, and/or actively participating in depopulation, carcass disposal, and transportation. Cleaning and disinfection would be the responsibility of States, Tribes, and poultry owners and producers, as USDA

APHIS VS does not perform these activities. USDA APHIS VS would also provide tools upon request, such as machinery and contracted operators, for depopulation and disposal activities. The level of assistance USDA APHIS VS would provide will depend on the needs of the impacted State or Tribe.

Under the Federal Operational Assistance with Biosecurity Incentive Alternative (Preferred Alternative), USDA APHIS VS would provide all the same support and assistance described under the Federal Operational Assistance Alternative. In addition, USDA APHIS VS would condition a poultry producer's eligibility for indemnity and/or compensation on that producer's ability to demonstrate compliance with their existing site-specific written biosecurity plan. USDA APHIS VS would require producers to pass one type of biosecurity audit for premises that were previously HPAI-infected that intend to restock and wish to be eligible to receive subsequent payments of indemnity for the restocked poultry during an outbreak. USDA APHIS VS would require producers to pass another type of biosecurity audit for premises located in the buffer zone of a control area prior to movement of poultry onto the premises if the premises wishes to be eligible for indemnity for poultry that have been moved onto the premises in the event of an outbreak. The buffer zone, which undergoes periodic surveillance, is an uninfected area typically extending 3 to 10 kilometers (1.9 to 6.2 miles) around an affected premises. If poultry owners or producers do not pass the required biosecurity audit and choose to restock a previously infected premises or move poultry onto a premises in a buffer zone, they would not receive indemnity and/or compensation if the premises became infected or reinfected with HPAI. Additionally, USDA APHIS VS would not pay indemnity for flocks moved onto premises in active infected zones if the flocks become infected with HPAI within 14 days following the end of the control area around an infected premises. A producer who does not make corrections recommended in APHIS' biosecurity audit will not be eligible for indemnity payments if the premises experiences future infections within the same outbreak.

The potential environmental impacts on the following resources are considered in the final EIS: Soil, air, and water quality; vegetation health; humans (including effects on health and safety, the economy, socioeconomic considerations, cultural and historic resources, children's health, and Tribes); wildlife health, and other wildlife considerations including birds of conservation concern, eagles, and threatened and endangered species. The final EIS also considers the impacts of HPAI outbreak response activities on climate change, the impacts of climate change on HPAI outbreak response activities, and the cumulative impacts from other past, present, and reasonably foreseeable future related actions. The primary HPAI outbreak response activities that are the focus of the impacts section under each alternative are depopulation and disposal, as well as some discussion concerning transportation and cleaning and disinfection.

In general, comparing the potential environmental impacts of the three alternatives, the Federal Operational Assistance with Biosecurity Incentive Alternative is expected to result in the least environmental impacts, followed by the Federal Operational Assistance Alternative while the No Federal Operational Assistance Alternative is expected to result in the most environmental impacts.

Direct assistance from USDA APHIS VS under both the Federal Operational Assistance with Biosecurity Incentive Alternative and the Federal Operational Assistance Alternative would mean an additional level of expertise when making decisions and implementing actions, which is lacking in the No Federal Operational Assistance Alternative. With Federal, State, and local authorities, Tribes, and poultry owners and producers all working together, it is more likely that the disease will be eradicated as rapidly as possible. A rigorous Federal response should incentivize the rapid reporting of HPAI incidents because it achieves disease eradication while providing relief to the poultry owners and producers. Additionally, absent Federal assistance, States and Tribes may lack the resources to deal with the outbreaks in a timely manner. The benefit of completing HPAI virus eradication activities as fast as possible is that it would decrease the risk of HPAI spreading to nearby premises or to wild birds that may infect other flocks, thereby preventing additional environmental impacts from future HPAI outbreaks and HPAI outbreak response activities. Under both the Federal Operational Assistance with Biosecurity Incentive Alternative and the Federal Operational Assistance Alternative, poultry suffering from HPAI should be minimized due to effective and efficient depopulation procedures being implemented with USDA APHIS VS assistance. Additionally, the assistance of USDA APHIS VS under the Federal Operational Assistance with Biosecurity Incentive Alternative and the Federal Operational Assistance Alternative is expected to allow poultry owners and producers to resume business as rapidly as possible and likely more rapidly than under the No Federal Operational Assistance Alternative.

However, comparing the Federal Operational Assistance with Biosecurity Incentive Alternative to the Federal Operational Assistance Alternative, the greatest reduction in impacts of all the alternatives is expected under the Federal Operational Assistance with Biosecurity Incentive Alternative. Requiring certain biosecurity measures (*i.e.,* audits) as part of the outbreak response to receive indemnity and/or compensation may increase the chance of biosecurity measures being implemented by commercial poultry owners and producers. Under this alternative, increased biosecurity measures could decrease the chance of reintroductions at the outbreak site or at surrounding premises resulting in a decrease in not only the spread of HPAI during an ongoing outbreak, but a decrease in future HPAI outbreak response activities and their potential impacts over time.

Based on the final programmatic EIS, USDA APHIS VS has concluded that the three alternatives will have minor potential impacts on soil, air, water quality, vegetation health, and cultural and historical resources, if all appropriate Federal, State, and local laws and guidance are followed. Currently, the risk of HPAI infections to humans is low, with risks of injuries and psychological trauma to workers being a concern that is minimized by following appropriate guidelines. Overall, potential economic impacts from HPAI are expected to be reduced under each of the alternatives. Socioeconomic impacts are possible under all alternatives and authorities should work to identify ways to limit those impacts. Children must have limited access to locations where HPAI outbreak response activities are being conducted, whenever possible. Tribes may choose to implement HPAI outbreak responses on their own; when USDA APHIS VS assists, there may be a decrease in impacts from HPAI outbreak response activities. Potential risks to wildlife health are expected to be reduced under the three alternatives. Under all alternatives, potential impacts to climate change would be relative to the biomass of poultry depopulated and carcasses disposed of, and the depopulation, disposal, and sanitation methods used. Lastly, following best

management practices and enhanced biosecurity measures over time reduces the likelihood of cumulative impacts.

The final programmatic EIS was prepared in accordance with: (1) the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C. 4321 *et seq.*), (2) the Council on Environmental Quality's NEPA-implementing regulations (40 CFR parts 1500–1508), compliant with the April 2022 regulations that went into effect on May 20, 2022, (3) USDA's NEPA-implementing regulations (7 CFR part 1b), and (4) USDA APHIS' NEPA-Implementing Procedures (7 CFR part 372).

Schedule for the Decision-Making Process

After the 30-day review period ends, we will issue a Record of Decision (ROD). The ROD will explain the agency's decision, redescribe the alternatives considered, and discuss any plans for mitigation.

Done in Washington, DC, this 14th day of April 2025.

Michael Watson,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2025–06621 Filed 4–17–25; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF COMMERCE

Census Bureau

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; National Sample Survey of Registered Nurses

AGENCY: Census Bureau, Department of Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act (PRA) of 1995, invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us to assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment on the proposed reinstatement, with change, of National Sample Survey of Registered Nurses (NSSRN), prior to the submission of the information collection request (ICR) to OMB for approval.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before June 17, 2025.

ADDRESSES: Interested persons are invited to submit written comments by email *addp.nssrn@census.gov.* Please reference National Sample Survey of Registered Nurses (NSSRN) in the subject line of your comments. You may also submit comments, identified by Docket Number USBC–2025–0003, to the Federal e-Rulemaking Portal: *http://www.regulations.gov.* All comments received are part of the public record. No comments will be posted to *http://www.regulations.gov* for public viewing until after the comment period has closed. Comments will generally be posted without change. All Personally Identifiable Information (for example, name and address) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. You may submit attachments to electronic comments in Microsoft Word, Excel, or Adobe PDF file formats.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Brian Lester, Assistant Survey Director (301) 763–4396, and *brian.d.lester@census.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

The National Sample Survey of Registered Nurses, which is sponsored by the National Center for Health Workforce Analysis (NCHWA) under the Health Resources Services Administration (HRSA) at the U.S. Department of Health and Human Services, is conducted to assist in fulfilling the Congressional mandates of the Public Health Service Act. Under 42 U.S.C. 294n(b)(2)(A), the Secretary of Health and Human Services (the Secretary) must establish a National Center for Health Workforce Analysis responsible for the development of information describing and analyzing the health care workforce and workforce-related issues, as well as to provide necessary information for decision-making regarding future directions in health professions and nursing programs in response to societal and professional needs. Additionally, 42 U.S.C 295k(a)–(b) requires the Secretary to establish ''a program, including a uniform health professions data reporting system, to collect, compile, and analyze data on health professions personnel'' which may be expanded to include, whenever determined necessary by the Secretary, ''the collection, compilation, and analysis of data . . . health care administration personnel, nurses, allied health personnel . . . in States designated by the Secretary to be included in the program.'' The NSSRN is designed to obtain the necessary data to determine the characteristics and distribution of Registered Nurses (RNs) throughout the United States, as well as emerging patters in their employment characteristics. These data will provide the means for the evaluation and assessment of these evolving characteristics, educational qualifications, and career employment patterns of RNs, consistent with the goals of congressional mandates of the Public Health Service Act found in 42 U.S.C. 294n(b)(2)(A) and 295k(a)–(b). Such data is particularly important to understand workforce issues faced by Registered Nurses given the dynamic change in the RN population and the transformation of the healthcare system in recent years.

NSSRN is seeking clearance to make the following changes:

- Revised questionnaire content—there are modifications to the questionnaire which include removing items, modifying existing items, and adding new content for the 2026 NSSRN. Questionnaire relating to the coronavirus pandemic have been removed, as have redundant and unneeded open-ended response options. Explanatory help text is added where needed. Additional questions related to teaching/precepting nurses and nursing burnout are added for 2026. New content has been cognitively tested. The final set of proposed new and modified content will be included in the full OMB ICR for the 2026 NSSRN.

From the prior cycle of the NSSRN, using American Association for Public Opinion Research definitions of response, we expect the 2026 NSSR to achieve a 50% response rate.

II. Method of Collection

All 125,000 RNs will receive an initial invitation letter with instructions on how to complete the questionnaire via the web. Ninety percent of the sampled RNs will receive a $5 unconditional monetary incentive with the initial invitation. No additional incentives are planned for subsequent follow-up mailings.

Following the initial invitation letter, two additional web invitations, two reminder pressure sealed postcards, and one paper questionnaire mailing will be sent. Similar to previous rounds of the

survey, the 2026 NSSRN will employ a Telephone Questionnaire Assistance (TQA) line. TQA staff will not only be able to answer respondent questions and concerns regarding the survey but will also be able to collect survey responses over the telephone using administrative access to the web instrument per respondent request.

III. Data

OMB Control Number: 0607–1002.
Form Number(s): NSSRN.
Type of Review: Regular submission, Request for a Revision of a Currently Approved Collection.
Affected Public: Nursing populations, researchers, policy makers.
Estimated Number of Respondents: 62,500.
Estimated Time per Response: 30 minutes.
Estimated Total Annual Burden Hours: 31,250.
Estimated Total Annual Cost to Public: $0.
Respondent's Obligation: Voluntary.
Legal Authority: Census Authority: 13 U.S.C 8(b).
HRSA Authority: Public Health Service Act, 42 U.S.C. 294n(b)(2)(A) and 42 U.S.C. 295k(a)–(b).

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include, or summarize, each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

Departmental PRA Compliance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2025–06678 Filed 4–17–25; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Census Bureau

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; American Community Survey (ACS) Methods Panel Tests

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on October 23, 2024, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: U.S. Census Bureau, Department of Commerce.
Title: American Community Survey Methods Panel Testing.
OMB Control Number: 0607–0936.
Form Number(s): ACS–1, ACS–1(GQ), ACS–1(PR)SP, ACS CAPI(HU), and ACS RI(HU).
Type of Request: Regular Submission, Request for a Revision of a Currently Approved Collection.
Number of Respondents:

Test	Estimated number of respondents
Questionnaire Timing Test	288,000.
Response Option and Error Message Design Test	288,000.
Additional Internet Instrument Testing	Test A—60,000. Test B—60,000.
Self-Response Mail Messaging and Contact Strategies Testing	Test A—60,000. Test B—60,000. Test C—60,000.
Content Testing	Test A—40,000.
Content Testing Follow-up Interview	Test A—40,000.
Nonresponse Follow-up Data Collection Testing	60,000.

Average Hours per Response:

Test	Estimated time per response (in minutes)
Questionnaire Timing Test	40
Response Option and Error Message Design Test	40
Additional Internet Instrument Testing	40
Self-Response Mail Messaging and Contact Strategies Testing	40
Content Testing	40
Content Testing Follow-up Interview	20

Test	Estimated time per response (in minutes)
Nonresponse Follow-up Data Collection Testing	40

Burden Hours:

Test	Estimated number of respondents	Estimated time per response (in minutes)	Total burden hours
Questionnaire Timing Test	288,000	40	192,000
Response Option and Error Message Design Test	288,000	40	192,000
Additional Internet Instrument Testing	Test A—60,000	40	40,000
	Test B—60,000		40,000
Self-Response Mail Messaging and Contact Strategies Testing	Test A—60,000	40	40,000
	Test B—60,000		40,000
	Test C—60,000		40,000
Content Testing	40,000	40	26,667
Content Testing Follow-up Interview	40,000	20	13,333
Nonresponse Follow-up Data Collection Testing	60,000	40	40,000
Total (over 3 years) *	1,016,000		664,000
Annual Burden Hours	338,667		221,333

* **Note:** This is the maximum burden requested for these tests. Every effort is taken to use existing production sample for testing when the tests do not involve content changes.

Needs and Uses: The U.S. Census Bureau requests authorization from OMB for the American Community Survey (ACS) Methods Panel Tests. The ACS is an ongoing monthly survey that collects detailed social, economic, housing and demographic data from about 3.5 million housing unit addresses in the United States and about 36,000 housing unit addresses in Puerto Rico each year (where it is called the Puerto Rico Community Survey [PRCS]). The ACS also collects detailed data from about 150,600 residents living in group quarters facilities in the United States and about 900 in Puerto Rico. Resulting tabulations from this data collection are provided on a yearly basis. The ACS allows the Census Bureau to provide timely and relevant social, economic, housing, and demographic statistics, even for low levels of geography.

An ongoing data collection effort with an annual sample of this magnitude requires that the Census Bureau continue research, tests, and evaluations aimed at improving data quality, reducing data collection costs, and improving the ACS questionnaire content and related data collection materials. The ACS Methods Panel is a research program at the Census Bureau designed to address and respond to survey issues and needs of the ACS. As part of the Decennial Census Program, the ACS also provides an opportunity to research and test elements of survey data collection that relate to the decennial census. As such, the ACS Methods Panel can serve as a testbed for the decennial census. From 2025 to 2028, the ACS Methods Panel may test ACS and decennial census methods for reducing survey cost, addressing respondent burden, and improving survey response, data quality, and survey efficiencies for housing units and group quarters. Testing may also include revising content or testing new questions. The ACS Methods Panel may also address other emerging needs of the program.

At this time, proposals are in place for several tests related to self-response. Tests may also be conducted for nonresponse follow-up data collection and other ACS operations. Because the ACS Methods Panel is designed to address emerging issues, we may propose additional testing as needed. The proposed tests are outlined below.

The ''Questionnaire Timing Test'' will test whether changing the timing of when the ACS paper questionnaire is sent to sampled addresses can increase self-response (overall and by data collection mode) and reduce data collection costs. The test will also evaluate the impact of including a Quick Response (QR) code on mail materials to direct respondents to the internet data collection instrument. If successful, adopting these changes could decrease data collection costs associated with the paper questionnaire and the Computer-Assisted Personal Interviewing (CAPI) nonresponse follow-up data collection operation.

The ''Internet Instrument Response Option and Error Message Design Test'' will provide information to aid the development of web design standards for household and group quarters data collection instruments used throughout the Census Bureau. This test will focus on design standards related to response options and error messages to increase data quality and the respondent experience. The response options testing will compare the use of standard radio buttons (the current design) to the use of modified response buttons. These modified response buttons have a border around the radio button and response option wording allowing for a larger area for a respondent to click or tap to select a response. The response button will highlight when hovered over and change to green once selected. This test will determine if these changes decrease response time, change response distributions, or affect item nonresponse. The error message design test will explore how respondents react to a different display. Current error messages display at the top of the page within a box and use an exclamation mark and color to draw attention. For missing write-in fields, an arrow shows where the error occurred. This experiment will test a change in colors used to draw attention to the error. Instead of an arrow showing where there is a missing write-in, a change to the write-in border will be used.

''Additional Internet Instrument Testing'' will test ACS design elements based on input from experts in survey methodology and web survey design. With a growing population using the internet to respond to the ACS, as well

as the increased usage of smartphones and other electronic devices with smaller screens, evaluation of the internet instrument is needed. Testing may include revisions focused on improving login procedures and screen navigation, improving the user interface design, as well as methods to decrease respondent burden. Multiple tests may be conducted.

''Self-Response Mail Messaging and Contact Strategies Testing'' will evaluate changes to ACS mailings, including the use of additional plain language to improve communication, redesigning the visual appearance of the mail materials, improving messaging to motivate response, and adding or removing materials included in the mailings. Changes to the contact method, the number of contacts, and the timing of the contacts may also be tested. Multiple tests may be conducted.

''Content Testing'' will test the impact of changing ACS question wording and response categories, as well as redefining underlying constructs, on the quality of the data collected. New questions may also be tested. Working through the Office of Management and Budget Interagency Committee for the ACS, the Census Bureau will solicit proposals from other federal agencies to change existing questions or add new questions to the ACS. The Census Bureau evaluates changes to current questions by comparing the revised questions to the current ACS questions. For new questions, the Census Bureau proposes comparing the performance of two versions of any new questions and benchmark results with other well-known sources of such information. Response bias or variance may also be measured to evaluate the questions by conducting a follow-up interview with respondents. Multiple tests may be conducted. Since the 60-day **Federal Register** Notice was published, the scope of the testing was reduced from a Test A and Test B, each with 40,000 respondents, to only a Test A. Additional reviews determined that the objectives of the testing can be accomplished with the single test.

''Nonresponse Follow-up Data Collection Testing'' will test modifications to nonresponse follow-up data collection operations to increase response to the ACS. The proposed tests would evaluate changes to the materials used by ACS field representatives (FRs), including changes to the messaging to motivate response or changes to the types of materials used. Testing may also include evaluation of modifications to operational approaches and data collection procedures, such as contact methods and timing. Multiple tests may be conducted. Since the 60-day **Federal Register** Notice was published, the scope of the testing was reduced from 100,000 to 60,000 respondents. Additional reviews determined that the objectives of the testing can be accomplished with a smaller number of respondents.

Affected Public: Individuals or households.

Frequency: Multiple one-time tests over a 3-year period.

Respondent's Obligation: Mandatory.

Legal Authority: Title 13 U.S.C. 141, 193, and 221.

This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function and entering either the title of the collection or the OMB Control Number 0607–0936.

Sheleen Dumas,

Departmental PRA Compliance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2025–06680 Filed 4–17–25; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–928, A–552–803, A–791–821]

Uncovered Innerspring Units From the People's Republic of China, the Socialist Republic of Vietnam, and South Africa: Continuation of Antidumping Duty Orders

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: As a result of the determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC) that revocation of the antidumping duty (AD) orders on uncovered innerspring units from the People's Republic of China (China), the Socialist Republic of Vietnam (Vietnam), and South Africa would likely lead to the continuation or recurrence of dumping and material injury to an industry in the United States, Commerce is publishing a notice of continuation of these AD orders.

DATES: Applicable April 3, 2025.

FOR FURTHER INFORMATION CONTACT: Robert Galantucci, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2923.

SUPPLEMENTARY INFORMATION:

Background

On December 11, 2008, Commerce published in the **Federal Register** the AD orders on imports of uncovered innerspring units from South Africa and Vietnam and, on February 19, 2009, Commerce published an AD order on imports of uncovered innerspring units from China.[1] On September 3, 2024, the ITC instituted,[2] and Commerce initiated,[3] the third sunset review of the *Orders,* pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). As a result of its reviews, Commerce determined that revocation of the *Orders* would likely lead to the continuation or recurrence of dumping, and therefore, notified the ITC of the magnitude of the margins of dumping likely to prevail should the *Orders* be revoked.[4]

On April 3, 2025, the ITC published its determination, pursuant to sections 751(c) and 752(a) of the Act, that revocation of the *Orders* would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[5]

Scope of the Orders

The merchandise subject to the *Orders* is uncovered innerspring units composed of a series of individual metal springs joined together in sizes corresponding to the sizes of adult mattresses (*e.g.,* twin, twin long, full, full long, queen, California king, and king) and units used in smaller

[1] *See Antidumping Duty Order: Uncovered Innerspring Units from South Africa,* 73 FR 75390 (December 11, 2008); *Antidumping Duty Order: Uncovered Innerspring Units from the Socialist Republic of Vietnam,* 73 FR 75391 (December 11, 2008); and *Uncovered Innerspring Units from the People's Republic of China: Notice of Antidumping Duty Order,* 74 FR 7661 (February 19, 2009) (collectively, *Orders*).

[2] *See Uncovered Innerspring Units from China, South Africa, and Vietnam; Institution of Five-Year Reviews,* 89 FR 71414 (September 3, 2024).

[3] *See Initiation of Five-Year (Sunset) Reviews,* 89 FR 71252 (September 3, 2024).

[4] *See Uncovered Innerspring Units from the People's Republic of China, the Socialist Republic of Vietnam, and South Africa: Final Results of the Expedited Third Sunset Review of the Antidumping Duty Orders,* 90 FR 1080 (January 7, 2025), and accompanying Issues and Decision Memorandum.

[5] *See Uncovered Innerspring Units from China, South Africa, and Vietnam Determinations,* 90 FR 14662 (April 3, 2025) (*ITC Final Determination*).

constructions, such as crib and youth mattresses. All uncovered innerspring units are included in the scope regardless of width and length. Included within this definition are innersprings typically ranging from 30.5 inches to 76 inches in width and 68 inches to 84 inches in length. Innersprings for crib mattresses typically range from 25 inches to 27 inches in width and 50 inches to 52 inches in length.

Uncovered innerspring units are suitable for use as the innerspring component in the manufacture of innerspring mattresses, including mattresses that incorporate a foam encasement around the innerspring.

Pocketed and non-pocketed innerspring units are included in this definition. Non-pocketed innersprings are typically joined together with helical wire and border rods. Non-pocketed innersprings are included in this definition regardless of whether they have border rods attached to the perimeter of the innerspring. Pocketed innersprings are individual coils covered by a ''pocket'' or ''sock'' of a nonwoven synthetic material or woven material and then glued together in a linear fashion.

Uncovered innersprings are classified under subheading 9404.29.9010 and have also been classified under subheadings 9404.10.0000, 9404.29.9005, 9404.29.9011, 7326.20.0070, 7326.20.0090, 7320.20.5010, 7320.90.5010, or 7326.20.0071 of the Harmonized Tariff Schedule of the United States (HTSUS). The HTSUS subheadings are provided for convenience and customs purposes only; the written description of the scope of the *Orders* is dispositive.

Continuation of the Orders

As a result of the determinations by Commerce and the ITC that revocation of the *Orders* would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, Commerce hereby orders the continuation of the *Orders.* U.S. Customs and Border Protection will continue to collect AD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of the continuation of the *Orders* will be April 3, 2025.[6] Pursuant to section 751(c)(2) of the Act and 19 CFR 351.218(c)(2), Commerce intends to initiate the next five-year reviews of the *Orders* not later than 30 days prior to fifth anniversary of the date of the last determination by the ITC.

Administrative Protective Order (APO)

This notice also serves as a final reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

These five-year (sunset) reviews and this notice are in accordance with sections 751(c) and 751(d)(2) of the Act and published in accordance with section 777(i) of the Act, and 19 CFR 351.218(f)(4).

Dated: April 14, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2025–06718 Filed 4–17–25; 8:45 am]

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[6] *See ITC Final Determination,* 90 FR at 14662.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–820]

Fresh Tomatoes From Mexico: Intent To Terminate Suspension Agreement, Rescind an Administrative Review, and Issue an Antidumping Duty Order

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) intends to terminate the 2019 Agreement Suspending the Antidumping Duty Investigation on Fresh Tomatoes from Mexico (2019 Agreement), rescind one of two ongoing administrative reviews of the 2019 Agreement, and to institute an antidumping duty (AD) order. The underlying investigation was completed on October 25, 2019.

DATES: Applicable April 18, 2025.

FOR FURTHER INFORMATION CONTACT: Sally C. Gannon, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0162.

SUPPLEMENTARY INFORMATION:

Background

On April 18, 1996, Commerce initiated an AD investigation to determine whether imports of fresh tomatoes from Mexico are being, or are likely to be, sold in the United States at less than fair value (LTFV).[1] On May 16, 1996, the United States International Trade Commission (ITC) notified Commerce of its affirmative preliminary injury determination.

On October 10, 1996, Commerce and certain tomato growers/exporters from Mexico initialed a proposed agreement to suspend the AD investigation. On October 28, 1996, Commerce determined imports of fresh tomatoes from Mexico were being sold at LTFV in the United States.[2] On the same day, Commerce and certain growers/exporters of fresh tomatoes from Mexico signed an agreement to suspend the investigation (1996 Suspension Agreement).[3]

On May 31, 2002, certain tomato growers/exporters from Mexico accounting for a significant percentage of all fresh tomatoes imported into the United States from Mexico provided written notice to Commerce of their withdrawal from the 1996 Suspension Agreement, effective on July 30, 2002. Because the 1996 Suspension Agreement would no longer cover substantially all imports of fresh tomatoes from Mexico, effective July 30, 2002, Commerce terminated the 1996 Suspension Agreement, terminated the sunset review of the suspended investigation, and resumed the antidumping investigation.[4]

On November 8, 2002, Commerce and certain tomato growers/exporters from Mexico initialed a proposed agreement suspending the resumed AD investigation on imports of fresh tomatoes from Mexico. On December 4, 2002, Commerce and certain growers/exporters of fresh tomatoes from Mexico

[1] *See Initiation of Antidumping Duty Investigation: Fresh Tomatoes from Mexico,* 61 FR 18377 (April 25, 1996).

[2] *See Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination: Fresh Tomatoes from Mexico,* 61 FR 56608 (November 1, 1996).

[3] *See Suspension of Antidumping Investigation: Fresh Tomatoes from Mexico,* 61 FR 56618 (November 1, 1996).

[4] *See Notice of Termination of Suspension Agreement, Termination of Sunset Review, and Resumption of Antidumping Investigation: Fresh Tomatoes from Mexico,* 67 FR 50858 (August 6, 2002).

signed a new suspension agreement (2002 Suspension Agreement).[5]

On November 26, 2007, certain tomato growers/exporters from Mexico accounting for a significant percentage of all fresh tomatoes imported into the United States provided written notice to Commerce of their withdrawal from the 2002 Suspension Agreement, effective 90 days from the date of their withdrawal letter (*i.e.,* February 24, 2008), or earlier, at Commerce's discretion. On November 28, 2007, Commerce and certain tomato growers/exporters from Mexico initialed a new proposed agreement to suspend the AD investigation on imports of fresh tomatoes from Mexico. On December 3, 2007, Commerce released the initialed agreement to interested parties for comment.

Because the 2002 Suspension Agreement would no longer cover substantially all imports of fresh tomatoes from Mexico, Commerce published a notice of intent to terminate the 2002 Suspension Agreement, intent to terminate the five-year sunset review of the suspended investigation, and intent to resume the AD investigation.[6] On January 16, 2008, Commerce published a notice of termination of the 2002 Suspension Agreement, termination of the five-year sunset review of the suspended investigation, and resumption of the AD investigation, effective January 18, 2008.[7] On January 22, 2008, Commerce signed a new suspension agreement (2008 Suspension Agreement) with certain growers/exporters of fresh tomatoes from Mexico.[8]

On August 15, 2012, certain growers/exporters of fresh tomatoes from Mexico filed a letter with Commerce requesting consultations under Section IV.G. of the 2008 Suspension Agreement, and Commerce agreed to consult. As a result of these consultations, on February 2, 2013, Commerce and tomato growers/exporters from Mexico accounting for a significant percentage of all fresh tomatoes imports from Mexico initialed a draft agreement. On February 8, 2013, Commerce published a notice of intent to terminate the 2008 Suspension Agreement, intent to terminate the five-year sunset review of the suspended investigation, and intent to resume the AD investigation.[9] On March 1, 2013, Commerce issued a notice of termination of the 2008 Suspension Agreement, termination of the five-year sunset review of the suspended investigation, and resumption of the AD investigation.[10] On March 4, 2013, Commerce and certain tomato growers/exporters from Mexico signed a new suspension agreement (2013 Suspension Agreement).[11]

On November 14, 2018, the Florida Tomato Exchange (FTE), a member of the U.S. petitioning industry, requested that Commerce terminate the 2013 Suspension Agreement and resume the underlying AD investigation. On February 6, 2019, Commerce notified Mexican signatories that Commerce intended to withdraw from the 2013 Suspension Agreement, rescind the sunset and administrative reviews, and resume the underlying AD investigation.[12] On May 7, 2019, Commerce withdrew from the 2013 Suspension Agreement and issued a notice of termination of the 2013 Suspension Agreement, rescission of the administrative review, and resumption of the underlying AD investigation.[13]

On August 20, 2019, Commerce and a representative of Mexican producers/exporters initialed a draft agreement to suspend the AD investigation and invited interested parties to comment.[14] On September 19, 2019, Commerce and representatives of the signatory producers/exporters accounting for substantially all imports of fresh tomatoes from Mexico signed the 2019 Agreement.[15]

On October 11, 2019, the FTE requested continuation of the underlying AD investigation in accordance with section 734(g) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.208(h).[16] On October 25, 2019, Commerce issued its final determination that fresh tomatoes from Mexico are being, or are likely to be, sold at LTFV in the United States.[17] On December 12, 2019, the ITC issued its final determination that an industry in the United States is threatened with material injury by reason of imports of fresh tomatoes from Mexico.[18]

On August 1, 2024, Commerce initiated a five-year sunset review of the suspended investigation.[19]

On June 16, 2023, the FTE filed a request that Commerce terminate the 2019 Agreement and institute an AD order in accordance with the affirmative final determinations of Commerce and the ITC.[20]

On December 4, 2023, Commerce published in the **Federal Register** the final results of the five-year expedited sunset review of the suspended investigation. Commerce preliminarily found dumping was likely to continue or recur at weighted-average margins up to 30.48 percent.[21] The ITC is currently conducting a full five-year sunset review.[22]

Scope of the Investigation

The merchandise subject to this 2019 Agreement is all fresh or chilled tomatoes (fresh tomatoes) which have Mexico as their origin, except for those tomatoes which are for processing. For purposes of this 2019 Agreement, processing is defined to include preserving by any commercial process, such as canning, dehydrating, drying, or the addition of chemical substances, or converting the tomato product into juices, sauces, or purees. In Appendix F of this 2019 Agreement, Commerce has

[5] *See Suspension of Antidumping Investigation: Fresh Tomatoes from Mexico,* 67 FR 77044 (December 16, 2002).

[6] *See Fresh Tomatoes from Mexico: Notice of Intent to Terminate Suspension Agreement, Intent to Terminate the Five-Year Sunset Review, and Intent to Resume Antidumping Investigation,* 72 FR 70820 (December 13, 2007).

[7] *See Fresh Tomatoes from Mexico: Notice of Termination of Suspension Agreement, Termination of Five-Year Sunset Review, and Resumption of Antidumping Investigation,* 73 FR 2887 (January 16, 2008).

[8] *See Suspension of Antidumping Investigation: Fresh Tomatoes from Mexico,* 73 FR 4831 (January 28, 2008).

[9] *See Fresh Tomatoes From Mexico: Intent To Terminate Suspension Agreement and Resume Antidumping Investigation and Intent To Terminate Sunset Review,* 78 FR 9366 (February 8, 2013).

[10] *See Fresh Tomatoes From Mexico: Termination of Suspension Agreement, Termination of Five-Year Sunset Review, and Resumption of Antidumping Investigation,* 78 FR 14771 (March 7, 2013).

[11] *See Fresh Tomatoes from Mexico: Suspension of Antidumping Investigation,* 78 FR 14967 (March 8, 2013).

[12] *See Fresh Tomatoes from Mexico: Intent To Terminate Suspension Agreement, Rescind the Sunset and Administrative Reviews, and Resume the Antidumping Duty Investigation,* 84 FR 7872 (March 5, 2019).

[13] *See Termination of Suspension Agreement, Rescission of Administrative Review, and Continuation of the Antidumping Duty Investigation,* 84 FR 20858 (May 13, 2019).

[14] *See* Commerce's Letter to All Interested Parties, ''Draft Agreement Suspending the Antidumping Duty Investigation on Fresh Tomatoes from Mexico,'' dated August 20, 2019.

[15] *See Fresh Tomatoes From Mexico: Suspension of Antidumping Duty Investigation,* 84 FR 49987 (September 24, 2019).

[16] *See* FTE's Letter, ''Request to Continue Suspended Less Than Fair Value Investigation,'' dated October 11, 2019.

[17] *See Fresh Tomatoes from Mexico: Final Determination of Sales at Less Than Fair Value,* 84 FR 57401 (October 25, 2019) (*2019 Final Determination*).

[18] *See Fresh Tomatoes from Mexico,* 84 FR 67958 (December 12, 2019); *see also Fresh Tomatoes from Mexico,* Inv. 731–TA–747 (Final), USITC Pub. 5003 (December 2019) (*ITC Final Determination*).

[19] *See Initiation of Five-Year (Sunset) Reviews,* 89 FR 62717 (August 1, 2024).

[20] *See* FTE's Letter, ''Request to Terminate Antidumping Suspension Agreement,'' dated June 16, 2023.

[21] *See Fresh Tomatoes from Mexico: Final Results of the Expedited Sunset Review of Suspended Investigation,* 89 FR 96214 (December 4, 2024).

[22] The ITC is currently due to hold its final vote on September 30, 2025, and issue its determination on October 21, 2025.

outlined the procedure that Signatories must follow for selling subject merchandise for processing. Fresh tomatoes that are imported for cutting up, not further processing (*e.g.,* tomatoes used in the preparation of fresh salsa or salad bars), are covered by this 2019 Agreement.

Commercially grown tomatoes, both for the fresh market and for processing, are classified as Lycopersicon esculentum. Important commercial varieties of fresh tomatoes include common round, cherry, grape, plum, greenhouse, and pear tomatoes, all of which are covered by this Agreement.

Tomatoes imported from Mexico covered by this 2019 Agreement are classified under the following subheading of the Harmonized Tariff Schedules of the United States (HTSUS), according to the season of importation: 0702. Although this HTSUS number is provided for convenience and customs purposes, the written description of the scope of this 2019 Agreement is dispositive.

Intent To Terminate Suspension Agreement and Issue Antidumping Duty Order

On April 14, 2025, Commerce notified all Mexican Signatory producers/exporters of its intent to exercise its option under Section XI.B of the 2019 Agreement to withdraw from the 2019 Agreement. In accordance with Section XI.B of the 2019 Agreement, Commerce's withdrawal from the 2019 Agreement shall be effective on July 14, 2025, which is 90 days after such notice.[23] On July 14, 2025, Commerce intends to terminate the 2019 Agreement and issue an AD order, in accordance with section 734(i)(1)(C) of the Act. As noted above, the underlying AD investigation in this proceeding was continued pursuant to section 734(g) of the Act, following the acceptance of the 2019 Agreement. Commerce made a final affirmative determination,[24] and the ITC found a threat of material injury.[25] Therefore, in accordance with section 735(c) of the Act, Commerce will issue an AD order and instruct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise, effective July 14, 2025.

Intent To Rescind Administrative Review

Commerce is currently conducting two administrative reviews of the 2019 Agreement. Commerce initiated one review on November 15, 2023, for the period of review from September 1, 2022, through August 31, 2023 (2022–2023 review).[26] Commerce initiated the second review on October 17, 2024, for the period of review from September 1, 2023, through August 31, 2024 (2023–2024 review).[27] The final results of the 2022–2023 review are due to be issued by Commerce on July 8, 2025, prior to the effective date of termination of the 2019 Agreement on July 14, 2025. However, if Commerce terminates the 2019 Agreement, the ongoing 2023–2024 review would be moot. Therefore, Commerce will rescind the 2023–2024 review of the 2019 Agreement on July 14, 2025, the effective date of termination of the 2019 Agreement.

International Trade Commission

Commerce has notified the ITC of its intent to terminate the 2019 Agreement and issue the AD order.[28]

Suspension of Liquidation

As described above, if Commerce terminates the 2019 Agreement and resumes the AD investigation, Commerce will instruct CBP to suspend liquidation of entries of fresh tomatoes from Mexico that are entered, or withdrawn from warehouse, for consumption on or after the July 14, 2025, effective date of the termination of the 2019 Agreement. CBP shall require AD cash deposits for entries of the subject merchandise based on the final weighted-average dumping margins, which range from 3.91 to 30.48 percent.[29]

Notification to Interested Parties

This determination is issued and published in accordance with section 734(i) of the Act.

Dated: April 14, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2025–06676 Filed 4–17–25; 8:45 am]

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[23] Because the effective date for Commerce's withdrawal would fall on the weekend (*i.e.,* Sunday, July 13, 2025), the effective date became the next business day. *See Notice of Clarification: Application of ''Next Business Day'' Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended,* 70 FR 24533 (May 10, 2005).

[24] *See 2019 Final Determination.*

[25] *See ITC Final Determination.*

[26] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 88 FR 78298 (November 15, 2023).

[27] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 83644 (October 17, 2024).

[28] *See* Commerce's Letter, ''Withdrawal from the 2019 Suspension Agreement,'' dated concurrently with this notice.

[29] *See 2019 Final Determination* at 84 FR 57402.

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Request for Nominations for Members To Serve on National Institute of Standards and Technology and National Technical Information Service Federal Advisory Committees

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice.

SUMMARY: The National Institute of Standards and Technology (NIST or Institute) and the National Technical Information Service (NTIS) invites and requests nomination of individuals for appointment to ten existing Federal Advisory Committees (Committees): Advisory Committee on Earthquake Hazards Reduction; Board of Overseers of the Malcolm Baldrige National Quality Award; Industrial Advisory Committee; Information Security and Privacy Advisory Board; Judges Panel of the Malcolm Baldrige National Quality Award; Manufacturing Extension Partnership Advisory Board; National Artificial Intelligence Advisory Committee; National Construction Safety Team Advisory Committee; National Technical Information Service Advisory Board; and Visiting Committee on Advanced Technology. NIST and NTIS will consider nominations received in response to this notice for appointment to the Committees, in addition to nominations already received. Registered Federal lobbyists may not serve on NIST or NTIS Federal Advisory Committees in an individual capacity.

DATES: Nominations for all Committees will be accepted on an ongoing basis and will be considered as and when vacancies arise.

ADDRESSES: See below.

SUPPLEMENTARY INFORMATION:

Advisory Committee on Earthquake Hazards Reduction (ACEHR)

Address: Please submit nominations to Tina Faecke via email at *tina.faecke@nist.gov.* Nominations may also be mailed to Tina Faecke, Designated Federal Officer, National Earthquake Hazards Reduction Program, NIST, 100 Bureau Drive, Mail Stop 8615, Gaithersburg, MD 20899–8615. Additional information regarding the ACEHR, including its charter and current members may be found on its electronic home page at *https://nehrp.gov/committees/index.htm.*

Contact Information: John ''Jay'' Harris, Acting Director, National Earthquake Hazards Reduction Program, NIST, 100 Bureau Drive, Mail Stop 8615, Gaithersburg, MD 20899–8615, telephone 301–975–6538 or via email at *john.harris@nist.gov.*

Committee Information

The Advisory Committee on Earthquake Hazards Reduction (Committee) was established in accordance with the National Earthquake Hazards Reduction Program Reauthorization Act of 2004, Public Law 108–360 (42 U.S.C. 7704(a)(5)) and the Federal Advisory Committee Act, 5 U.S.C. 1001 *et seq.*

Objectives and Duties

1. The Committee will act in the public interest to assess trends and developments in the science and engineering of earthquake hazards reduction; effectiveness of the National Earthquake Hazards Reduction Program (Program) in carrying out the activities under section (a)(2) of the Earthquake Hazards Reduction Act of 1977, as amended (42 U.S.C. 7704(a)(2)); the need to revise the Program; and the management, coordination, implementation, and activities of the Program.

2. The Committee will function solely as an advisory body, in accordance with the provisions of the Federal Advisory Committee Act.

3. The Committee shall report to the Director of NIST at least once every two years on its findings of the assessments and its recommendations for ways to improve the Program. In developing recommendations, the Committee shall consider the recommendations of the United States Geological Survey (USGS) Scientific Earthquake Studies Advisory Committee (SESAC).

Membership

1. The Committee shall consist of not fewer than 11, nor more than 17 members. Members shall reflect the wide diversity of technical disciplines, competencies, and communities involved in earthquake hazards reduction. Members shall be selected on the basis of established records of distinguished service in their professional community and their knowledge of issues affecting the National Earthquake Hazards Reduction Program.

2. The Director of NIST shall appoint the members of the Committee. Members shall be selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance.

3. The term of office of each member of the Committee shall be three years, except that vacancy appointments shall be for the remainder of the unexpired term of the vacancy and that members shall have staggered terms such that the Committee will have approximately one-third new or reappointed members each year.

Miscellaneous

1. Members of the Committee shall not be compensated for their services, but may, upon request, be allowed travel and per diem expenses in accordance with 5 U.S.C. 5703 *et seq.,* while attending meetings of the Committee or subcommittees thereof, or while otherwise performing duties at the request of the Chairperson, while away from their homes or regular places of business.

2. Members of the Committee shall serve as Special Government Employees (SGEs) and will be subject to the ethics standards applicable to SGEs and are required to file an annual Executive Branch Confidential Financial Disclosure Report.

3. The Committee members shall meet at least once per year. Additional meetings may be called whenever requested by the NIST Director; such meetings may be in the form of telephone conference calls and/or videoconferences.

4. Committee meetings are open to the public.

Nomination Information

1. Members will be drawn from industry and other communities having an interest in the Program, such as, but not limited to, research and academic institutions, industry standards development organizations, State and local government, and financial communities, who are qualified to provide advice on earthquake hazards reduction and represent all related scientific, architectural, and engineering disciplines.

2. Any person who has completed two consecutive full terms of service on the Committee shall be ineligible for appointment for a third term during the two-year period following the expiration of the second term.

3. Nominees should have established records of distinguished service. The field of expertise that the candidate represents should be specified in the nomination letter. A summary of the candidate's qualifications should be included with the nomination, including (where applicable) current or former service on Federal advisory boards and Federal employment.

Board of Overseers of the Malcolm Baldrige National Quality Award

Address: Please submit nominations to Robert Fangmeyer, Director, Baldrige Performance Excellence Program, NIST, 100 Bureau Drive, Mail Stop 1020, Gaithersburg, MD 20899–1020. Nominations may also be submitted via email to *Robert.Fangmeyer@nist.gov.* Additional information regarding the Committee, including its charter, current membership list, and executive summary, may be found at *http://www.nist.gov/baldrige/community/overseers.cfm.*

Contact Information: Robyn Decker, Designated Federal Officer, Baldrige Performance Excellence Program, NIST, 100 Bureau Drive, Mail Stop 1020, Gaithersburg, MD 20899–1020; telephone 301–975–2361 or via email at *Robyn@nist.gov.*

Committee Information

The Board of Overseers of the Malcolm Baldrige National Quality Award (Board) was established in accordance with 15 U.S.C. 3711a(d)(2)(B), pursuant the Federal Advisory Committee Act, 5 U.S.C. 1001 *et seq.*

Objectives and Duties

1. The Board shall review the work of the private sector contractor(s), which assists the Director of NIST in administering the Malcolm Baldrige National Quality Award (Award). The Board will make such suggestions for the improvement of the Award process as it deems necessary.

2. The Board shall make an annual report on the results of Award activities to the Director of NIST, along with its recommendations for the improvement of the Award process.

3. The Board will function solely as an advisory committee under the Federal Advisory Committee Act, 5 U.S.C. 1001 *et seq.*

4. The Board will report to the Director of NIST.

Membership

1. The Board will consist of at least five and approximately 12 members selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance, and for their preeminence in the field of organizational performance excellence. There will be a balanced representation from U.S. service, manufacturing, nonprofit, education, and health care industries. The Board will include members familiar with the quality, performance improvement operations, and competitiveness issues of manufacturing companies, service

companies, nonprofits, health care providers, and educational institutions.

2. Board members will be appointed by the Secretary of Commerce for three-year terms and will serve at the discretion of the Secretary. All terms will commence on March 1 and end on the last day of February of the appropriate years.

Miscellaneous

1. Members of the Board shall serve without compensation, but may, upon request, be reimbursed travel expenses, including per diem, as authorized by 5 U.S.C. 5703 *et seq.*

2. The Board will meet at least annually, but usually two times a year. Additional meetings may be called as deemed necessary by the NIST Director.

3. Board meetings are open to the public. Board members do not have access to classified or proprietary information in connection with their Board duties.

Nomination Information

1. Nominations are sought from the private and public sector as described above.

2. Nominees should have established records of distinguished service and shall be familiar with the quality improvement operations and competitiveness issues of manufacturing companies, service companies, educational institutions, health care providers, and nonprofit organizations. The relevant expertise of the candidate should be specified in the nomination letter. A summary of the candidate's qualifications should be included with the nomination, including (where applicable) current or former service on Federal advisory boards and Federal employment. Besides participation at meetings, it is desired that members be able to devote the equivalent of seven days between meetings to either developing or researching topics of potential interest, and so forth, in furtherance of their Board duties.

Industrial Advisory Committee

Address: Please submit nominations to Benjamin Davis, Designated Federal Officer, National Institute of Standards and Technology, 100 Bureau Drive, MS 8615, Gaithersburg, MD 20899. Nominations may also be submitted via email to *IACNOM@chips.gov.* Additional information regarding the Committee, including its charter, current membership list, and executive summary, may be found at *https://www.nist.gov/chips/industrial-advisory-committee.*

Contact Information: Benjamin Davis, Designated Federal Officer, National Institute of Standards and Technology, 100 Bureau Drive, MS 8615, Gaithersburg, MD 20899. Nominations may also be submitted via email to *IACNOM@Chips.gov.*

Committee Information

The Secretary of Commerce (Secretary), in consultation with the Secretary of Defense, the Secretary of Energy, and the Secretary of Homeland Security, established the Industrial Advisory Committee (the Committee) in accordance with the Federal Advisory Committee Act, 5 U.S.C. 1001 *et seq.,* and the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Act), Public Law 116–283, section 9906(b). The Committee shall assess and provide guidance to the Secretary, through the National Institute for Standards and Technology (NIST), on matters relating to microelectronics research, development, manufacturing, and policy.

Objectives and Duties

1. The Committee shall act in the public interest to provide advice to the Secretary of Commerce through the National Institute of Standards and Technology (NIST) on matters relating to microelectronics research, development, manufacturing, and policy.

2. The Committee will function solely as an advisory body, in accordance with the provisions of FACA. The Committee shall assess and provide guidance to the Secretary of Commerce, through NIST, on—

a. science and technology needs of the nation's domestic microelectronics industry;

b. the extent to which the strategy developed under section 9906(a)(3) of the Act is helping maintain United States leadership in microelectronics manufacturing;

c. assessment of the research and development programs and activities authorized under section 9906 of the Act; and

d. opportunities for new public-private partnerships to advance microelectronics research, development, and domestic manufacturing.

The Committee shall not participate in selecting recipients of Federal financial assistance.

Membership

Members of the Committee shall be appointed by the Secretary of Commerce. The Committee shall be composed of not fewer than 12 members who are qualified to provide advice to the United States Government on matters relating to microelectronics research, development, manufacturing, and policy. The membership shall be fairly balanced among representatives of the semiconductor industry, representatives of Federal laboratories and academia, and other members. Members of the Committee shall serve as representative members or as regular government employee (RGE) members.

Miscellaneous

1. The Committee members serve three-year terms and may serve two consecutive terms at the discretion of the Secretary, except that vacancy appointments shall be for the remainder of the unexpired term of the vacancy and that members shall have staggered terms such that the Committee will have approximately one-third new or reappointed members each year. Members who are not able to fulfill the duties and responsibilities of the Committee will have their membership terminated. A member who has served two consecutive full terms is ineligible to serve a third term for a period of one year following the expiration of the second term. Vacancies are filled as soon as highly qualified candidates in needed areas are identified and available to serve.

2. The Secretary of Commerce shall appoint the Committee Chair and Vice-Chair from among the Committee membership. The tenures of the Chair and Vice-Chair shall be two years and can be modified at the discretion of the Secretary. The Vice-Chair shall perform the duties of the Chair in his or her absence. In case a vacancy occurs in the position of the Chair or Vice-Chair, the Secretary shall select a member to fill such a vacancy; the Vice-Chair will succeed the Chair in the interim until the Secretary's appointment of a member to fill the Chair's vacancy.

3. Committee members will be reimbursed for travel and per diem as it pertains to official business of the Committee in accordance with 5 U.S.C. 5701 *et seq.* Committee members will serve without compensation, except that Federal Government employees who are members of the Committee shall remain covered by their compensation system pursuant to 41 CFR 102–3.130(h).

4. Members shall not reference or otherwise utilize their membership on the Committee in connection with public statements made in their personal capacities without a disclaimer that the views expressed are their own and do not represent the views of the Committee, NIST, or the Department of Commerce.

5. NIST, when necessary and consistent with the Committee's mission and Departmental policies and

procedures, may establish subcommittees, task forces, and working groups, drawn in whole or in part from the Committee, pursuant to the provisions of FACA, the FACA implementing regulations, and applicable Departmental guidance. The Department of Commerce requires that each subcommittee include at least one member of the Committee. Subcommittees must report back to the Committee and must not provide advice or work products directly to NIST or the Secretary, and any recommendations based on their work will be deliberated and adopted by the Committee prior to dissemination.

Nomination Information

NIST uses a nomination process to identify candidates for the Committee. Nominations are requested through annual announcements in the **Federal Register** and through solicitations to NIST, the Department of Commerce, the Department of Defense, the Department of Energy, the Department of Homeland Security, the National Academies, professional societies, business associations, labor associations, and other appropriate organizations and individuals in order to ensure a diverse pool of applicants. Candidates may be nominated by their peers or may self-nominate. NIST requests that the nomination includes a resume or biographical sketch that specifically identifies the qualifications of the individual being nominated. Qualifications considered may include, among others: scientific and technical knowledge in selected areas and professional experience. The Director of NIST recommends one or more candidates for further review to fill vacancies on the Committee on the basis of the qualifications, the sectors the candidates may represent and the existing representation on the Committee, and the other balance factors. This further review is to ensure compliance with Federal governance requirements, including compliance with the Committee's charter and membership balance plan. The Secretary of Commerce makes the final decision for appointment to the Committee.

Information Security and Privacy Advisory Board (ISPAB)

Address: Please submit nominations to Jeffrey Brewer, NIST, 100 Bureau Drive, Mail Stop 8930, Gaithersburg, MD 20899–8930. Nominations may also be submitted via email at *Jeffrey.Brewer@nist.gov,* Attn: ISPAB Nominations. Additional information regarding the ISPAB, including its charter and current membership list, may be found on its electronic home page at *http://csrc.nist.gov/groups/SMA/ispab/index.html.*

Contact Information: Jeffrey Brewer, ISPAB Designated Federal Officer (DFO), NIST, 100 Bureau Drive, Mail Stop 8930, Gaithersburg, MD 20899–8930; telephone 301–975–2489; or via email at *Jeffrey.Brewer@nist.gov.*

Committee Information

The ISPAB (Committee or Board) was originally chartered as the Computer System Security and Privacy Advisory Board by the Department of Commerce pursuant to the Computer Security Act of 1987 (Pub. L. 100–235). The E-Government Act of 2002 (Pub. L. 107–347, Title III), amended section 21 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–4), including changing the Committee's name, and the charter was amended accordingly.

Objectives and Duties

1. The Board will identify emerging managerial, technical, administrative, and physical safeguard issues relative to information security and privacy.

2. The Board will advise NIST, the Secretary of Homeland Security, and the Director of the Office of Management and Budget (OMB) on information security and privacy issues pertaining to Federal Government information systems, including through review of proposed standards and guidelines developed by NIST.

3. The Board shall report to the Director of NIST.

4. The Board reports annually to the Secretary of Commerce, the Secretary of Homeland Security, the Director of OMB, the Director of the National Security Agency, and the appropriate committees of the Congress.

5. The Board will function solely as an advisory body, in accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. 1001 *et seq.*

Membership

1. The Director of NIST will appoint the Chairperson and the members of the ISPAB, and members serve at the discretion of the NIST Director. Members will be selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance.

2. The ISPAB will consist of a total of 12 members and a Chairperson, for a total of 13.

- The Board will include four members from outside the Federal Government who are eminent in the information technology industry, at least one of whom is representative of small or medium sized companies in such industries.
- The Board will include four members from outside the Federal Government who are eminent in the fields of information technology, or related disciplines, but who are not employed by or representative of a producer of information technology.
- The Board will include four members from the Federal Government who have information system management experience, including experience in information security and privacy, at least one of whom shall be from the National Security Agency.

Miscellaneous

1. Members of the Board, other than full-time employees of the Federal government, will not be compensated for their services, but will, upon request, be allowed travel expenses pursuant to 5 U.S.C. 5703 *et seq.,* while otherwise performing duties at the request of the Board Chairperson, while away from their homes or a regular place of business.

2. Meetings of the ISPAB are usually two to three days in duration and are usually held quarterly. ISPAB meetings are open to the public, including the press. Members do not have access to classified or proprietary information in connection with their ISPAB duties.

Nomination Information

1. Nominations are being accepted in all three categories described above.

2. Nominees should have specific experience related to information security or privacy issues, particularly as they pertain to Federal information technology. Letters of nomination should include the category of membership for which the candidate is applying and a summary of the candidate's qualifications for that specific category. Also include (where applicable) current or former service on Federal advisory boards and any Federal employment. Each nomination letter should state that the person agrees to the nomination, acknowledges the responsibilities of serving on the ISPAB, and that they will actively participate in good faith in the tasks of the ISPAB.

3. Besides participation at meetings, it is desired that members be able to devote a minimum of two days between meetings to developing draft issue papers, researching topics of potential interest, and so forth in furtherance of their ISPAB duties.

4. Selection of ISPAB members will not be limited to individuals who are nominated. Nominations that are received and meet the requirements will

be kept on file to be reviewed as ISPAB vacancies occur.

Judges Panel of the Malcolm Baldrige National Quality Award

Address: Please submit nominations to Robert Fangmeyer, Director, Baldrige Performance Excellence Program, NIST, 100 Bureau Drive, Mail Stop 1020, Gaithersburg, MD 20899–1020. Nominations may also be submitted via email *Robert.Fangmeyer@nist.gov.* Additional information regarding the Committee, including its charter, current membership list, and executive summary, may be found at *https://www.nist.gov/baldrige/how-baldrige-works/baldrige-community/judges-panel.*

Contact Information: Robyn Decker, Designated Federal Officer, Baldrige Performance Excellence Program, NIST, 100 Bureau Drive, Mail Stop 1020, Gaithersburg, MD 20899–1020; telephone 301–975–2361 or via email at *Robyn@nist.gov.*

Committee Information

The Judges Panel of the Malcolm Baldrige National Quality Award (Panel) was established in accordance with 15 U.S.C. 3711a(d)(1) and the Federal Advisory Committee Act, 5 U.S.C. 1001 *et seq.*

Objectives and Duties

1. The Panel will ensure the integrity of the Malcolm Baldrige National Quality Award (Award) selection process. Based on a review of results of examiners' scoring of written applications, Panel members will vote on which applicants' merit site visits by examiners to verify the accuracy of quality improvements claimed by applicants. The Panel will also review results and findings from site visits, and recommend Award recipients.

2. The Panel will ensure that individual judges will not participate in the review of applicants as to which they have any real or perceived conflict of interest.

3. The Panel will function solely as an advisory body, and will comply with the provisions of the Federal Advisory Committee Act, 5 U.S.C. 1001 *et seq.*

4. The Panel will report to the Director of NIST.

Membership

1. The Panel will consist of no less than 9, and not more than 12, members selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance. There will be a balanced representation from U.S. service, manufacturing, nonprofit, education, and health care industries. The Panel will include members familiar with the quality improvement operations and competitiveness issues of manufacturing companies, service companies, nonprofits, health care providers, and educational institutions.

2. Panel members will be appointed by the Secretary of Commerce for three-year terms and will serve at the discretion of the Secretary. All terms will commence on March 1 and end on the last day of February of the appropriate year.

3. Members who are not Federal employees will serve as Special Government Employees (SGEs) and will be subject to the ethical standards applicable to SGEs.

Miscellaneous

1. Members of the Panel shall serve without compensation, but may, upon request, be reimbursed travel expenses, including per diem, as authorized by 5 U.S.C. 5703 *et seq.*

2. The Panel will meet three times per year. Additional meetings may be called as deemed necessary by the NIST Director or by the Chairperson. Meetings are usually one to four days in duration. In addition, each Judge must attend an annual three-day Examiner training course.

3. When approved by the Department of Commerce Chief Financial Officer and Assistant Secretary for Administration, Panel meetings are closed or partially closed to the public.

Nomination Information

1. Nominations are sought from all U.S. service and manufacturing industries, education, health care, and nonprofits as described above.

2. Nominees should have established records of distinguished service and shall be familiar with the quality improvement operations and competitiveness issues of manufacturing companies, service companies, health care providers, educational institutions, and nonprofit organizations. The category (field of eminence) for which the candidate is qualified should be specified in the nomination letter. A summary of the candidate's qualifications should be included with the nomination, including (where applicable) current or former service on Federal advisory boards and Federal employment. Besides participation at meetings, it is desired that members be either developing or researching topics of potential interest, reading Baldrige applications, and so forth, in furtherance of their Panel duties.

Manufacturing Extension Partnership (MEP) Advisory Board

Address: Please submit nominations to Jennifer Rosa, NIST, 100 Bureau Drive, Mail Stop 4800, Gaithersburg, MD 20899–4800. Nominations may also be submitted via email at *Jennifer.Rosa@nist.gov.* Additional information regarding MEP, including its charter, may be found on its electronic home page at *http://www.nist.gov/mep/advisory-board.cfm.*

Contact Information: Jennifer Rosa, Designated Federal Officer, NIST, 100 Bureau Drive, Mail Stop 4800, Gaithersburg, MD 20899–4800; telephone 301–975–3091, or via email at *Jennifer.Rosa@nist.gov.*

Committee Information

The MEP Advisory Board (Board) is authorized under section 501 of the American Innovation and Competitiveness Act (Pub. L. 114–329); codified at 15 U.S.C. 278k(m), as amended, in accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. 1001 *et seq.*

Objectives and Duties

1. The Board will provide advice on MEP activities, plans, and policies.

2. The Board will assess the soundness of MEP plans and strategies.

3. The Board will assess current performance against MEP program plans.

4. The Board will function solely in an advisory capacity, and in accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. 1001 *et seq.*

5. The Board shall transmit through the Director of NIST an annual report to the Secretary of Commerce for transmittal to Congress not later than 30 days after the submission to Congress of the President's annual budget request each year. The report shall address the status of the MEP program.

Membership

1. The Board shall consist of not fewer than 10 members, appointed by the Director of NIST and broadly representative of stakeholders. At least 2 members shall be employed by or on an advisory board for a MEP Center, at least 5 members shall be from U.S. small businesses in the manufacturing sector, and at least 1 member shall represent a community college. No member shall be an employee of the Federal Government.

2. The Director of NIST shall appoint the members of the Board. Members shall be selected on a clear, standardized basis, in accordance with applicable Department of Commerce

guidance. Board members serve at the discretion of the Director of NIST.

3. The term of office of each member of the Board shall be three years, except that vacancy appointments shall be for the remainder of the unexpired term of the vacancy. Any person who has completed two consecutive full terms of service on the Board shall thereafter be ineligible for appointment during the one-year period following the expiration of the second term.

Miscellaneous

1. Members of the Board will not be compensated for their services but will, upon request, be allowed travel and per diem expenses as authorized by 5 U.S.C. 5703 *et seq.,* while attending meetings of the Board or subcommittees thereof, or while otherwise performing duties at the request of the Chair, while away from their homes or regular places of business.

2. The Board will meet at least biannually. Additional meetings may be called by the Director of NIST or the Designated Federal Officer (DFO).

3. Committee meetings are open to the public.

Nomination Information

1. Nominations are being accepted in all categories described above.

2. Nominees should have specific experience related to manufacturing and industrial extension services. Letters of nomination should include the category of membership for which the candidate is applying and a summary of the candidate's qualifications for that specific category.

3. Nominations that are received and meet the requirements will be kept on file to be reviewed as Board vacancies occur.

National Artificial Intelligence Advisory Committee (NAIAC)

Address: Please submit nominations to Cheryl Gendron, Designated Federal Officer, National Institute of Standards and Technology, 100 Bureau Drive, MS 8900, Gaithersburg, MD 20899. Nominations may also be submitted via email to *Cheryl.Gendron@nist.gov.*

Contact Information: Cheryl Gendron, Designated Federal Officer, National Institute of Standards and Technology, 100 Bureau Drive, MS 8900, Gaithersburg, MD 20899. Nominations may also be submitted via email to *Cheryl.Gendron@nist.gov.*

Committee Information

The Secretary of Commerce established the National Artificial Intelligence Advisory Committee (the NAIAC or the Committee) pursuant to section 5104 of the National Artificial Intelligence Initiative Act of 2020 (Pub. L. 116–283), hereinafter referred to as the Act, and the Federal Advisory Committee Act, 5 U.S.C. 1001 *et seq.*

The Committee shall provide advice to the President and the National Artificial Intelligence Initiative Office on matters related to the National Artificial Intelligence Initiative (Initiative). The purposes of the Initiative are: (1) ensuring continued United States leadership in artificial intelligence research and development; (2) leading the world in the development and use of trustworthy artificial intelligence systems in the public and private sectors; (3) preparing the present and future United States workforce for the integration of artificial intelligence systems across all sectors of the economy and society; and (4) coordinating ongoing artificial intelligence research, development, and demonstration activities among the civilian agencies, the Department of Defense, and the Intelligence Community to ensure that each informs the work of the others.

Objectives and Duties

The Committee shall advise the President and the Initiative Office on matters related to the Initiative, including recommendations related to:

a. The current state of United States competitiveness and leadership in artificial intelligence, including the scope and scale of United States investments in artificial intelligence research and development in the international context;

b. The progress made in implementing the Initiative, including a review of the degree to which the Initiative has achieved the goals according to the metrics established by the Interagency Committee under section 5103(d)(2) of the Act;

c. The state of the science around artificial intelligence, including progress toward artificial general intelligence;

d. Issues related to artificial intelligence and the United States workforce, including matters relating to the potential for using artificial intelligence for workforce training, the possible consequences of technological displacement, and supporting workforce training opportunities for occupations that lead to economic self-sufficiency for individuals with barriers to employment and historically underrepresented populations, including minorities, Indians (as defined in 25 U.S.C. 5304), low-income populations, and persons with disabilities;

e. How to leverage the resources of the Initiative to streamline and enhance operations in various areas of government operations, including health care, cybersecurity, infrastructure, and disaster recovery;

f. The need to update the Initiative;

g. The balance of activities and funding across the Initiative;

h. Whether the strategic plan developed or updated by the Interagency Committee established under section 5103(d)(2) of the Act is helping to maintain United States leadership in artificial intelligence;

i. The management, coordination, and activities of the Initiative;

j. Whether ethical, legal, safety, security, and other appropriate societal issues are adequately addressed by the Initiative;

k. Opportunities for international cooperation with strategic allies on artificial intelligence research activities, standards development, and the compatibility of international regulations;

l. Accountability and legal rights, including matters relating to oversight of artificial intelligence systems using regulatory and nonregulatory approaches, the responsibility for any violations of existing laws by an artificial intelligence system, and ways to balance advancing innovation while protecting individual rights; and

m. How artificial intelligence can enhance opportunities for diverse geographic regions of the United States, including urban, Tribal, and rural communities.

In addition, pursuant to section 5104(e) of the Act, the Committee's Chairperson shall establish a subcommittee that shall provide advice to the President, through the Committee, on matters related to the development of AI relating to law enforcement, including advice on the following:

A. Bias, including whether the use of facial recognition by government authorities, including law enforcement agencies, is taking into account ethical considerations and addressing whether such use should be subject to additional oversight, controls, and limitations.

B. Security of data, including law enforcement's access to data and the security parameters for that data.

C. Adoptability, including methods to allow the United States Government and industry to take advantage of artificial intelligence systems for security or law enforcement purposes while at the same time ensuring the potential abuse of such technologies is sufficiently mitigated.

D. Legal standards, including those designed to ensure the use of artificial

intelligence systems are consistent with the privacy rights, civil rights and civil liberties, and disability rights issues raised by the use of these technologies.

Membership

Members of the Committee shall be appointed by the Secretary of Commerce. The Committee shall consist of not less than 9 or more than 35 members, who represent broad and interdisciplinary expertise and perspectives, including from academic institutions, companies across diverse sectors, nonprofit and civil society entities, including civil rights and disability rights organizations, and Federal laboratories, who represent geographic diversity, and who are qualified to provide advice and information on science and technology research, development, ethics, standards, education, technology transfer, commercial application, security, and economic competitiveness related to artificial intelligence.

In selecting the members of the Committee, the Secretary of Commerce shall seek and give consideration to recommendations from Congress, industry, nonprofit organizations, the scientific community (including the National Academies of Sciences, Engineering, and Medicine, scientific professional societies, and academic institutions), the defense and law enforcement communities, and other appropriate organizations.

Miscellaneous

Meetings will be conducted at least twice each year.

1. Generally, Committee meetings are open to the public.

2. Meetings may be held in-person in selected locations across the country and/or virtually.

Nomination Information

1. Nominations are sought from all fields, sectors, and perspectives described above.

2. Nominees should represent broad and interdisciplinary expertise and perspectives, including from academic institutions, companies across diverse sectors, nonprofit and civil society entities, including civil rights and disability rights organizations, and Federal laboratories, who represent geographic diversity, and who are qualified to provide advice and information on science and technology research, development, ethics, standards, education, technology transfer, commercial application, security, and economic competitiveness related to artificial intelligence. A resume or C.V. should be sent that includes a summary of the candidate's qualifications with a nomination letter, including (where applicable) current or former service on Federal advisory boards and Federal employment. The field of eminence for which the candidate is qualified should be specified in the nomination letter. In addition, each nomination letter should state whether the candidate seeks to serve on the Committee, the Subcommittee, or both; and that the candidate acknowledges the responsibilities of serving and will actively participate in good faith in the tasks of the Committee or Subcommittee, as appropriate. Third-party nomination letters should state that the candidate agrees to the nomination.

National Construction Safety Team (NCST) Advisory Committee

Address: Please submit nominations to Judy Bowie, Designated Federal Officer, NIST, 100 Bureau Drive, Mail Stop 8615, Gaithersburg, MD 20899–8615 or via email at *Judy.Bowie@nist.gov.* Additional information regarding the NCST Advisory Committee, including its charter, may be found on its electronic home page at *https://www.nist.gov/el/disaster-resilience/disaster-and-failure-studies/national-construction-safety-team-ncst/advisory.*

Contact Information: Tanya Brown-Giammanco, Director, Disaster and Failure Studies Program, NIST, 100 Bureau Drive, Mail Stop 8615, Gaithersburg, MD 20899–8615, telephone 301–975–2822; or via email at *Tanya.Brown-Giammanco@nist.gov.*

Committee Information

The NCST Advisory Committee (Committee) was established in accordance with the National Construction Safety Team Act, Public Law 107–231, and the Federal Advisory Committee Act, 5 U.S.C. 1001 *et seq.*

Objectives and Duties

1. The Committee shall advise the Director of NIST on carrying out the National Construction Safety Team Act (Act), review the procedures developed under section 2(c)(1) of the Act, and review the reports issued under section 8 of the Act.

2. The Committee functions solely as an advisory body, in accordance with the provisions of the Federal Advisory Committee Act.

3. The Committee shall report to the Director of NIST.

4. On January 1 of each year, the Committee shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate a report that includes: (1) an evaluation of National Construction Safety Team (Team) activities, along with recommendations to improve the operation and effectiveness of Teams, and (2) an assessment of the implementation of the recommendations of Teams and of the Committee.

Membership

1. The Committee shall consist of no less than 4 and no more than 12 members. Members shall reflect the wide diversity of technical disciplines and competencies involved in the National Construction Safety Teams investigations. Members shall be selected on the basis of established records of distinguished service in their professional community and their knowledge of issues affecting the National Construction Safety Teams.

2. The Director of NIST shall appoint the members of the Committee, and they will be selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance.

Miscellaneous

1. Members of the Committee shall not be compensated for their services but may, upon request, be allowed travel and per diem expenses in accordance with 5 U.S.C. 5703.

2. Members of the Committee shall serve as Special Government Employees (SGEs), will be subject to the ethics standards applicable to SGEs, and are required to file an annual Executive Branch Confidential Financial Disclosure Report.

3. The Committee shall meet at least once per year. Additional meetings may be called whenever requested by the NIST Director or the Designated Federal Officer (DFO); such meetings may be in the form of telephone conference calls and/or videoconferences.

Nomination Information

1. Nominations are sought from industry and other communities having an interest in the National Construction Safety Teams investigations.

2. Nominees should have established records of distinguished service. The field of expertise that the candidate represents should be specified in the nomination letter. Nominations for a particular field should come from organizations or individuals within that field. A summary of the candidate's qualifications should be included with the nomination, including (where

applicable) current or former service on Federal advisory boards and Federal employment.

National Technical Information Service Advisory Board (NTIS)

Address: Please submit nominations to the Designated Federal Officer, NTIS, via email at *FACA@ntis.gov* . Additional information regarding the NTIS, including its charter, current membership list, and past reports may be found on its electronic homepage at *https://www.ntis.gov/about/advisorybd/index.xhtml.*

Contact Information: Bobby Khondker, (703) 605–6185, *BKhondker@ntis.gov* or Simone Gills (703) 605–6586, *SGills@ntis.gov.*

Committee Information

The Secretary of Commerce, pursuant to section 212(c) of the National Technical Information Act of 1988 (15 U.S.C. 3704b(c)), established the Advisory Board, in accordance with the Federal Advisory Committee Act, 5 U.S.C. 1001 *et seq.*

Objectives and Duties

1. The NTIS Advisory Board shall review and make recommendations to improve NTIS programs, operations, and general policies in support of NTIS' mission to advance Federal data priorities, promote economic growth, and enable operational excellence by providing innovative data services to Federal agencies through joint venture partnerships with the private sector.

2. The Board shall report to the Secretary of Commerce and to the Under Secretary of Commerce for Standards and Technology through the Director of NTIS.

3. The Board shall act in the public interest to:

a. Provide advice on the optimal data services business and operating model to best implement NTIS' joint venture authority.

b. Provide advice on the means, including infrastructure and process improvements, to make Federal data easier to find, access, analyze, and combine.

c. Assess progress in evolving NTIS programs toward a focus on Federal data priorities.

d. Assess the use of merit-based criteria and processes to plan, conduct, and oversee programs and projects, including the selection of joint venture partners.

e. Assess policies in connection with fees and charges for NTIS services in order for the agency to operate on a substantially self-sustaining basis, as required by law.

f. Assess organizational capabilities required to carry out NTIS's mission, including capabilities in data science and for operational management of its project portfolio.

Membership

a. The NTIS Advisory Board shall be composed of a Chairperson appointed by the Secretary and four other members appointed by the Secretary. In the event of a vacancy in the Chairperson position, the NTIS Director may designate a member to serve as acting Chairperson until a Chairperson is appointed by the Secretary.

b. Members shall be selected solely on the basis of established records of distinguished service and objectivity; shall have recognized expertise in data collection, compilation, analysis, use, and dissemination, as well as data science, information technology, cybersecurity, and privacy. Members will be selected from the business, academic, non- profit, and State and local government communities. Reasonable efforts will be made to ensure members represent the entire spectrum of Federal data interests including demographic, economic, trade, health, scientific, patent, environmental, geospatial, cybersecurity, and transactional data. No Federal Government employee shall serve as a member of the Board.

c. The term of office of each member of the Board shall be three years, except that vacancy appointments shall be for the remainder of the unexpired term of the vacancy. All appointments shall automatically terminate if the charter is terminated or not renewed. All members serve at the pleasure of the Secretary.

d. Any person who has completed two consecutive full terms of service on the Board shall be ineligible for appointment for a third term during the one-year period following the expiration of the second term.

e. Members shall serve as Special Government Employees (SGEs) and will be subject to all ethical standards and rules applicable to SGEs.

Miscellaneous

1. Members of the Committee will not be paid for their services, but will, upon request, be allowed travel and per diem in accordance with 5 U.S.C. 5703 *et seq.,* while attending meetings of the Committee or of its subcommittees, or while otherwise performing duties at the request of the chairperson, while away from their homes or a regular place of business.

2. The Board shall meet at the call of the Secretary or the Secretary's designee, but not less often than once every six months.

3. NTIS may establish such subcommittees of its members as may be necessary, pursuant to the provisions of FACA, the FACA implementing regulations, and applicable Department of Commerce guidance. Subcommittees will report to the NTIS Advisory Board and may not provide advice or work products directly to the Department of Commerce or NTIS.

Nomination Information

1. NTIS seeks nominations of practitioners with recognized expertise in data collection, compilation, analysis, use and dissemination, as well as data science, information technology, cybersecurity and privacy.

2. Members will be selected form the business, academic, non-profit, and State and local government communities.

3. Reasonable efforts will be made to ensure members represent the entire spectrum of Federal data interests including demographic, economic, trade, health, scientific, patent, environmental, geospatial, cybersecurity, and transactional data. Collectively, their knowledge will include all types of data the Federal Government collects, compiles, analyzes, uses and disseminates.

4. Nominees should have established records of distinguished service. The field of expertise in which the candidate is qualified should be specified in the nomination letter. Nominations for a particular field should come from organizations or individuals within that field. A summary of the candidate's qualifications should be included with the nomination, including (where applicable) current or former service on Federal advisory boards and Federal employment. In additional, each nomination letter should state that the person agrees to the nominations, acknowledges the responsibilities of serving on the Board, and will actively participate in good faith in the tasks of the NTIS Advisory Board.

Visiting Committee on Advanced Technology (VCAT)

Address: Please submit nominations to Stephanie Shaw, Designated Federal Officer, VCAT, NIST, 100 Bureau Drive, Mail Stop 1060, Gaithersburg, MD 20899–1060. Nominations may also be submitted via email at *Stephanie.Shaw@nist.gov.* Additional information regarding the VCAT, including its charter, current membership list, and past reports may be found on its electronic homepage at *http://www.nist.gov/director/vcat/.*

Contact Information: Stephanie Shaw, Designated Federal Officer, VCAT, NIST, 100 Bureau Drive, Mail Stop 1060, Gaithersburg, MD 20899–1060, via email at *Stephanie.Shaw@nist.gov* or telephone: 301–975–2667.

Committee Information

The VCAT (Committee) was established in accordance with 15 U.S.C. 278 and the Federal Advisory Committee Act, 5 U.S.C. 1001 *et seq.*

Objectives and Duties

1. The Committee shall review and make recommendations regarding general policy for NIST, its organization, its budget, and its programs, within the framework of applicable national policies as set forth by the President and the Congress. 15 U.S.C. 278(a).

2. The Committee shall provide an annual report, through the Director of NIST, to the Secretary of Commerce for submission to the Congress not later than 30 days after the submittal to Congress of the President's annual budget request in each year. Such report shall deal essentially, though not necessarily exclusively, with policy issues or matters which affect NIST, or with which the Committee in its official role as the private sector policy adviser of NIST is concerned. Each such report shall identify areas of research and research techniques of the Institute of potential importance to the long-term competitiveness of United States industry, in which the Institute possesses special competence, which could be used to assist United States enterprises and Untied States industrial joint research and development ventures. 15 U.S.C. 278(h)(1). The Committee shall submit, through the Director of NIST, to the Secretary and the Congress such additional reports on specific policy matters as it deems appropriate. 15 U.S.C. 278(h)(2).

3. The Committee will function solely as an advisory body, in accordance with the provisions of the Federal Advisory Committee Act, as amended, 5 U.S.C. App.

4. The Committee shall report to the Director of NIST.

Membership

1. The Director of NIST shall appoint the members of the Committee. Members shall be selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance. 15 U.S.C. 278(a). No employee of the Federal Government shall serve as a member of the Committee. 15 U.S.C. 278(b).

2. Members of the Committee shall serve as Special Government Employees (SGEs) and will be subject to the ethics standards applicable to SGEs.

3. The Committee is composed of not fewer than nine members appointed by the NIST Director and selected to provide representation of a cross-section of the traditional and emerging United States industries. 15 U.S.C. 278(b). The term of office of each member of the Committee shall be three years, except that vacancy appointments shall be for the remainder of the unexpired term of the vacancy. 15 U.S.C. 278(c)(1). Members shall serve at the discretion of the Director of NIST.

4. Any person who has completed two consecutive full terms of service on the Committee shall be ineligible for appointment for a third term during the one-year period following the expiration of the second term. 15 U.S.C. 278(c)(1).

5. Pursuant to 15 U.S.C. 278(f), the Committee chairperson and vice chairperson shall be elected by the members of the Committee at each annual meeting occurring in an even-numbered year. The vice chairperson shall perform the duties of the chairperson in his or her absence. In case a vacancy occurs in the position of the chairperson or vice chairperson, the Committee shall elect a member to fill such vacancy.

6. Members of the Committee will not be compensated for their services, but will, upon request, be allowed travel expenses in accordance with 5 U.S.C. 5703 *et seq.,* while attending meetings of the Committee or of its subcommittees, or while otherwise performing duties at the request of the chairperson, while away from their homes or a regular place of business.

7. Pursuant to 15 U.S.C. 278(g), the Committee may, with the concurrence of a majority of its members, permit the appointment of a staff consisting of not more than four professional staff members and such clerical staff members as may be necessary. Such staff members shall be appointed by the Director after consultation with the chairperson of the Committee and assigned at the direction of the Committee.

8. Subcommittees: Pursuant to 15 U.S.C. 278(e), the Committee shall have an executive committee and may delegate to it such powers and functions of the Committee as it deems appropriate. The Committee and/or the Director of NIST may establish such other subcommittees, task forces, and working groups consisting of members from the parent Committee as may be necessary, subject to the provisions of FACA, the FACA implementing regulations, and applicable Department of Commerce guidance. Subcommittees must report back to the Committee and any recommendations based on their work will be deliberated and agreed upon by the Committee prior to dissemination to NIST.

Miscellaneous

1. Meetings of the VCAT usually take place at NIST Gaithersburg or Boulder site. The Committee will meet at least twice each year at the call of the chairperson or whenever one-third of the members so request in writing. The Committee shall not act in the absence of a quorum, which shall consist of a majority of the members of the Committee not having a conflict of interest in the matter being considered by the Committee. 15 U.S.C. 278(d).

2. Generally, Committee meetings are open to the public.

Nomination Information

1. Nominations are sought from all fields described above.

2. Nominees should have established records of distinguished service and shall be eminent in fields such as business, research, new product development, critical and emerging technologies, engineering, labor, management consulting, and international standards. The category (field of eminence) for which the candidate is qualified should be specified in the nomination letter. A summary of the candidate's qualifications should be included with the nomination, including (where applicable) current or former service on Federal advisory boards and Federal employment. In addition, each nomination letter should state that the candidate agrees to the nomination, acknowledges the responsibilities of serving on the VCAT, and will actively participate in good faith in the tasks of the VCAT.

Alicia Chambers,

NIST Executive Secretariat.

[FR Doc. 2025–06716 Filed 4–17–25; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE658]

Fisheries of the Exclusive Economic Zone Off Alaska; North Pacific Halibut and Sablefish Individual Fishing Quota Cost Recovery Program

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

ACTION: Correction to notice of standard prices and fee percentage.

SUMMARY: NMFS is correcting the 2024 Individual Fishing Quota (IFQ) Cost Recovery Fee Notice. The published ex-vessel fishery value and actual fee percentage were incorrect. The original document was published in the **Federal Register** on December 26, 2024, and all other information remains unchanged and will not be repeated in this document.

FOR FURTHER INFORMATION CONTACT: Dana Whiteley, Fee Coordinator, 907–586–7231.

SUPPLEMENTARY INFORMATION:

Need for Correction

In the **Federal Register** of December 26, 2024, in 89 FR 105006, in FR Doc. 2024–31018, on page 105007, in column 3, paragraph 2, the percentage of management costs to fishery value for the 2024 calendar year was published as 5.2 percent of the standard ex-vessel value. The total fishery value found on page 105007, in column 3, paragraph 3 of the above document was published as a 43 percent decline from the prior year.

After publication it was discovered that many correctly reported landings were excluded from the fishery valuation calculation.

Correction

In the **Federal Register** of December 26, 2024, in 89 FR 105006, in FR Doc. 2024–31018, on page 105007, in column 3, paragraph 2, the percentage of management costs to fishery value for the 2024 calendar year is corrected to 3.4 percent. The total fishery value found on page 105007, in column 3, paragraph 3 of the above document is corrected to a 13 percent decline in fishery value from the prior year. Since 3.4 percent is still greater than the statutory cap of 3.0 percent as noted in the original document, the effective fee percentage for 2024 remains 3.0 percent.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 14, 2025.

Kelly Denit,

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

[FR Doc. 2025–06673 Filed 4–17–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE844]

Gulf Fishery Management Council; Public Meeting

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

ACTION: Notice of a public meeting.

SUMMARY: The Gulf Fishery Management Council (Gulf Council) will hold a one-day in-person meeting of their Standing and Shrimp Scientific and Statistical Committees (SSCs).

DATES: The meeting will be held Thursday, May 8, 2025; 8:30 a.m.–5 p.m., EDT.

ADDRESSES: The meeting will take place at the Gulf Council office. Registration information will be available on the Council's website by visiting *www.gulfcouncil.org* and clicking on the ''meeting tab''.

Council address: Gulf Council, 4107 W Spruce Street, Suite 200, Tampa, FL 33607; telephone: (813) 348–1630.

FOR FURTHER INFORMATION CONTACT: Mr. Ryan Rindone, Lead Fishery Biologist, Gulf Council; *ryan.rindone@gulfcouncil.org,* telephone: (813) 348–1630.

SUPPLEMENTARY INFORMATION:

Thursday, May 8, 2025; 8:30 a.m.–5 p.m., EDT

The meeting will begin with introductions and adoption of agenda, review and approval of minutes and summary from the February 2025 SSC Meeting, and scope of work.

The SSC will review revised overfishing limit and acceptable biological catch recommendations for SEDAR 88, including a presentation and SSC discussion. The SSC will then discuss Status Determination Criteria and Overfishing Limits (OFL) and Acceptable Biological Catch (ABC) Projections Settings for Gulf Stock Assessments, and SEDAR 68 Updated Projections for *Scamp* and *Yellowmouth Grouper* including presentations, background materials and SSC discussion.

Following lunch, the SSC will review the Center for Independent Experts (CIE) Independent Peer Review of the *Shrimp* Bycatch Estimation Methodology for *Finfish* Species, New Bycatch Estimates and Other Analyses for *Smalltooth Sawfish* and *Giant Manta Ray,* and Population Viability Analysis for Endangered and Threatened Resources that Interact with the *Shrimp* Fishery, including presentations and SSC discussions.

The SSC will review the SEDAR Process Update, SEDAR 100: Gulf *Gray Triggerfish* Participants for Review Phase, SSC SEDAR Workshops Updates for SEDAR 87 Gulf *Penaeid Shrimp* Assessment Process and SEDAR 98 Gulf *Red Snapper* Data Workshop, and Takeaways from Science Coordination Subcommittee, including presentations and SSC discussion.

Public comments will be heard at the end of the day, if any, followed by review of any Other Business items.

—Meeting Adjourns

The meeting will also be broadcast via webinar. You may register for the webinar by visiting *www.gulfcouncil.org* and clicking on the SSC meeting on the calendar.

The Agenda is subject to change, and the latest version along with other meeting materials will be posted on *www.gulfcouncil.org* as they become available.

Although other non-emergency issues not on the agenda may come before the Scientific and Statistical Committees for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during this meeting. Actions of the Scientific and Statistical Committee will be restricted to those issues specifically identified in the agenda and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take-action to address the emergency.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to Kathy Pereira, (813) 348–1630, at least 5 days prior to the meeting date.

(Authority: 16 U.S.C. 1801 *et seq.*)

Dated: April 14, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–06630 Filed 4–17–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No. PTO–P–2025–0010]

Termination of the Climate Change Mitigation Pilot Program

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice.

SUMMARY: The United States Patent and Trademark Office (USPTO or Office) is terminating the Climate Change Mitigation Pilot Program.

DATES: The Climate Change Mitigation Pilot Program was suspended on January 28, 2025. This notice serves as the formal termination of the program. Petitions to participate in the program filed after 5 p.m. ET on January 28, 2025, will not be granted.

FOR FURTHER INFORMATION CONTACT: Kristie A. Mahone, Senior Legal Advisor, Office of Patent Legal Administration, Deputy Commissioner for Patents, at 571–272–9016 or *Kristie.Mahone@uspto.gov;* or Parikha Mehta, Senior Legal Advisor, Office of Patent Legal Administration, Deputy Commissioner for Patents, at 571–272–3248 or *Parikha.Mehta@uspto.gov*.

SUPPLEMENTARY INFORMATION: In 2022, the USPTO published a notice implementing the Climate Change Mitigation Pilot Program. See *Climate Change Mitigation Pilot Program,* 87 FR 33750 (June 3, 2022) (2022 Notice). The 2022 Notice cited Executive Order 14008 of January 27, 2021, and indicated that an applicant may file a petition to request that an application be advanced out of turn (accorded special status) for the first Office action on the merits without satisfying all the current requirements of the accelerated examination program. See *id.* at 33751–33752. In 2023, the USPTO expanded and extended the program to expire at the earlier of June 7, 2027, or the date the USPTO accepted a total of 4,000 grantable petitions. See *Expansion and Extension of the Climate Change Mitigation Pilot Program,* 88 FR 35841 (June 1, 2023).

Executive Order 14148 of January 20, 2025, revoked Executive Order 14008, which had been cited as the basis for the pilot program. See E.O. 14148: *Initial Rescissions of Harmful Executive Orders and Actions,* 90 FR 8237, 8238 (January 28, 2025). In accordance with Executive Order 14148, the USPTO posted a notification suspending the program on the program's web page on January 28, 2025. See *https://www.uspto.gov/patents/laws/patent-related-notices/climate-change-mitigation-pilot-program*.

Through this notice, the USPTO is now formally terminating the program. Terminating the program allows the USPTO to dedicate USPTO resources to reducing pendency across all applications regardless of what technology the application is directed to, consistent with both 35 U.S.C. 154(b)(1) and statements made at the inception of the program and in the notice of expansion and extension, where the USPTO reserved the discretion to terminate the program depending on factors such as workload and resources needed to administer the program. See 87 FR 33750 at 33751.

Any petition to participate in the program (''climate petition'') filed after 5 p.m. ET on January 28, 2025, will not be granted. The phrase ''any petition to participate in the program'' encompasses initial and renewed climate petitions. Accordingly, a renewed climate petition filed after 5 p.m. ET on January 28, 2025, will not be granted, irrespective of the filing date and time of the initial climate petition and whether the USPTO's dismissal of the initial climate petition afforded applicant an opportunity to correct deficiencies by filing a subsequent petition. Similarly, a request under 37 CFR 1.181 for reconsideration of a decision dismissing a climate petition that was filed after 5 p.m. ET on January 28, 2025, will not be granted because any climate petition filed after the suspension of the program is untimely.

The USPTO has removed petition form PTO/SB/457, titled ''CERTIFICATION AND PETITION TO MAKE SPECIAL UNDER THE CLIMATE CHANGE MITIGATION PILOT PROGRAM,'' from the USPTO's website, and decommissioned the corresponding document code—PET.CLIMATE—in Patent Center. Applicants should not submit stored copies of form PTO/SB/457.

The USPTO will continue to process climate petitions filed by 5 p.m. ET on January 28, 2025, as set forth in Part II of the 2022 Notice, with the exception that applicants will not be afforded an opportunity to correct any deficiencies. See 87 FR at 33752–33753. Patent applications accorded special status because a grantable climate petition was filed by 5 p.m., ET on January 28, 2025, will not lose that status merely because the application is still pending after that deadline. Any such application will retain special status until a first Office action on the merits is issued, and the application will be treated as described in Parts III–VII of the 2022 Notice. See *id.* at 33753.

Patent applicants interested in expediting the prosecution of their patent application may instead request prioritized examination under 37 CFR 1.102(e). Under prioritized examination, a patent application is advanced out of turn (accorded special status) for examination until a final disposition is reached if the applicant timely files a request for prioritized examination, accompanied by the appropriate fees, and meets the other conditions of 37 CFR 1.102(e). Small and micro entity discounts of 60% and 80% respectively, for the prioritized examination fee are available for qualified applicants. Prioritized examination is available at the time of filing an original utility or plant application under 35 U.S.C. 111(a). This is referred to as the Track One Program. In addition, a prioritized examination request may be granted for a request for continued examination in a utility or plant application, including an application that has entered the national stage under 35 U.S.C. 371. See subsection 708.02(b)(I)(C) of the Manual of Patent Examining Procedure (9th Edition, Rev. 01.2024, November 2024). The current USPTO fee schedule is available on the USPTO website at *http://www.uspto.gov/Fees*.

Additional information on the conditions, eligibility requirements, and guidelines for the Track One Program and prioritized examination are available at *https://www.uspto.gov/patents/initiatives/usptos-prioritized-patent-examination-program*.

Coke Morgan Stewart,

Acting Under Secretary of Commerce for Intellectual Property and Acting Director of the United States Patent and Trademark Office.

[FR Doc. 2025–06701 Filed 4–17–25; 8:45 am]

BILLING CODE 3510–16–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed Additions to and Deletions from the Procurement List.

SUMMARY: The Committee is proposing to add service(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) and service(s) previously furnished by such agencies.

DATES: Comments must be received on or before: May 18, 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.

Additions

In accordance with 41 CFR 51–5.3(b), the Committee intends to add this services requirement to the Procurement List as a mandatory purchase only for contracting activity at the location listed below with the proposed qualified nonprofit agency as the authorized source of supply. Prior to adding the service to the Procurement List, the Committee will consider other pertinent information, including information from Government personnel and relevant comments from interested parties regarding the Committee's intent to geographically limit this services requirement.

Service(s)

Service Type: Building Management Services
Mandatory for: US Army, MEDCoE, 32d Brigade Medical, Bldgs 1002, 3312, and 3314, JBSA Fort, Sam Houston, TX
Authorized Source of Supply: ServiceSource, Inc., Oakton, VA
Contracting Activity: Dept of the Air Force, FA3016 502 Cons Cl, JBSA

Deletions

The following product(s) and service(s) are proposed for deletion from the Procurement List:

Product(s)

NSN(s)—Product Name(s):
MR11130—Carving Kit, Pumpkin, Assorted Colors
MR 11508—Cat Teaser
MR 11510—Toy, Pet, Squeaky
MR 13050—Iced Tea Tumbler, 16 Ounces, Green
MR 13051—Iced Tea Tumbler, 16 Ounces, Pink
MR 13052—Bento Box, 1 Compartment
MR 13053—Bento Box, 2 Compartments
MR 13054—Bento Box, 3 Compartments
MR 13055—Bento Box, Round, 2 Compartments
MR 13064—Set, Pan, Spring Form, 3 Piece
MR 13105—Muffin Pan, Mini, 24-Cup
MR 13087—Set, Cookie Sheet, 3 Piece
MR 13501—Wing Corkscrew
Authorized Source of Supply: Winston-Salem Industries for the Blind, Inc, Winston-Salem, NC
Contracting Activity: Military Resale-Defense Commissary Agency

NSN(s)—Product Name(s):
8440–00–290–0567—Belt, Trousers, Type XV, Size 33 (36″)
8440–00–290–0568—Belt, Trousers, Size 39″ (42″)
8440–00–412–2312—Belt, Trousers, Type VII, Black, 39
8440–00–412–2326—Belt, Trousers, Type VIII, White, 33
8440–00–412–2341—Belt, Trousers, Type VIII, White, 39
8440–00–577–4177—Belt, Trousers, Type III, Khaki, 39
8440–00–634–5632—Belt, Trousers, Type III, Khaki, 33
8440–00–270–0541—Belt, Trousers, Type V, White, 33
8440–00–270–0542—Belt, Trousers, Type V, White, 39
Authorized Source of Supply: Travis Association for the Blind, Austin, TX
Contracting Activity: DLA TROOP SUPPORT, PHILADELPHIA, PA

NSN(s)—Product Name(s):
MR 532—Cutlery, Heavy Duty
Authorized Source of Supply: LC Industries, Inc., Durham, NC
Contracting Activity: NEXCOM-Navy Exchange Service Command, Virginia Beach, VA

NSN(s)—Product Name(s):
MR 543—Flatware, Plastic, Seasonal, Red and Blue, Includes Shipper 10543
MR 586—Dual Action Dish Wand with Brush
MR 1055—Mop, Cellulose Sponge, Includes Shipper 11055
Authorized Source of Supply: LC Industries, Inc., Durham, NC
Contracting Activity: Military Resale-Defense Commissary Agency

NSN(s)—Product Name(s):
7930–01–621–6646—Detergent, Dishwashing, EPA Certified, BX/4 Bottles
7930–01–694–9775—Cleaner, Degreaser, Multipurpose, EPA Certified
7930–01–618–2179—Rinse Additive, Dishwasher, EPA Certified, 2 Bottles
7930–01–694–9778—Pre-Soak, Flatware, EPA Certified
7930–01–695–1910—Cleaner, Floor, Environmentally Safe
7930–01–671–7469—Dish Soap, Manual, EPA Certified
6850–01–695–0086—De-Limer/De-Scaler, Dishwasher, EPA Certified
Authorized Source of Supply: Goodwill Vision Enterprises, Rochester, NY
Contracting Activity: GSA/FSS GREATER SOUTHWEST ACQUISITI, FORT WORTH, TX

NSN(s)—Product Name(s):
7510–01–683–3781—Toner Cartridge, LaserJet, Remanufactured, HP 78X, Black, Page Yield 3000
Authorized Source of Supply: Alabama Industries for the Blind, Talladega, AL
Contracting Activity: GSA/FAS ADMIN SVCS ACQUISITION BR(2, NEW YORK, NY

Service(s)

Service Type: Medical Transcription
Mandatory for: Department of Veterans Affairs, Durham VA Medical Center, Durham, NC
Authorized Source of Supply: Lighthouse for the Blind of Houston, Houston, TX
Contracting Activity: VETERANS AFFAIRS, DEPARTMENT OF, 246–NETWORK CONTRACTING OFFICE 6

Service Type: Eyewear Prescription Service
Mandatory for: Department of Veterans Affairs: Veteran Integrated Services Network 7(Alabama, Georgia and South Carolina)
Authorized Source of Supply: Winston-Salem Industries for the Blind, Inc, Winston-Salem, NC
Contracting Activity: VETERANS AFFAIRS, DEPARTMENT OF, NAC

Service Type: Eyewear Prescription Service
Mandatory for: VA Outpatient Clinic, Port Richey, FL
Authorized Source of Supply: Winston-Salem Industries for the Blind, Inc, Winston-Salem, NC
Contracting Activity: VETERANS AFFAIRS, DEPARTMENT OF, NAC

Service Type: Eyewear Prescription Service
Mandatory for: Department of Veterans Affairs Medical Center: 6439 Garners Ferry Road, Columbia, SC
Authorized Source of Supply: Winston-Salem Industries for the Blind, Inc, Winston-Salem, NC
Contracting Activity: VETERANS AFFAIRS, DEPARTMENT OF, NAC

Service Type: Eyewear Prescription Service
Mandatory for: Department of Veterans Affairs Medical Center Outpatient Clinic: 3510 Augusta Road, Greenville, SC
Authorized Source of Supply: Winston-Salem Industries for the Blind, Inc, Winston-Salem, NC
Contracting Activity: VETERANS AFFAIRS, DEPARTMENT OF, NAC

Michael R. Jurkowski,

Director, Business Operations.

[FR Doc. 2025–06714 Filed 4–17–25; 8:45 am]

BILLING CODE 6353–01–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Deletions from the Procurement List.

SUMMARY: This action deletes product(s) from the Procurement List that were furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

DATES: *Date deleted from the Procurement List:* May 18, 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:

Deletions

On 3/14/2025 (90 FR 13352), 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 product(s) are deleted from the Procurement List:

Product(s)

NSN(s)—Product Name(s):
8415–01–057–3503—Socks, Extreme Cold Weather 100% Wool, ECWCS, White, Extra Small
8415–00–177–7994—Socks, Extreme Cold Weather 100% Wool, ECWCS, White, Large
Authorized Source of Supply: Development Workshop, Inc., Idaho Falls, ID
Authorized Source of Supply: ReadyOne Industries, Inc., El Paso, TX
Authorized Source of Supply: Dawn Enterprises, Inc., Blackfoot, ID

NSN(s)—Product Name(s):
8415–01–444–1163—Coat, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, SXS
8415–01–444–1169—Coat, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, SS
8415–01–444–1200—Coat, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, MS
8415–01–444–1238—Coat, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, MR
8415–01–444–1249—Coat, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, ML
8415–01–444–1265—Coat, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, LR
8415–01–444–1270—Coat, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, LL
8415–01–505–1241—Coat, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, XLL
8415–01–505–1245—Coat, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, XXLL
8415–01–506–7546—Coat, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, XXXLL
8415–01–509–8296—Coat, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, XLR
8415–01–444–1435—Trousers, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, SXS
8415–01–444–1439—Trousers, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, SS
8415–01–444–1613—Trousers, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, MS
8415–01–444–2308—Trousers, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, ML
8415–01–444–2310—Trousers, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, MR
8415–01–444–2325—Trousers, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, LR
8415–01–444–2338—Trousers, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, LL
8415–01–505–1274—Trousers, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, XLL
8415–01–505–1277—Trousers, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, XXLL
8415–01–506–7698—Trousers, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, XXXLL
8415–01–509–8265—Trousers, Chemical Protective, Type II, JSLIST, Army, Woodland Camouflage, XLR
Authorized Source of Supply: ReadyOne Industries, Inc., El Paso, TX
Authorized Source of Supply: Goodwill Industries of South Florida, Inc., Miami, FL
Contracting Activity: DLA TROOP SUPPORT, PHILADELPHIA, PA

Michael R. Jurkowski,

Director, Business Operations.

[FR Doc. 2025–06715 Filed 4–17–25; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Notice of Intent To Prepare an Environmental Impact Statement for Homeland Defense Over-the-Radar at Northwest Region

AGENCY: Department of the Air Force, Department of Defense.

ACTION: Notice of Intent.

SUMMARY: The Department of the Air Force (DAF) is issuing this Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) to evaluate the potential environmental effects associated with the proposed acquisition of land for, and construction and operation of Homeland Defense Over-The-Horizon Radar (HLD–OTHR) transmission and receiver sites in the northwest region of the United States. Oregon Military Department (OMD) and Bureau of Land Management (BLM) are cooperating agencies pursuant to the National Environmental Policy Act (NEPA). Once constructed, the HLD–OTHR would provide persistent, long-range early detection capabilities of airborne threats approaching North America. This EIS is prepared to meet the requirements of both NEPA and the Federal Land Policy and Management Act of 1976. The Unique Identification Number for this EIS is EISX–007–57–UAF–1743672205.

DATES: A public scoping period of 45 days will take place starting from the date of this NOI publication in the **Federal Register**. The meetings will be held in the following communities on the following dates:

1. Mountain Home, Idaho—Tuesday, May 6, 2025, 5:00 p.m. to 7:00 p.m. MT.
2. McDermitt, Nevada—Wednesday, May 7, 2025, 5:00 p.m. to 7:00 p.m. PT.
3. Ontario, Oregon—Thursday, May 8, 2025, 5:00 p.m. to 7:00 p.m. MT.
4. Christmas Valley, Oregon—Tuesday, May 13, 2025, 5:00 p.m. to 7:00 p.m. PT.
5. Burns, Oregon—Wednesday, May 14, 2025, 5:00 p.m. to 7:00 p.m. PT.
6. Virtual—Monday, May 19, 2025, 5:00 p.m. to 7:00 p.m. MT.

ADDRESSES: Specific locations for public scoping meetings identified in the **DATES** section are:

1. American Legion Hall Post 101 at 715 S 3rd Street, Mountain Home, ID 83647.
2. McDermitt Community Center adjacent to the McDermitt Library at 135 Oregon Road, McDermitt, Nevada 89421.
3. Four Rivers Cultural Center & Museum, 676 SW 5th Ave., Ontario, Oregon 97914.

4. Christmas Valley Community Hall, 87345 Holly Lane, Christmas Valley, Oregon 97641.

5. Burns Chamber of Commerce, Burns, 484 N Broadway Ave., Burns, Oregon 97720.

6. Teams. Visit *www.othrnweis.com* for the meeting link.

Comments can also be submitted through U.S. mail to Attn. OTHR NW EIS, 3527 S Federal Way, Ste. 103 #1026, Boise, ID 83705.

FOR FURTHER INFORMATION CONTACT: Additional information on the HLD–OTHR at Northwest Region EIS can be found on the project website at *www.othrnweis.com.* Inquiries regarding the proposal should be directed to Austin Naranjo, Mountain Home AFB Public Affairs, 208–828–6800 or *366FW.PA.Public.Affairs@us.af.mil* with ''OTHR NW EIS'' in the subject line. For printed material requests, the standard U.S. Postal Service shipping timeline will apply.

SUPPLEMENTARY INFORMATION: Under the Proposed Action, the DAF would acquire land for, and construct and operate two HLD–OTHR systems in the northwest region of the United States. Construction and operation of the proposed HLD–OTHR would provide enhanced regional long-range, early detection capability of airborne threats that may be obscured from conventional line of sight radar systems by the curvature of the Earth. These threats are difficult to detect and can strike with limited warning, which reduces the time and response options available to our national leaders. The Proposed Action is needed because U.S. adversaries continue to develop and deploy highly advanced weapons systems capable of disrupting or defeating our military and civilian targets in North America.

The DAF would acquire land currently owned and managed by OMD and seek to withdraw land managed by BLM for siting and construction of these facilities. The acquisition would involve the purchase, lease, and withdrawal of land, conducted through the DoD Major Land Acquisition Proposal.

The EIS will analyze the Proposed Action and a No Action Alternative. Key resources of concern, for which adverse impacts could occur, include cultural resources, visual resources, and biological resources. An assessment of potential impacts to all relevant resource areas will be included in the EIS, including an analysis of environmental effects that are reasonably foreseeable and have a close causal relationship to the Proposed Action.

Potential permits that may be required include, but are not limited to, General Construction and National Pollutant Discharge Elimination System. Additionally, the DAF will consult with U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act as well as Oregon State Historic Preservation Office and federally recognized tribes regarding Section 106 consultation under the National Historic Preservation Act.

Please provide comments on alternatives or impacts and on relevant information, studies, or analyses with respect to the proposed action. Comments will be accepted at any time during the Environmental Impact Analysis Process; however, to ensure the DAF has sufficient time to consider public scoping comments during preparation of the Draft EIS, please submit comments within the 45-day scoping period. Comments regarding the proposal can be submitted during the scoping meetings, project website, or see the **ADDRESSES** section in this document. The Draft EIS is anticipated in early 2026 and the Final EIS is anticipated in summer 2027. A decision could be made no earlier than 30 days after the Final EIS.

The DAF invites the public, stakeholders, and other interested parties to attend one or more of the five in-person and one virtual scoping meetings.

Tommy W. Lee,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2025–06573 Filed 4–17–25; 8:45 am]

BILLING CODE 3911–44–P

DEPARTMENT OF DEFENSE

Department of the Army

Final Environmental Impact Statement for Army Training Land Retention at Pōhakuloa Training Area in Hawai'i (ID #EISX–007–21–001–1734439520)

AGENCY: Department of the Army, Department of Defense.

ACTION: Notice of availability.

SUMMARY: The Department of the Army (Army) announces the availability of a Final Environmental Impact Statement (Final EIS) regarding its proposed action to retain up to approximately 22,750 acres of the 23,000 acres of land the Army currently leases from the State of Hawai'i (''State-owned land'') at Pōhakuloa Training Area (PTA) on the island of Hawai'i. In accordance with the National Environmental Policy Act (NEPA) and the Hawai'i Environmental Policy Act (HEPA), the Final EIS analyzes the potential direct, indirect, and cumulative impacts of a range of reasonable alternatives that meet the purpose of and need for the proposed action. Because the proposed action involves State-owned land, the EIS is a joint NEPA–HEPA document that meets both NEPA and HEPA requirements. The Army will observe a 30-day waiting period before deciding how much land, if any, it will seek to retain.

DATES: The waiting period for the Final EIS will end 30 days after publication of this Notice of Availability in the **Federal Register** by the U.S. Environmental Protection Agency, at which time the Army can execute a Record of Decision.

ADDRESSES: The Final EIS and informational materials are available on the EIS website at: *https://home.army.mil/hawaii/ptaeis/project-home.* The public may also review the Final EIS and select materials at the following libraries:

1. Hawai'i State Library, Hawai'i Documents Center, 478 S. King Street, Honolulu, HI 96813
2. Hilo Public Library, 300 Waianuenue Avenue, Hilo, HI 96720
3. Kailua-Kona Public Library, 75–138 Hualalai Road, Kailua-Kona, HI 96740
4. Thelma Parker Memorial Public and School Library, 67–1209 Mamalahoa Highway, Kamuela, HI 96743

FOR FURTHER INFORMATION CONTACT: U.S. Army Garrison Hawai'i, Mr. Michael Donnelly, Public Affairs Office, by telephone at (808) 787–2140 or by email at *usarmy.hawaii.nepa@army.mil.*

SUPPLEMENTARY INFORMATION: During World War II, the U.S. Marine Corps trained on the land now known as PTA. A 1956 maneuver agreement between the Territory of Hawai'i and the Army formally established PTA. In 1964, the State of Hawai'i granted the Army a 65-year lease of approximately 23,000 acres of land for military purposes. The State-owned land now contains utilities, critical infrastructure, maneuver area, and key training facilities, some of which are unavailable elsewhere in Hawai'i. The parcel also allows access between the PTA cantonment area and approximately 84,000 acres of adjacent, federally owned land at PTA. The Army published a Draft EIS on April 8, 2022, and a Second Draft EIS on April 19, 2024. Native Hawaiian Organizations, federal, state, and local agencies and officials, and other stakeholders were invited to participate in the public comment processes for the Draft EIS and Second Draft EIS. The Army held two public meetings each for the Draft EIS and Second Draft EIS. Comments and

responses to comments are included in the Final EIS.

The Final EIS evaluates the potential impacts of a range of reasonable alternatives: (1) Maximum Retention (of approximately 22,750 acres); (2) Modified Retention (of approximately 19,700 acres); and (3) Minimum Retention and Access (of approximately 10,100 acres and 11 miles of roads and training trails). The Final EIS also analyzes the potential impacts of the No-Action Alternative, under which Army use of the land would cease altogether when the lease expires in 2029. The Army has identified Alternative 2, Modified Retention, as the Preferred Alternative. To meet the mission of the Army, The Army based its preference on the ability of the alternative, as well as on public comments and environmental, social, technical, and economic considerations.

The Final EIS analyzes land use; biological resources; historic and cultural resources and cultural practices; hazardous substances and hazardous wastes; air quality and greenhouse gases; noise; geology, topography, and soils; water resources; socioeconomics; environmental justice; transportation and traffic; airspace; electromagnetic spectrum; utilities; and human health and safety.

The air quality, greenhouse gas, and environmental justice analyses were prepared according to now-rescinded Executive Orders, the Council on Environmental Quality's NEPA implementing regulations, which are in the process of being rescinded, and the Army's NEPA implementing regulations, which are now under revision. Because analysis regarding air quality, greenhouse gases, and environmental justice was already provided to the public for comment, such analysis is included in the Final EIS.

The Final EIS indicates that under Alternatives 1, 2, and 3, significant adverse impacts could occur on land use (land tenure), biological resources, cultural practices, and environmental justice. The Army has identified measures in the Final EIS to mitigate these adverse impacts.

The No-Action Alternative could have significant adverse impacts on biological resources, socioeconomics, and utilities, significant beneficial impacts on land use, cultural practices, and environmental justice, and less-than-significant impacts on all other resources.

The Army distributed the Final EIS to Native Hawaiian Organizations, Federal, State, and local agencies and officials, and other stakeholders.

James W. Satterwhite, Jr.,

U.S. Army Federal Register Liaison Officer.

[FR Doc. 2025–06686 Filed 4–17–25; 8:45 am]

BILLING CODE 3711–CC–P

DEPARTMENT OF EDUCATION

National Assessment Governing Board

Governing Board Meeting

AGENCY: National Assessment Governing Board, Department of Education.

ACTION: Notice of open and closed meeting.

SUMMARY: This notice sets forth the agenda, time, and instructions to access a meeting of the National Assessment Governing Board's (hereafter referred to as the Board or Governing Board). This notice provides information to members of the public who may be interested in attending the meeting and/or providing written comments related to the work of the Governing Board. The meeting will be held virtually, as noted below. A registration link will be posted on the Governing Board's website, *www.nagb.gov,* five (5) business days prior to the meeting. This notice is submitted without 30 days' notice due to the need for the Board to act urgently on the National Assessment of Educational Progress (NAEP) Schedule of Assessments, ahead of contractual deadlines.

DATES: The Board Meeting will be held on the following date:

- April 21, 2025, from 10:00 a.m. to 11:30 a.m., ET

ADDRESSES: Virtual.

FOR FURTHER INFORMATION CONTACT: Angela Scott, Designated Federal Officer (DFO) for the Governing Board, 400 Maryland Avenue SW, Suite 1A101, Washington, DC 20024, telephone: (202) 357–7502; email: *Angela.Scott@ed.gov.*

SUPPLEMENTARY INFORMATION:

Statutory Authority and Function: The Governing Board is established under the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621). Information on the Governing Board and its work can be found at *www.nagb.gov.* Notice of the meetings is required under section 1009(a)(2) of 5 U.S.C. chapter 10 (commonly known as the Federal Advisory Committee Act). The Governing Board formulates policy for the National Assessment of Educational Progress (NAEP) administered by the National Center for Education Statistics (NCES). The Governing Board's responsibilities include:

(1) selecting the subject areas to be assessed; (2) developing appropriate student achievement levels; (3) developing assessment objectives and testing specifications that produce an assessment that is valid and reliable, and are based on relevant widely accepted professional standards; (4) developing a process for review of the assessment which includes the active participation of teachers, curriculum specialists, local school administrators, parents, and concerned members of the public; (5) designing the methodology of the assessment to ensure that assessment items are valid and reliable, in consultation with appropriate technical experts in measurement and assessment, content and subject matter, sampling, and other technical experts who engage in large scale surveys; (6) measuring student academic achievement in grades 4, 8, and 12 in the authorized academic subjects; (7) developing guidelines for reporting and disseminating results; (8) developing standards and procedures for regional and national comparisons; (9) taking appropriate actions needed to improve the form, content use, and reporting of results of an assessment; and (10) planning and executing the initial public release of NAEP results.

Governing Board Meeting

The meeting of the Governing Board will be held on the following date and time:

Monday, April 21, 2025

10:00 a.m.–11:20 a.m. (ET) Closed Session (Virtual)
11:20 a.m.–11:30 a.m. (ET), Open Session (Virtual)

On Monday, April 21, 2025, the Governing Board will meet in closed session from 10:00 a.m. to 11:20 a.m. to discuss the NAEP Schedule of Assessments. Governor Beverly Perdue, Chair of the Governing Board, will welcome members and lead discussion on the NAEP Schedule of Assessments. These discussions may impact current and future NAEP contracts and budgets and must be kept confidential to maintain the integrity of the Federal acquisition process. Public disclosure of this confidential information would significantly impede implementation of the NAEP assessment program if conducted in open session. Such matters are protected by exemption 9(B) of the Government in the Sunshine Act, 5 U.S.C. 552b.

The Board will continue in open session from 11:20 a.m. to 11:30 a.m. to

take action on changes to the Schedule of Assessments.

Instructions for Accessing and Attending the Meetings

Registration: Members of the public may attend the open session of the April 21, 2025, meeting of the Governing Board. A link to the final meeting agenda and information on how to register for the open session will be posted on the Governing Board's website, *www.nagb.gov,* no later than five (5) business days prior to the meeting.

Public Comment: Written comments related to the work of the Governing Board may be submitted to the attention of the DFO, either via email to *Angela.Scott@ed.gov* or in hard copy to the address listed above. Written comments related to the April 21, 2025, Governing Board meeting should be submitted no later than close of business on April 18, 2025, and should reference the relevant agenda item.

Access to Records of the Meeting: Pursuant to 5 U.S.C. 1009, the public may inspect the meeting materials and other Governing Board records at 400 Maryland Avenue SW, Suite 1A101, Washington, DC 20024, by emailing *Angela.Scott@ed.gov* to schedule an appointment. The official verbatim transcripts of the open meeting sessions will be available for public inspection no later than 30 calendar days following each meeting. Requests for the verbatim transcriptions may be made via email to the DFO.

Electronic Access to this Document: The official version of this document is the document published in the **Federal Register**. 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 this 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 Adobe website. 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: Pub. L. 107–279, title III, section 301—National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621).

Elizabeth Schneider,

Deputy Executive Director, National Assessment Governing Board (NAGB), U.S. Department of Education.

[FR Doc. 2025–06749 Filed 4–17–25; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board, Savannah River Site

AGENCY: Office of Environmental Management, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces an in-person/livestreamed meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Savannah River Site. The Federal Advisory Committee Act requires that public notice of this meeting be announced in the **Federal Register**.

DATES: Tuesday, May 20, 2025; 9 a.m.–3 p.m. EDT.

ADDRESSES: Department of Energy Meeting Center, 230 Village Green Boulevard, Suite 220, Aiken, South Carolina 29803. This meeting will be held in-person at the Department of Energy Meeting Center and streamed on YouTube, no registration is necessary. The link for the livestream can be found on the following website: *https://cab.srs.gov/srs-cab.html.*

FOR FURTHER INFORMATION CONTACT: James Tanner, Office of External Affairs, U.S. Department of Energy (DOE), Savannah River Operations Office, P.O. Box A, Aiken, SC 29802; Phone: (803) 646–2167; or Email: *james.tanner@srs.gov.*

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to provide advice and recommendations concerning the following EM site-specific issues: clean-up activities and environmental restoration; waste and nuclear materials management and disposition; excess facilities; future land use and long-term stewardship. The Board may also be asked to provide advice and recommendations on other EM program components. The Board also provides an avenue to fulfill public participation requirements outlined in the National Environmental Policy Act (NEPA), the Comprehensive Environmental Response, Compensation, and Liability Act (CERLA), the Resource Conservation and Recovery Act (RCRA), Federal Facility Agreements, Consent Orders, Consent Decrees and Settlement Agreements.

Tentative Agenda: (agenda topics are subject to change; please contact Juanita Campbell at *juanita.campbell@srs.gov* for the most current agenda)

- Chair Update
- Agency Updates
- Program Presentations to the Board
- Board Business
- Public Comments

Public Participation: The meeting is open to the public and public comment can be given orally or in writing. Fifteen minutes are allocated during the meeting for public comment and those wishing to make oral comment will be given a minimum of two minutes to speak. Written comments received at least two working days prior to the meeting will be provided to the members and included in the meeting minutes. Written comments received within two working days after the meeting will be included in the minutes. For additional information on public comment and to submit written comment, please contact *srscitizens advisoryboard@srs.gov.* The EM SSAB, Savannah River Site, welcomes the attendance of the public at its meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact *srscitizens advisoryboard@srs.gov* at least seven days in advance of the meeting.

Meeting conduct: The Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Questioning of board members or presenters by the public is not permitted.

Minutes: Minutes will be available at the following website: *srscitizens advisoryboard@srs.gov.*

Signing Authority: This document of the Department of Energy was signed on April 15, 2025, by Alyssa Petit, Deputy 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 15, 2025.

Jennifer Hartzell,

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

[FR Doc. 2025–06744 Filed 4–17–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ID–10322–000]

Colonna, S. Keith; Notice of Filing

Take notice that on April 11, 2025, of S. Keith Colonna. submitted for filing, application for authority to hold interlocking positions, pursuant to section 305(b) of the Federal Power Act, 16 U.S.C. 825d (b) and § 45.8 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 45.8.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

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, protests and interventions in lieu of paper using the ''eFiling'' link at *https://www.ferc.gov.* Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

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 May 2, 2025.

Dated: April 14, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–06737 Filed 4–17–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 459–352]

Union Electric Company dba Ameren UE; Notice of Application for a Non-Capacity Amendment of License Accepted for Filing, 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. *Application Type:* Non-Capacity Amendment of License.

b. *Project No.:* 459–352.

c. *Date Filed:* September 19, 2024.

d. *Applicant:* Ameren UE.

e. *Name of Project:* Osage Hydroelectric Project.

f. *Location:* The project is located on the Osage River in Benton, Morgan, Camden, and Miller counties, Missouri. The project does not occupy any federal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

h. *Applicant Contact:* Bryan Vance, Supervisor Shoreline Management, 11149 Lindbergh Business Court, St. Louis, MO 63123, (573) 365–9252, *BVance@ameren.com*

i. *FERC Contact:* Jon Cofrancesco, (202) 502–8951, *jon.cofrancesco@ferc.gov.*

j. *Cooperating agencies:* With this notice, the Commission is inviting federal, state, local, and Tribal agencies with jurisdiction and/or special expertise with respect to environmental issues affected by the proposal, that wish to cooperate in the preparation of any environmental document, if applicable, to follow the instructions for filing such requests described in item k below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of any environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

k. *Deadline for filing comments, motions to intervene, and protests:* May 14, 2025.The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at *http://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 *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. 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–459–352. Comments emailed to Commission staff are not considered 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.

l. *Description of Request:* Ameren UE filed an application requesting Commission approval to remove approximately 147 acres of land from the project boundary, currently defined as the 662-foot elevation Union Electric Datum (*i.e.,* 0.9 feet higher than mean sea level) around the project reservoir (Lake of the Ozarks). Property within the boundary encompasses all 57,460 surface acres of the project reservoir and 2,118 acres of lands adjacent to reservoir and downstream of Bagnell Dam. The lands proposed to be removed consist of five separate sites throughout the project reservoir and represent less than one percent of the project's total acreage. These five sites primarily consist of hay fields, cattle pastures, private camping areas, isolated ponds, and forested and riparian areas. Ameren UE states that the underlying lands at these five sites are not needed for project operation and maintenance or other project purposes, including recreation, shoreline control, or protection of environmental resources. Ameren UE also states it would continue to retain the right to flow water over the lands proposed for removal should the need arise.

m. *Locations of the Application:* This filing may be viewed on the Commission's website at *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. You may also register online at *http://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. Agencies may obtain copies of the application directly from the applicant.

n. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

o. *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.

p. *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.

q. 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: April 14, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–06745 Filed 4–17–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 15045–002; Project No. 15230–002]

Current Hydro Project 19, LLC, Pike Island Hydropower Corporation; Notice of Scoping Meetings

a. *Project Names and Numbers:*

P–15045–002—New Cumberland Hydroelectric Project

P–15230–002—Pike Island Hydroelectric Project

b. *Applicants:*

Current Hydro Project 19, LLC for P–15045–002

Pike Island Hydropower Corporation for P–15230–002

c. *Date and Time of Meetings:*

Daytime Scoping Meeting

Date: May 6, 2025.

Time: 9 a.m. eastern daylight time (EDT) to 11 a.m. EDT.

Location: Wingate by Wyndham, 820 University Blvd., Steubenville, Ohio 43952.

Evening Scoping Meeting

Date: May 6, 2025.

Time: 5 p.m. EDT to 7 p.m. EDT.

Location: Wingate by Wyndham, 820 University Blvd., Steubenville, Ohio 43952.

Please note, Commission staff may conclude the meetings a half hour earlier than the scheduled time.

d. *FERC Contact:* Colleen Corballis, Project Coordinator, (202) 502–8598, *colleen.corballis@ferc.gov.*

e. *Purpose of the Meeting:* Commission staff will hold two joint public scoping meetings for the Pike Island Hydroelectric Project and the New Cumberland Hydroelectric Project. On March 31, 2025, the Commission issued a ''Notice of Scoping Meetings and Environmental Site Review and Soliciting Scoping Comments,'' (Notice) and a ''Scoping Document 1 for the New Cumberland Hydroelectric Project, P–15045–002 and Pike Island Hydroelectric Project, P–15230–002,'' (SD1). The Notice and SD1 did not include a location for the scoping meetings; this notice provides the location for both meetings. Additional information concerning scoping, the scoping meetings and site visit is available in the Notice and SD1.

Dated: April 14, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–06738 Filed 4–17–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP25–206–000]

Alaska Gasline Development Corporation, Glenfarne Alaska LNG, LLC; Notice of Application and Establishing Intervention Deadline

Take notice that on April 11 2025, Alaska Gasline Development Corporation (AGDC), 3201 C Street, Suite 505 Anchorage, Alaska 99503 and Glenfarne Alaska LNG, LLC (Glenfarne), 1001 McKinney Street, Suite 600 Houston, Texas 77002, filed a joint application under section 3 of the Natural Gas Act (NGA) and Part 153 of

the Commission's regulations requesting that the NGA section 3 Authorization [1] and Presidential Permit previously issued to AGDC under Docket No. CP17–178–000 for its Alaska LNG Project (Project) be transferred to 8 Star Alaska, LLC [2] (8 Star). The applicants state that the transfer of the authorization will facilitate anticipated investment in the Project and progress the construction of the Project, all as more fully set forth in the application which is on file with the Commission and open for public inspection.

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.*

Any questions regarding the requested transfer of authorization should be directed to Frank T. Richards, P.E., President, Alaska Gasline Development Corporation, 3201 C Street, Suite 505 Anchorage, Alaska 9950, by phone at (907) 330–6532, or by email at *FRichards@agdc.us* and Oscar J. Lopez, P.E., Regulatory & Permitting Director, Glenfarne Alaska LNG, LLC, 1001 McKinney Street, Suite 600 Houston, Texas 77002, by phone at (346) 359–4682, or by email at *oscar.lopez@aldermidstream.com.*

Pursuant to section 157.9 of the Commission's Rules of Practice and Procedure,[3] within 90 days of this Notice the Commission staff will either: complete its environmental review and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or environmental assessment (EA) for this proposal. The filing of an EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify Federal and State agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all Federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

Public Participation

There are three ways to become involved in the Commission's review of this project: you can file comments on the project, you can protest the filing, and you can file a motion to intervene in the proceeding. There is no fee or cost for filing comments or intervening. The deadline for filing a motion to intervene is 5:00 p.m. Eastern Time on May 5, 2025. How to file protests, motions to intervene, and comments is explained below.

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.*

Comments

Any person wishing to comment on the project may do so. Comments may include statements of support or objections, to the project as a whole or specific aspects of the project. The more specific your comments, the more useful they will be.

Protests

Pursuant to sections 157.10(a)(4) [4] and 385.211 [5] of the Commission's regulations under the NGA, any person [6] may file a protest to the application. Protests must comply with the requirements specified in section 385.2001 [7] of the Commission's regulations. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

To ensure that your comments or protests are timely and properly recorded, please submit your comments on or before May 5, 2025.

There are three methods you can use to submit your comments or protests to the Commission. In all instances, please reference the Project docket number CP25–206–000 in your submission.

(1) You may file your comments electronically by using the eComment feature, which is located on the Commission's website at *www.ferc.gov* under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on a project;

(2) You may file your comments or protests electronically by using the eFiling feature, which is located on the Commission's website (*www.ferc.gov)* under the link to Documents and Filings. 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; first select ''General'' and then select ''Comment on a Filing''; or

(3) You can file a paper copy of your comments or protests by mailing them to the following address below. Your written comments must reference the Project docket number (CP25–206–000).

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 encourages electronic filing of comments (options 1 and 2 above) and has eFiling staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.*

Persons who comment on the environmental review of this project will be placed on the Commission's environmental mailing list, and will receive notification when the

[1] *Alaska Gasline Development Corp.,* 171 FERC ¶ 61,134, *order on reh'g,* 172 FERC ¶ 61,214 (2020), *aff'd, Center for Biological Diversity* v. *FERC,* 67 F.4th 1176 (D.C. Cir. 2023).

[2] Application at 4 states ''On March 28, 2025, AGDC and Glenfarne, an affiliate of Glenfarne Group, LLC (Glenfarne Group), signed definitive agreements pursuant to which Glenfarne acquired a 75 percent equity interest in 8 Star and became the lead developer of the Project. The State of Alaska, through AGDC, retained a 25 percent ownership interest in 8 Star.''

[3] 18 CFR 157.9.

[4] 18 CFR 157.10(a)(4).

[5] 18 CFR 385.211.

[6] Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

[7] 18 CFR 385.2001.

environmental documents (EA or EIS) are issued for this project and will be notified of meetings associated with the Commission's environmental review process.

The Commission considers all comments received about the project in determining the appropriate action to be taken. However, the filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding. For instructions on how to intervene, see below.

Interventions

Any person, which includes individuals, organizations, businesses, municipalities, and other entities,[8] has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure [9] and the regulations under the NGA [10] by the intervention deadline for the project, which is May 5, 2025. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as your interest in the proceeding. For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at *https://www.ferc.gov/resources/guides/how-to/intervene.asp.*

There are two ways to submit your motion to intervene. In both instances, please reference the Project docket number CP25–206–000 in your submission.

(1) You may file your motion to intervene by using the Commission's eFiling feature, which is located on the Commission's website (*www.ferc.gov)* under the link to Documents and Filings. 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; first select ''General'' and then select ''Intervention.'' The eFiling feature includes a document-less intervention option; for more information, visit *https://www.ferc.gov/docs-filing/efiling/document-less-intervention.pdf.;* or

(2) You can file a paper copy of your motion to intervene, along with three copies, by mailing the documents to the address below. Your motion to intervene must reference the Project docket number CP25–206–000.

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 encourages electronic filing of motions to intervene (option 1 above) and has eFiling staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.*

Protests and motions to intervene must be served on the applicants either by mail at: Frank T. Richards, P.E., President, Alaska Gasline Development Corporation, 3201 C Street, Suite 505 Anchorage, Alaska 9950 or by email (with a link to the document) at *FRichards@agdc.us* and by mail at Oscar J. Lopez, P.E., Regulatory & Permitting Director, Glenfarne Alaska LNG, LLC, 1001 McKinney Street, Suite 600 Houston, Texas 77002 or by email (with a link to the document) at *oscar.lopez@aldermidstream.com.* Any subsequent submissions by an intervenor must be served on the applicants and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online. Service can be via email with a link to the document.

All timely, unopposed [11] motions to intervene are automatically granted by operation of Rule 214(c)(1).[12] Motions to intervene that are filed after the intervention deadline are untimely, and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations.[13] A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the applicants and by all other parties.

Tracking the Proceeding

Throughout the proceeding, additional information about the project will be 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 as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which 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. For more information and to register, go to *www.ferc.gov/docs-filing/esubscription.asp.*

Intervention Deadline: 5:00 p.m. Eastern Time on May 5, 2025.

Dated: April 14, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–06735 Filed 4–17–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ID–10321–000]

Brown, Russell, G.; Notice of Filing

Take notice that on April 11, 2025, of Russell G. Brown. submitted for filing, application for authority to hold interlocking positions, pursuant to section 305(b) of the Federal Power Act, 16 U.S.C. 825d (b) and Part 45.8 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR part 45.8.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to

[8] 18 CFR 385.102(d).

[9] 18 CFR 385.214.

[10] 18 CFR 157.10.

[11] The applicant(s) has 15 days from the submittal of a motion to intervene to file a written objection to the intervention.

[12] 18 CFR 385.214(c)(1).

[13] 18 CFR 385.214(b)(3) and (d).

serve motions to intervene or protests on persons other than the Applicant.

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*). 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, protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

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 May 2, 2025.

Dated: April 14, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–06741 Filed 4–17–25; 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 electric corporate filings:

Docket Numbers: EC25–76–000.

Applicants: Interstate Gas Supply, LLC, Hudson Energy Services, LLC, Just Energy New York Corp., Just Energy Pennsylvania Corp., Just Energy Solutions Inc., Just Energy Texas I Corp., Just Energy Illinois Corp., Just Energy Limited.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Interstate Gas Supply, LLC, et al.

Filed Date: 4/10/25.

Accession Number: 20250410–5219.

Comment Date: 5 p.m. ET 5/1/25.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG25–284–000.

Applicants: Pine Forest Solar I, LLC.

Description: Pine Forest Solar I, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 4/14/25.

Accession Number: 20250414–5020.

Comment Date: 5 p.m. ET 5/5/25.

Docket Numbers: EG25–285–000.

Applicants: Pine Forest Hybrid I, LLC.

Description: Pine Forest Hybrid I, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 4/14/25.

Accession Number: 20250414–5022.

Comment Date: 5 p.m. ET 5/5/25.

Docket Numbers: EG25–286–000.

Applicants: Brazoria Solar I, LLC.

Description: Brazoria Solar I, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 4/14/25.

Accession Number: 20250414–5148.

Comment Date: 5 p.m. ET 5/5/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER21–1111–007.

Applicants: Alabama Power Company.

Description: Compliance filing: Southeast EEM Agreement Compliance Filing to be effective 4/15/2025.

Filed Date: 4/14/25.

Accession Number: 20250414–5062.

Comment Date: 5 p.m. ET 5/5/25.

Docket Numbers: ER25–1317–001.

Applicants: Salt Creek Wind LLC.

Description: Tariff Amendment: Salt Creek Wind LLC submits tariff filing per 35.17(b): Errata to Application for Market-Based Rate Authorization (ER25–1317–) to be effective 4/16/2025.

Filed Date: 4/14/25.

Accession Number: 20250414–5095.

Comment Date: 5 p.m. ET 4/24/25.

Docket Numbers: ER25–1944–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original CSA, Service Agreement No. 7637; AG1–107/AF2–440 to be effective 3/25/2025.

Filed Date: 4/11/25.

Accession Number: 20250411–5202.

Comment Date: 5 p.m. ET 5/2/25.

Docket Numbers: ER25–1945–000.

Applicants: Massachusetts Electric Company.

Description: § 205(d) Rate Filing: 2024 Rate Update Filing for Massachusetts Electric Borderline Sales Agreement to be effective 3/1/2024.

Filed Date: 4/11/25.

Accession Number: 20250411–5203.

Comment Date: 5 p.m. ET 5/2/25.

Docket Numbers: ER25–1946–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original CSA, Service Agreement No. 7628; AG1–107/AF2–440 to be effective 3/12/2025.

Filed Date: 4/11/25.

Accession Number: 20250411–5210.

Comment Date: 5 p.m. ET 5/2/25.

Docket Numbers: ER25–1947–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Amendment to WMPA No. 6423; Queue No. AG1–197 to be effective 6/14/2025.

Filed Date: 4/14/25.

Accession Number: 20250414–5034.

Comment Date: 5 p.m. ET 5/5/25.

Docket Numbers: ER25–1948–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Amendment to WMPA, Service Agreement No. 7022; Queue No. AG1–478 to be effective 6/14/2025.

Filed Date: 4/14/25.

Accession Number: 20250414–5039.

Comment Date: 5 p.m. ET 5/5/25.

Docket Numbers: ER25–1949–000.

Applicants: NorthWestern Corporation.

Description: § 205(d) Rate Filing: SA#767 Twelfth Revised—Basin NITSA_NOA to be effective 4/15/2025.

Filed Date: 4/14/25.

Accession Number: 20250414–5079.

Comment Date: 5 p.m. ET 5/5/25.

Docket Numbers: ER25–1950–000.

Applicants: Alabama Power Company, Georgia Power Company, Mississippi Power Company.

Description: Tariff Amendment: Alabama Power Company submits tariff filing per 35.15: Horus Alabama 1 (Alawest 1 Solar) LGIA Termination Filing to be effective 4/14/2025.

Filed Date: 4/14/25.

Accession Number: 20250414–5105.

Comment Date: 5 p.m. ET 5/5/25.

Docket Numbers: ER25–1951–000.

Applicants: Alabama Power Company, Georgia Power Company, Mississippi Power Company.

Description: Tariff Amendment: Alabama Power Company submits tariff filing per 35.15: Horus Alabama 1 (Alawest 2 Solar) LGIA Termination Filing to be effective 4/14/2025.

Filed Date: 4/14/25.

Accession Number: 20250414–5106.

Comment Date: 5 p.m. ET 5/5/25.

Docket Numbers: ER25–1952–000.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Notice of Cancellation of CSA, SA No. 6739; Queue No. AC2–090 to be effective 4/2/2025.

Filed Date: 4/14/25.

Accession Number: 20250414–5113.

Comment Date: 5 p.m. ET 5/5/25.

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: *https://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: April 14, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–06677 Filed 4–17–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD24–7–000]

Federal and State Current Issues Collaborative; Notice of Meeting and Agenda

As first announced in the Commission's February 20, 2025 Notice in the above-captioned docket,[1] the second public meeting of the Federal and State Current Issues Collaborative (Collaborative) will be held on April 30, 2025, from 9 a.m.–1 p.m. EDT, in the Kevin J. McIntyre Commission Meeting Room at the Federal Energy Regulatory Commission in Washington, DC Commissioners may attend and participate in this meeting. Attached to this Notice is an agenda for the meeting.

The purpose of this meeting is to discuss generic issues related to gas-electric coordination and gas storage. Commissioners do not intend to discuss at this meeting any specific proceeding before the Commission, including proceedings that involve similar issues. These proceedings include, but are not limited to:

Baltimore Gas and Electric Company v. Columbia Gas Transmission, LLC.	Docket No. RP25–740–000.
Columbia Gas Transmission, LLC	Docket No. RP20–1060–012.
Colt Pipelines (North Texas) L.P	Docket No. PR25–33–000.
PJM Interconnection, L.L.C	Docket Nos. ER25–785–001; ER25–785–002.

The meeting will be open to the public for listening and observing and on the record. There is no fee for attendance and registration is not required. The public may attend in person or via Webcast.[2] This conference will be transcribed. Transcripts will be available for a fee from Ace Reporting, 202–347–3700.

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations, please send an email to *accessibility@ferc.gov* or call toll free 1–866–208–3372 (voice) or 202–208–8659 (TTY), or send a fax to 202–208–2106 with the required accommodations. More information about the Collaborative is available here: *https://www.ferc.gov/federal-state-current-issues-collaborative.*

For questions related to the Collaborative, please contact: Robert Thormeyer, 202–502–8694, *robert.thormeyer@ferc.gov,* CeCe Coffey, 202–502–8040, *cecelia.coffey@ferc.gov,* or Kimberly Duffley, 202–898–1305, *kduffley@naruc.org.*

Dated: April 14, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–06739 Filed 4–17–25; 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: RP25–821–000.

Applicants: Transcontinental Gas Pipe Line Company, LLC.

Description: § 4(d) Rate Filing: National Fuel Clermont Fuel Percentage Tracker to be effective 4/1/2025.

Filed Date: 4/11/25.

Accession Number: 20250411–5174.

Comment Date: 5 p.m. ET 4/23/25.

[1] ''Fed. and State Current Issues Collaborative'', Notice, Docket No. AD24–7–000 (issued Feb. 20, 2025).

[2] A link to the Webcast will be available here on the day of the event: *https://www.ferc.gov/federal-state-current-issues-collaborative.*

Docket Numbers: RP25–822–000.

Applicants: Horizon Pipeline Company, L.L.C.

Description: § 4(d) Rate Filing: Negotiated Rate—Nicor Gas Contract No. 519490 April 2025 to be effective 5/14/2025.

Filed Date: 4/14/25.

Accession Number: 20250414–5114.

Comment Date: 5 p.m. ET 4/28/25.

Docket Numbers: RP25–823–000.

Applicants: Natural Gas Pipeline Company of America LLC.

Description: § 4(d) Rate Filing: Nicor Gas Negotiated Rate Filing April 14, 2025 to be effective 5/15/2025.

Filed Date: 4/14/25.

Accession Number: 20250414–5118.

Comment Date: 5 p.m. ET 4/28/25.

Docket Numbers: RP25–824–000.

Applicants: Gulf Run Transmission, LLC.

Description: § 4(d) Rate Filing: Amended NRA—Golden Pass to be effective 4/15/2025.

Filed Date: 4/14/25.

Accession Number: 20250414–5129.

Comment Date: 5 p.m. ET 4/28/25.

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.

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: April 14, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–06679 Filed 4–17–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL25–69–000]

Fowler Ridge IV Wind Farm LLC; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On April 14, 2025, the Commission issued an order in Docket No. EL25–69–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e, instituting an investigation to determine whether Fowler Ridge IV Wind Farm LLC's Rate Schedule is unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. *Fowler Ridge IV Wind Farm LLC,* 191 FERC ¶ 61,027 (2025).

The refund effective date in Docket No. EL25–69–000, 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. EL25–69–000 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: April 14, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–06736 Filed 4–17–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2459–279]

Lake Lynn Generation, LLC; Notice of Reasonable Period of Time for Water Quality Certification Application

On February 17, 2025, Lake Lynn Generation, LLC (Lake Lynn Generation) submitted to the Federal Energy Regulatory Commission (Commission) documentation from the West Virginia Department of Environmental Protection (West Virginia DEP) that it received Lake Lynn Generation's request for a Clean Water Act section 401(a)(1) water quality certification as required by 40 CFR 121.5, for the above captioned project on February 13, 2025. On March 13, 2025, West Virginia DEP accepted

the application as complete.[1] Pursuant to section 5.23(b) of the Commission's regulations,[2] we hereby notify West Virginia DEP of the following:

Date of Receipt of the Certification Request: March 13, 2025.

Reasonable Period of Time to Act on the Certification Request: March 13, 2026.

If West Virginia DEP fails or refuses to act on the water quality certification request on or before the above date, then the agency certifying authority is deemed waived pursuant to section 401(a)(1) of the Clean Water Act, 33 U.S.C. 1341(a)(1).

Dated: April 14, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–06743 Filed 4–17–25; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL OP–OFA–174]

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 April 7, 2025 10 a.m. EST

Through April 14, 2025 10 a.m. EST

Pursuant to CEQ Guidance on 42 U.S.C. 4332.

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. 20250040, Final, USA, HI, Army Training Land Retention at Pōhakuloa Training Area, Review Period Ends: 05/19/2025, Contact: Phi L. Dang 520–687–2395.

EIS No. 20250041, Draft, NRCS, KS, Rattlesnake Creek Watershed Plan, Comment Period Ends: 06/02/2025, Contact: Dean Krehbiel 785–309–6093.

EIS No. 20250042, Draft, NRC, IL, Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 63, Regarding License Renewal for Clinton Power Station, Unit 1, Comment Period Ends: 06/02/2025, Contact: Ashley Waldron 301–415–7317.

EIS No. 20250043, Draft Supplement, NRC, WI, Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 23, Second Renewal, Regarding Subsequent License Renewal for Point Beach Nuclear Plant, Units 1 and 2, Second Draft Report for Comment (NUREG–1437), Comment Period Ends: 06/02/2025, Contact: Kevin Folk 301–415–6944.

EIS No. 20250044, Final, APHIS, PRO, Outbreak Response Activities for Highly Pathogenic Avian Influenza Outbreaks in Poultry in the United States and Territories, Review Period Ends: 05/19/2025, Contact: Chelsea Bare 515–337–6128.

Dated: April 14, 2025.

Nancy Abrams,

Associate Director, Office of Federal Activities.

[FR Doc. 2025–06699 Filed 4–17–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OW–2025–0039] [FRL OP–OFA–160]

Availability of a Programmatic Environmental Assessment (PEA) and Finding of No Significant Impact (FONSI)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability of Programmatic Environmental Assessment (PEA)/Finding of No Significant Impact (FONSI) (EPA No. N2025023).

SUMMARY: The Environmental Protection Agency (EPA) has prepared a Programmatic Environmental Assessment (PEA) (EPA No. N2025023) to analyze the potential environmental impacts related to the issuance of grant funding for the planning, design, and construction of eligible drinking water, wastewater, and stormwater infrastructure projects, and water quality protection projects under the Community Project Funding (CPF)/Congressionally Directed Spending (CDS), otherwise known as the Community Grants Program. Projects receiving Community Grants Program funding must also comply with applicable federal laws, regulations, Executive Orders, and other state and local environmental reviews. Based on the environmental impact analysis in the PEA, the EPA has made a preliminary determination that no significant environmental impacts are anticipated from the issuance of Community Grants Program funding. This notice initiates the 30-day review period and invites comments from Federal, State, and local agencies, Tribes, and the public regarding the EPA's preliminary determination.

DATES: Comments must be received on or before May 19, 2025.

ADDRESSES: You may send comments, identified by Docket ID No. EPA–HQ–OW–2025–0039, by any of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov/* (our preferred method). Follow the online instructions for submitting comments.
- *Email: communitygrantshq@epa.gov.* Include Docket ID No. EPA–HQ–OW–2025–0039 in the subject line of the message.
- *Mail:* U.S. Environmental Protection Agency, EPA Docket Center, Community Grants Program Docket, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.
- *Hand Delivery or Courier:* EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center's hours of operations are 8:30 a.m.–4:30 p.m., Monday–Friday (except Federal Holidays).

Instructions: All submissions received must include the Docket ID No. for this notice. Comments received may be posted without change to *https://www.regulations.gov/,* including any personal information provided. For detailed instructions on sending comments and additional information on the notice, see the ''Public Participation'' heading of the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Julia Zolandz, Water Infrastructure Division, Office of Wastewater Management, Community Grants Program, Mail Code: 4204M, Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460; telephone number: 202–565–2238; email address *communitygrantshq@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Public Participation

Written Comments

Submit your comments, identified by Docket ID No. EPA–HQ–OW–2025–0039, at *https://www.regulations.gov* (our preferred method), or the other methods identified in the **ADDRESSES**

[1] *See https://elibrary.ferc.gov/eLibrary/filedownload?fileid=AB5F5987-FFBF-CA82-9746-95DDFD300000.*

[2] 18 CFR [4.34(b)(5)/5.23(b)/153.4/157.22].

section. Once submitted, comments cannot be edited or removed from the docket. The EPA may publish any comment received to its public docket. Do not submit to the EPA's docket at *https://www.regulations.gov* any information you consider to be Confidential Business Information (CBI), Proprietary Business Information (PBI), or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). Please visit *https://www.epa.gov/dockets/commenting-epa-dockets* for additional submission methods; the full EPA public comment policy; information about CBI, PBI, or multimedia submissions; and general guidance on making effective comments.

II. General Information

Congress appropriates funding for specifically named community water infrastructure projects known as Community Project Funding (CPF)/Congressionally Directed Spending (CDS) items, known hereafter as Community Grants Program projects. These Community Grants Program projects are identified on an annual basis in Annual Appropriation Acts and the grant authority for the program is identified within the Annual Appropriations Acts themselves. The Annual Appropriations Acts direct funding towards these projects, which are designated for the planning, design, and construction of drinking water, wastewater, and stormwater infrastructure, and water quality protection projects. For a project to be eligible for Community Grants Program funding, the project must be identified in the Annual Appropriations Acts.

The proposed federal action under consideration in this PEA is approving or denying Community Grants Program applications by either awarding or not awarding the Community Grants Program funding. In the PEA, the EPA analyzed the potential adverse and beneficial environmental impacts of the issuance of grant funding for the planning, design, and construction of eligible drinking water, wastewater and stormwater infrastructure projects, and water quality protection projects. The PEA presents a broad and high-level review of information on a nationwide basis on existing conditions and discusses potential impacts and mitigation measures that might typically occur during construction and operation of broad project types.

The environmental review process, which is documented by the PEA, indicates that no potential significant adverse environmental impacts are anticipated from the proposed action. Based on the environmental impact analysis in the PEA, the EPA has determined that no significant environmental impacts are anticipated from the issuance of funding under the Community Grants Program and the proposed action does not constitute a major Federal action significantly affecting the quality of the human environment, making the preparation of an Environmental Impact Statement (EIS) unnecessary. Therefore, the EPA is issuing a preliminary FONSI.

An electronic copy of the PEA and preliminary FONSI (EPA No. N2025023) are available for download from EPA's NEPA Compliance Database at *https://cdxapps.epa.gov/cdx-enepa-II/public/action/nepa/details?nepaId=503414.*

Andrew D. Sawyers,

Director, Office of Wastewater Management.

[FR Doc. 2025–06703 Filed 4–17–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2017–0751; FRL–12707–01–OCSPP]

Pesticide Registration Review; Interim Registration Decision for Dicrotophos; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of EPA's interim registration review decision for dicrotophos.

ADDRESSES: The docket, as identified by the docket identification (ID) number for the specific pesticide of interest as provided in table 1 of unit III., 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 pesticide specific information, contact: The Chemical Review Manager for the pesticide of interest identified in table 1 of unit I.

For general information on the registration review program, contact: Melanie Biscoe, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: 202–566–0701; email address: *biscoe.melanie@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general and may be of interest to a wide range of stakeholders including environmental, human health, farm worker, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, contact the Chemical Review Manager identified in table 1 of this document.

B. What is registration review?

Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, the pesticide can perform its intended function without unreasonable adverse effects on human health or the environment. Through this program, EPA is ensuring that each pesticide's registration is based on current scientific and other knowledge, including its effects on human health and the environment. For additional background on the registration review program, see: *https://www.epa.gov/pesticide-reevaluation.*

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

EPA is conducting its registration review of the chemicals listed in this document pursuant to section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136 *et seq.,* and 40 CFR part 155, subpart C. FIFRA section 3(g) provides, among other things, that the registrations of pesticides are to be reviewed every 15 years. Under FIFRA, a pesticide product may be registered or remain registered only if it meets the statutory standard for registration given in FIFRA section 3(c)(5) (7 U.S.C. 136a(c)(5)). When used in accordance with widespread and commonly recognized practice, the pesticide product must perform its intended function without unreasonable adverse effects on the environment; that is, without any unreasonable risk to man or the environment, or a human

dietary risk from residues that result from the use of a pesticide in or on food.

III. What action is the Agency taking?

Pursuant to 40 CFR 155.58(c), this document announces the availability of EPA's interim registration review decision for the pesticide listed in table 1 of this unit. The interim registration review decision is supported by rationales included in the docket established for each chemical undergoing registration review.

TABLE 1—REGISTRATION REVIEW INTERIM DECISION BEING ISSUED

Registration review case name and No.	Docket ID No.	Chemical review manager
Dicrotophos	EPA–HQ–OPP–2008–0440	Patricia Biggio, *biggio.patricia@epa.gov.*

Consistent with 40 CFR 155.58(a), EPA posted a proposed interim decision for dicrotophos and invited the public to submit any comments or new information (89 FR 52457, June 24, 2024 (FRL–11989–01–OCSPP)). EPA considered and responded to any comments or information received during the public comment period in the respective registration review interim decision.

Consistent with 40 CFR 155.57, in its final registration review decision, EPA will ultimately determine whether a pesticide continues to meet the registration standard in FIFRA section 3(c)(5) (7 U.S.C. 136a(c)(5)).

Authority: 7 U.S.C. 136 *et seq.*

Dated: April 14, 2025.

Jean Anne Overstreet,

Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.

[FR Doc. 2025–06666 Filed 4–17–25; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0710; FR ID 290203]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and 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. Comments are requested concerning: 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; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

DATES: Written PRA comments should be submitted on or before June 17, 2025. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicole Ongele, FCC, via email *PRA@fcc.gov* and to *nicole.ongele@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Nicole Ongele, (202) 418–2991.

SUPPLEMENTARY INFORMATION: The FCC may not conduct or sponsor a collection of information unless it displays a currently valid 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 Office of Management and Budget (OMB) control number.

OMB Control Number: 3060–0710.

Title: Policy and Rules Under Parts 1 and 51 Concerning the Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, CC Docket No. 96–98.

Form Number: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit.

Number of Respondents and Responses: 462 respondents; 2,967 responses.

Estimated Time per Response: 1–500 hours.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in sections: 1–4, 201–205, 214, 224, 251, 252, and 303 (r) of the Communications Act of 1934, as amended, and Section 601 of the Telecommunications Act of 1996, 47 U.S.C. 151–154, 201–205, 224, 251, 252, 303 (r), and 601.

Frequency of Response: On occasion reporting requirement, recordkeeping requirement, and third-party disclosure requirement.

Total Annual Burden: 37,390 hours.

Total Annual Cost: No cost.

Needs and Uses: This collection will be submitted as a revision of a currently approved collection to OMB in order to obtain the full three-year clearance. The Commission adopted rules to implement the First Report and Order on Reconsideration issued in CC Docket No. 96–98. That Order implemented parts of sections 251 and 252 of the Telecommunications Act of 1996 that affect local competition. Incumbent local exchange carriers (ILECs) are required to, among other things, offer interconnection, unbundled network elements (UNEs), and wholesale rates for certain services to new entrants. ILECs must price such services and rates that are cost-based and just and reasonable.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer.

[FR Doc. 2025–06683 Filed 4–17–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL ELECTION COMMISSION

[Notice 2025—04]

Filing Dates for the Texas Special Election in the 18th Congressional District

AGENCY: Federal Election Commission.

ACTION: Notice of Filing Dates for Special Election.

SUMMARY: Texas has scheduled a special election on November 4, 2025, to fill the U.S. House of Representatives seat in the 18th Congressional District held by the late Representative Sylvester Turner.

There are two possible elections, but only one may be necessary. Under Texas law, all qualified candidates, regardless of party affiliation, will appear on the ballot. The majority winner of the Special General Election is declared elected. Should no candidate achieve a majority vote, the Governor will then set the date for a Special Runoff Election that will include only the top two vote-getters.

Committees participating in the Texas special election are required to file pre- and post-election reports.

ADDRESSES: 1050 First Street NE, Washington, DC 20463.

FOR FURTHER INFORMATION CONTACT: Mr. George J. Smaragdis, Information Division, (202) 694–1100 or (800) 424–9530, *info@fec.gov.*

SUPPLEMENTARY INFORMATION:

Principal Campaign Committees

All principal campaign committees of candidates who participate in the Texas Special General Election shall file a 12-day Pre-General Report on October 23, 2025. If there is a majority winner, committees must also file a Post-General Report on December 4, 2025. (See charts below for the closing date for each report.)

Note that these reports are in addition to the campaign committee's regular quarterly filings. (See charts below for the closing date for each report).

Unauthorized Committees (PACs and Party Committees)

Political committees not filing monthly are subject to special election reporting if they make previously undisclosed contributions or expenditures in connection with the Texas Special General Election by the close of books for the applicable report(s). (See charts below for the closing date for each report.)

Committees filing monthly that make contributions or expenditures in connection with the Texas Special General Election will continue to file according to the monthly reporting schedule.

Additional disclosure information for the Texas special election may be found on the FEC website at *https://www.fec.gov/help-candidates-and-committees/dates-and-deadlines/.*

Possible Special Runoff Election

In the event that no candidate receives a majority of the votes in the Special General Election, a Special Runoff Election will be held. The Commission will publish a future notice giving the filing dates for that election if it becomes necessary.

Disclosure of Lobbyist Bundling Activity

Principal campaign committees, party committees and leadership PACs that are otherwise required to file reports in connection with the special election must simultaneously file FEC Form 3L if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of $23,300 during the special election reporting periods. (See charts below for closing date of each period.) 11 CFR 104.22(a)(5)(v), (b), 110.17(e)(2), (f).

CALENDAR OF REPORTING DATES FOR TEXAS SPECIAL ELECTION

Report	Close of books [1]	Reg./cert. & overnight filing mailing deadline	Filing deadline
If *Only* the Special General (11/04/2025) is Held, Candidate Committees Involved Must File			
October Quarterly	WAIVED		
Pre-General	10/15/2025	10/20/2025	10/23/2025
Post-General	11/24/2025	12/04/2025	12/04/2025
Year-End	12/31/2025	01/31/2026	[2] 01/31/2026
If *Only* the Special General (11/04/2025) is Held, PACs and Party Committees Not Filing Monthly Involved Must File			
Pre-General	10/15/2025	10/20/2025	10/23/2025
Post-General	11/24/2025	12/04/2025	12/04/2025
Year-End	12/31/2025	01/31/2026	[2] 01/31/2026
If Two Elections are Held, Candidate Committees Involved in *Only* the Special General (11/04/2025) Must File			
October Quarterly	WAIVED		
Pre-General	10/15/2025	10/20/2025	10/23/2025
Year-End	12/31/2025	01/31/2026	[2] 01/31/2026
If Two Elections are Held, PACs and Party Committees Not Filing Monthly Involved in *Only* the Special General (11/04/2025) Must File			
Pre-General	10/15/2025	10/20/2025	10/23/2025
Year-End	2/31/2025	01/31/2026	[2] 01/31/2026

[1] The reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered as a political committee up through the close of books for the first report due.

[2] Notice that this filing deadline falls on a weekend or federal holiday. Filing deadlines are not extended when they fall on nonworking days. Accordingly, reports filed on paper by methods other than registered, certified or overnight mail must be received before the Commission's close of business on the last business day before the deadline.

Dated: April 14, 2025.

On behalf of the Commission.

James E. Trainor,

Acting Chairman, Federal Election Commission.

[FR Doc. 2025–06682 Filed 4–17–25; 8:45 am]

BILLING CODE 6715–01–P

FEDERAL MARITIME COMMISSION

[Docket No. FMC–2025–0007]

Controlled Carriers Under the Shipping Act of 1984

AGENCY: Federal Maritime Commission.

ACTION: Notice.

SUMMARY: The Federal Maritime Commission is publishing an updated list of controlled carriers, *i.e.,* ocean common carriers operating in U.S.-foreign trades that are, or whose operating assets are, directly or indirectly owned or controlled by foreign governments. Such carriers are subject to increased regulatory oversight by the Commission.

FOR FURTHER INFORMATION CONTACT: David Eng, Secretary; Phone: (202) 523–5725; Email: *Secretary@fmc.gov.*

SUPPLEMENTARY INFORMATION: The Federal Maritime Commission is updating the list of controlled carriers to add an entity that qualifies as a controlled carrier. The Shipping Act of 1984, as amended (Shipping Act), defines a ''controlled carrier'' as an ocean common carrier that is, or whose operating assets are, directly or indirectly owned or controlled by a government. 46 U.S.C. 40102(9). Ownership or control by a government is deemed to exist for a carrier if (1) a majority of the interest in the carrier is owned or controlled in any manner by that government, an agency of that government, or a public or private person controlled by that government, or (2) that government has the right to appoint or disapprove the appointment of a majority of the directors, the chief operating officer, or the chief executive officer of the carrier. *Id.;* 46 CFR 565.2(a).

As required by the Shipping Act, controlled carriers are subject to enhanced oversight by the Commission. For example, 46 U.S.C. 40701(b) provides that the Commission may, after providing notice and opportunity for a hearing, prohibit the publication or use of a rate, charge, classification, rule, or regulation that a controlled carrier has failed to demonstrate is just and reasonable. *See* 46 U.S.C. 40701(b). In addition, 46 U.S.C. 40502(f) provides that in an action for a breach of a service contract, the dispute resolution forum cannot in any way be controlled by or affiliated with a controlled carrier or by the government that owns or controls the carrier. *See* 46 U.S.C. 40502(f). Congress enacted these protections to ensure that controlled carriers, whose marketplace decision making can be influenced by foreign governmental priorities or by their access to non-market sources of capital, do not engage in unreasonable below-market pricing practices, which could disrupt trade or harm privately-owned shipping companies.

The controlled carrier list is not a comprehensive list of foreign-owned or controlled ships or shipowners; rather, it is only a list of ocean common carriers that are controlled by governments. *See* 46 U.S.C. 40102(9); *see also* 46 U.S.C. 40102(18) (providing that the term ''ocean common carrier'' means a vessel-operating common carrier.). Thus, tramp operators and other non-common carriers are not included, nor are non-vessel-operating common carriers, regardless of their ownership or control.

The controlled carrier list was last updated on July 18, 2024. *See* 89 FR 58374. This notice revises the list to add Chinese-Polish Joint Stock Shipping Company (''Chipolbrok'') as a controlled carrier of the government of the People's Republic of China. Accordingly, Chipolbrok is now subject to the requirements of 46 U.S.C. 40701–40706, and to the Commission's regulations relating to controlled carriers. It is also subject to the provisions of 46 U.S.C. 40502(f).

There are no changes to report with respect to the remaining controlled carriers on the list.

It is requested that any other information regarding possible omissions or inaccuracies in this list be provided to the Commission's Office of the General Counsel at *GeneralCounsel@fmc.gov. See* 46 CFR 501.12.

The amended list of currently classified controlled carriers and their corresponding Commission-issued Registered Persons Index numbers is set forth below:

(1) COSCO SHIPPING Lines Co., Ltd. (RPI No. 015614)—People's Republic of China;

(2) Orient Overseas Container Line Limited (RPI No. 011398)—People's Republic of China;

(3) OOCL (Europe) Limited (RPI No. 024786)—People's Republic of China;

(4) Hede (HONGKONG) International Shipping Limited (RPI No. 033332)—People's Republic of China;

(5) HMM (RPI No. 001452)—Republic of Korea;

(6) Anji Shipping Co., Ltd. (RPI No. 033604)—People's Republic of China;

(7) Chinese-Polish Joint Stock Shipping Company (RPI No. 020107)—People's Republic of China.

By the Commission.

David Eng,

Secretary.

[FR Doc. 2025–06665 Filed 4–17–25; 8:45 am]

BILLING CODE 6730–02–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 May 5, 2025.

A. Federal Reserve Bank of St. Louis (Holly A. Rieser, Senior Manager) P.O. Box 442, St. Louis, Missouri 63166–

2034. Comments can also be sent electronically to *Comments.applications@stls.frb.org:*

1. *Winston Throgmorton and Tristan Throgmorton, both of Carbondale, Illinois, and Roderick Throgmorton and Rachel Throgmorton, both of Marion, Illinois;* to establish the Throgmorton Family Control Group, a group acting in concert, to retain voting shares of South Porte Financial Inc., and thereby indirectly retain voting shares of SouthernTrust Bank, both of Marion, Illinois.

Board of Governors of the Federal Reserve System.

Erin Cayce,

Assistant Secretary of the Board.

[FR Doc. 2025–06700 Filed 4–17–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; 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: Center for Scientific Review Special Emphasis Panel; Special Topics in Transmission of Vector-Born and Zoonotic Diseases.

Date: May 19, 2025.

Time: 12:00 p.m. to 1:00 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: Haruhiko Murata, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–594–3245, *muratah@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business Activities: Cardiovascular and Hematology.

Date: June 19–20, 2025.

Time: 9:00 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: Vladimir Bogdanov, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Room 801G, Bethesda, MD 20892, (301) 594–6602, *bogdanovv2@csr.nih.gov*.

Name of Committee: Vascular and Hematology Integrated Review Group; Integrative Vascular Physiology and Pathology Study Section.

Date: June 23–24, 2025.

Time: 9:00 a.m. to 8:00 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: Bukhtiar H. Shah, DVM, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4120, MSC 7802, Bethesda, MD 20892, (301) 806–7314, *shahb@csr.nih.gov*.

Name of Committee: Bioengineering Sciences & Technologies Integrated Review Group; Drug and Biologic Therapeutic Delivery Study Section.

Date: June 23–24, 2025.

Time: 9:00 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: Janice Duy, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–3139, *janice.duy@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: April 15, 2025.

Sterlyn H. Gibson,

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–06751 Filed 4–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; 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 or contract proposals 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 Heart, Lung, and Blood Institute Special Emphasis Panel; NHLBI Contract Proposals Review.

Date: May 12, 2025.

Time: 2:00 p.m. to 6:00 p.m.

Agenda: To review and evaluate contract proposals.

Address: National Institutes of Health, Rockledge I, 6705 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Nawazish Ali Naqvi, Office of Scientific Review/DERA, National Heart, Lung and Blood Institute, National Institutes of Health, 6705 Rockledge Drive, Room 208–Y, Bethesda, MD 20892, (301) 827–7911, email: *nawazish.naqvi@nih.gov.*

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; NHLBI Program Project Applications (P01).

Date: May 21, 2025.

Time: 1:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge I, 6705 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Kazuyo Kegan, Ph.D., AB, Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, National Institutes of Health, 6705 Rockledge Drive, Room 208–T, Bethesda, MD 20892, (301) 402–1334, email: *kazuyo.kegan@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: April 15, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–06693 Filed 4–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Cancellation of Meeting

Notice is hereby given of the cancellation of the National Heart, Lung, and Blood Institute Special Emphasis Panel, April 23, 2025, 1:00 p.m. to April 23, 2025, 5:00 p.m., National Institutes of Health, Rockledge I, 6705 Rockledge Drive, Bethesda, MD, 20892 which was published in the **Federal Register** on March 20, 2025, 90 FR 13179.

National Gene Vector Biorepository contract review meeting is being cancelled due to solicitation not being funded.

Dated: April 15, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–06694 Filed 4–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the National Advisory Council on Aging, May 13, 2025, 02:00 p.m. to May 14, 2025, 05:00 p.m., National Institutes of Health, Natcher Building, 45 Center Drive, Bethesda, MD 20892 which was published in the **Federal Register** on December 06, 2025, 89 FR 99887.

The following FRN is being amended to change the meeting to virtual and the times from 2 p.m.–5 p.m. to 1 p.m.–3:00 p.m. on 5/13/2025; from 8 a.m.–12:30 p.m. to 10:00 a.m.–1:00 p.m. to on 5/14/2025.

The meeting is partially Closed to the public.

Dated: April 15, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–06752 Filed 4–17–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039967; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Shelburne Museum, Shelburne, VT

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Shelburne Museum intends to repatriate certain cultural items that meet the definition of unassociated funerary objects, sacred objects, and/or 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 19, 2025.

ADDRESSES: Alexander Kikutis, Shelburne Museum, P.O. Box 10, Shelburne, VT 05482, telephone (802) 985–0871, email *nagpra@shelburnemuseum.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 Shelburne Museum, 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 seven cultural items have been requested for repatriation. The one associated funerary object is a pair of death moccasins. The six sacred objects are two umbilical cord cases, a war club, a ceremonial shirt, and two whistles. Between 1880 and 1900, Ogden Pleissner collected six of these cultural items from the central plains. In 1961, the Shelburne Museum acquired the cultural items from Pleissner. The ceremonial shirt was acquired from an educational Move Kit in 1989. The cultural items are attributed to the Tsitsitas/Suhtai (Cheyenne). Heavy metals, including arsenic and mercury were documented in pigments when a sample of 99 items was tested in March 2021 with a pXRF (pXRF, or portable x-ray florescence, collects data on the chemical composition of items, in a manner that is non-destructive). We have no record of pesticide use by any of our donors. Museum staff have occasionally used naphthalene and/or para-dichlorobenzene, in the form of mothballs, and dichlorvos (DDVP) in the form of Shell No-Pest Strips, however we have no records of them being used with Native American items.

Determinations

The Shelburne Museum has determined that:

- The one unassociated funerary object described in this notice is 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 object has 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.
- The six sacred objects described in this notice are 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 items described in this notice and the Cheyenne and Arapaho Tribes, 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 19, 2025. If competing requests for repatriation are received, the Shelburne Museum 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 Shelburne Museum 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06655 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039957; 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. The human remains were collected at the Office of Indian Affairs, Field Service, Nome Census Area, AK, an Unknown Location, Northwest Arctic Borough, AK, and the Chemawa (Salem) Indian School, Marion County, OR.

DATES: Repatriation of the human remains in this notice may occur on or after May 19, 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 information available, human remains representing, at minimum, 21 individuals were collected at the Office of Indian Affairs, Field Service, Nome Census Area, AK. The human remains are hair clippings collected from two individuals who were recorded as being 60 years old, three individuals who were recorded as being 45 years old, one individual who was recorded as being 42 years old, three individuals who were recorded as being 40 years old, one individual who was recorded as being between 35–40 years old, one individual who was recorded as being 38 years old, three individuals who were recorded as being 35 years old, two individuals who were recorded as being 32 years old, one individual who was recorded as being 31 years old, one individual who was recorded as being 30 years old, one individual who was recorded as being 29 years old, two individuals who were recorded as being 16 years old and identified as ''Eskimo.'' Virgil P. Dickson took the hair clippings at the Office of Indian Affairs, Field Service between 1930 and 1933. Dickson sent the hair clippings to George Woodbury, who donated the hair clippings to the PMAE in 1935. No associated funerary objects are present.

Based on the information available, human remains representing, at minimum, one individual was collected at an Unknown Location, Northwest Arctic Borough, AK. The human remains are hair clippings collected from one individual who was recorded as being between 40–45 years old and identified as ''Eskimo.'' Frank Daugherty took the hair clippings at the Unknown Location between 1930 and 1933. Daugherty sent the hair clippings to George Woodbury, who donated the hair clippings to the PMAE in 1935. No associated funerary objects are present.

Based on the information available, human remains representing, at minimum, one individual was collected at the Chemawa (Salem) Indian School, Marion County, OR. The human remains are hair clippings collected from one individual who was recorded as being 21 years old and identified as ''Eskimo.'' James T. Ryan took the hair clippings at the Chemawa (Salem) Indian School between 1930 and 1933. Ryan 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 23 individuals of Native American ancestry.
- There is a reasonable connection between the human remains described in this notice and the Chinik Eskimo Community (Golovin); King Island Native Community; Native Village of Ambler; Native Village of Brevig Mission; Native Village of Buckland; Native Village of Council; Native Village of Deering; Native Village of Diomede (aka Inalik); Native Village of Elim; Native Village of Gambell; Native Village of Kiana; Native Village of Kobuk; Native Village of Koyuk; Native Village of Mary's Igloo; Native Village of Noatak; Native Village of Saint Michael; Native Village of Savoonga; Native Village of Selawik; Native Village of Shaktoolik; Native Village of Shishmaref; Native Village of Shungnak; Native Village of Teller; Native Village of Wales; Native Village of White Mountain; Nome Eskimo Community; Noorvik Native Community; Stebbins Community Association; and the Village of Solomon.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the Responsible Official identified in **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 in this notice to a requestor may occur on or after May 19, 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 are considered a single request and not competing requests. The PMAE is responsible for sending a copy of this notice to the Indian Tribe 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06645 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039942; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of Wisconsin Milwaukee, Milwaukee, WI

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of Wisconsin Milwaukee (UWM) 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 19, 2025.

ADDRESSES: Jennifer R. Haas, University of Wisconsin-Milwaukee, P.O. Box 413, Milwaukee, WI 53201, telephone (414) 229–3078, email *haasjr@uwm.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 UWM, 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, 31 individuals have been reasonably identified. The 18 associated funerary objects are one large clam shell cup or tool; one lot of faunal bone; one lot of grit tempered ceramic sherds; one lot of pottery; one lot of Middle Woodland period pottery; one lot of ceramic sherds; one lot of mixed material including faunal bone, charcoal, and lithics; one lot of mixed material including faunal bone, charcoal, groundstone, lithics, rocks, and pottery; 10 lots of mixed material including shell fragments, lithic debitage, ceramic sherds, faunal bone, pottery, and historic material. The individuals and associated funerary objects were removed from the Pipe Site Complex, Fond du Lac County, WI on several different occasions between 1958 and 1997. The Pipe Site Complex consists of two sites: the Pipe Site (47FD0010) and Camp Shaginappi (47FD0013).

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

UWM has determined that:

- The human remains described in this notice represent the physical remains of 31 individuals of Native American ancestry.
- The 18 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 Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan; Menominee Indian Tribe of Wisconsin; Otoe-Missouria Tribe of Indians, Oklahoma; and the Winnebago Tribe of Nebraska.

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 19, 2025. If competing requests for repatriation are received, UWO 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. UWO 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06632 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039941; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: University of California San Diego, San Diego, 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 San Diego 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 19, 2025.

ADDRESSES: Eva Trujillo, University of California San Diego, 9500 Gilman Drive, La Jolla, CA 92093, telephone (858) 246–2725, email *e7trujillo@ucsd.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 San Diego, 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 three cultural items have been requested for repatriation. The three objects of cultural patrimony are three historical ledger books drawings, The two Kiowa-Finley ledgers were collected by Walter Lowrie Finley, 2nd Lieutenant, 9th Cavalry while stationed at Fort Sill during 11/19/1881 to 7/16/1883. The original author was identified as Kiowa but not named.

The Koba-Russell sketchbook was given to Miss Josephine Russell in 1876 by Captain Richard H. Pratt, Commander of Fort Marion in St. Augustine, Florida. Koba, the original Kiowa author, was one of 72 warriors from a number of Plains Indian tribes imprisoned in 1875 at Fort Marion, the old Spanish fortress in St. Augustine, Florida. Miss Russell served as a volunteer school-mistress at Fort Marion, providing instruction for the Plains Indian warriors imprisoned there from 1875 to 1878. The three items were donated to the University of California San Diego at a later time.

Determinations

The University of California San Diego has determined that:

- The three 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 Kiowa Indian Tribe of 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 19, 2025. If competing requests for repatriation are received, the University of California San Diego 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 San Diego 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06631 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039943; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Buffalo Society of Natural Sciences, Buffalo Museum of Science, Buffalo, NY

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Buffalo Society of Natural Sciences intends to repatriate a certain cultural item that meets the definition of an unassociated funerary 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 19, 2025.

ADDRESSES: Kathryn H. Leacock, Buffalo Society of Natural Sciences, Buffalo Museum of Science, 1020 Humboldt Parkway, Buffalo, NY 14211, telephone (716) 896–5200, email *kleacock@sciencebuff.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 Buffalo Society of Natural Sciences 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 cultural item has been requested for repatriation. The one unassociated funerary item is known as catalog number C478. Museum catalog records indicate this is a ceramic vessel with a long neck and indentations on the shoulder. The ceramic is shell tempered. This funerary object was known to be part of a larger burial-ceremonial complex at Moundville, in Hale and Tuscaloosa Counties, Alabama. Moundville is culturally affiliated to the Muskogean language speaking Tribes. Accession records indicate that C478 was removed from Mound D at Moundville in Hale County Alabama. Collected by Chauncey W. Riggs and acquired by the Buffalo Society of Natural Sciences in 1891.

Determinations

The Buffalo Society of Natural Sciences has determined that:

- The one unassociated funerary object 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 Choctaw Nation of 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 19, 2025. If competing requests for repatriation are received, the Buffalo Society of Natural Sciences

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 Buffalo Society of Natural Sciences 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06633 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039956; PPWOCRADN0–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 19, 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 has been reasonably identified. The seven associated funerary objects are one lot of ceramic sherds, one lot of ceramic objects, one lot of glass, one lot of lithics, one lot of metal objects, one lot of fire-altered rock, and one lot of faunal bone. In 1971, archaeologists at the University of California, Riverside Archaeological Research Unit (UCRARU) learned from Gerry Smith of the San Bernardino County Museum that archaeological site CA–RIV–399 (the Painted Rock Site) at the base of the Lakeview Mountains in Riverside County was being disturbed by the construction of a canal. Tom King, Chief Archaeologist for the UCRARU, surveyed the site and noted artifacts on the surface including quartz flakes and clay pipe fragments. To prevent further damage to the site, archaeologists from the UCRARU were given permission by property owners to run a student archaeological field school in the summer of 1971. The site was described by archaeologists as an extensive occupation area with milling features and rock art. Students excavated twelve 1 x 1-meter units and uncovered approximately 135 items including sherds, lithics, fire-altered rock, and other archaeological materials. The objects were housed at UCR under accession number 24. In 2024, at the request of tribal partners, an osteologist reviewed a burnt bone fragment in the collection and concluded that it represented a human infant cranial bone. In consultation with tribal partners, the objects in the collection were also reviewed and identified as associated funerary objects based on expert tribal knowledge.

The Painted Rocks Site is an area well-known to the local Cahuilla and Luiseno Tribes as a place where their ancestors lived; it remains a place of great importance for them in modern times.

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 one individual of Native American ancestry.
- The seven 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 Morongo Band of Mission Indians, California and the Soboba Band of Luiseno Indians, 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 19, 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06646 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039965; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of California, Berkeley, Berkeley, 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, Berkeley has completed an inventory of associated funerary objects and has determined that there is a cultural affiliation between the associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the associated funerary objects in this notice may occur on or after May 19, 2025.

ADDRESSES: Alexandra Lucas, Government and Community Relations, Office of the Chancellor. University of California, Berkeley. 200 California Hall, Berkeley, CA 94720, telephone (510) 570–0964, email *nagpra-ucb@berkeley.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, Berkeley, 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

Prior to 1906, 979 lots of associated funerary objects were removed from San Nicolas Island, California by several individuals and donated to the Lowie Museum of Anthropology (now known by Phoebe A Hearst Museum) at the University of California, Berkeley. The 979 lots of associated funerary objects are atlatls, awls, basketry, bone figurine, bone knives, bone needles, bone ornaments, bone pendants, bone scrapers, bone swords, bone tools (one missing), bone tubes, cartridges, charcoal samples, chipped-stone crescents, clubs, comals, cordage, drills, faunal remains (18 missing), fish hooks, flakes, flutes, ground stone, hammerstones, harpoons, knives, mineral and rock samples (one missing), mortars (two missing), painting supplies, pebbles, pestles, plummets, projectile points (one missing), scrapers, shell beads, shell dishes, shell ornaments (one missing), shell pendants, sinkers, soil samples, spearheads, stone beads, stone bowls, stone dishes, stone ornaments, stone pendants, stone pipes (one missing), stone tools, stone tubes, stone vessels, weights, whistles, wood fragments, wood tools, worked bone, worked shell, and worked stone (one missing).

Collections and collection spaces at the Phoebe A Hearst Museum of Anthropology were treated with substances for preservation and pest control, some potentially hazardous. No records have been found to date at the Museum to indicate whether or not chemicals or natural substances were used prior to 1960.

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 associated funerary objects described in this notice.

Determinations

The University of California, Berkeley has determined that:

- The 979 lots of associated funerary 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 associated funerary objects described in this notice and the La Jolla Band of Luiseno Indians, California; Pala Band of Mission Indians; Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation, California; Pechanga Band of Indians (*previously* listed as Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, California); Rincon Band of Luiseno Mission Indians of Rincon Reservation, California; Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California; and the Soboba Band of Luiseno Indians, California.

Requests for Repatriation

Written requests for repatriation of the 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 associated funerary objects described in this notice to a requestor may occur on or after May 19, 2025. If competing requests for repatriation are received, the University of California, Berkeley must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the associated funerary objects are considered a single request and not competing requests. The University of California, Berkeley 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06653 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039944; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: San Bernardino County Museum, Redlands, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), San Bernardino County Museum intends to repatriate certain cultural items that meet the definition of unassociated funerary objects, sacred objects, and/or 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 19, 2025.

ADDRESSES: Gabrielle Carpentier, San Bernardino County Museum, 2024 Orange Tree Lane, Redlands, CA 92374, telephone (909) 798–8613, email *gabrielle.carpentier@sbcm.sbcounty.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 San Bernardino County Museum, 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 57 cultural items have been requested for repatriation. These include 55 lots of objects of cultural patrimony and two lots of unassociated funerary objects.

The 31 lots of objects of cultural patrimony are one lot of stone bowls, one lot of a steatite bowl, one lot of spindle whorls, one lot of a pencil, one lot of manos, one lot of pestles, one lot of a metal knife, one lot of wood fragments, one lot of seeds, one lot of siltstone tablets, one lot of glass bottle stoppers, one lot of burned pot sherds, one lot of ground stone, one lot of arrow shaft straighteners, one lot of charcoal, one lot of lithic flakes, one lot of lithic points, one lot of unworked faunal bone, one lot of pot sherds, one lot of porcelain fragments, one lot of shell pendant fragments, one lot of unworked shell, one lot of shell beads, one lot of clay pipe fragments, one lot of glass bottle fragments, one lot of a ceramic figurine of a human body, one lot of buttons, one lot of metal fragments, one lot of metal nails, one lot of shell casings, and one lot of bone awls. These objects from Muscupaibit, Camp Cajon (SBCM–2) were collected as early as 1949.

The one lot of unassociated funerary objects are one lot of burned shell beads. These objects from Muscupaibit, Camp Cajon (SBCM–2) were collected as early as 1949.

The 22 lots of objects of cultural patrimony are one lot of a metate, one lot of a spindle whorls, one lot of a pestle, one lot of ground stone, one lot of lithic flakes, one lot of lithic points, one lot of shell beads, one lot of unworked faunal bone, one lot of pot sherds, one lot of an arrow shaft straightener, one lot of plastic, one lot of seeds, one lot of a wooden stick, one lot of unworked shell, one lot of plant material, one lot of fire-affected rock, one lot of charcoal, one lot of bone awls, one lot of metal, one lot of a manuport (A64–214), one lot of a ceramic fishing weight, and one lot of a green slate pendant. These objects from Las Flores Ranch (SBCM–13) may have been collected as early as 1939. In 1970, the Archaeological Survey Association (ASA) began collecting from Las Flores Ranch.

The one lot of unassociated funerary objects are one lot of burned shell beads. This object from Las Flores Ranch (SBCM–13) may have been collected as early as 1939. In 1970, the Archaeological Survey Association (ASA) began collecting from Las Flores Ranch.

The two lots of objects of cultural patrimony are one lot of ground stone and one lot of lithic flakes. These objects from Hesperia Rd (SBCM–47) were collected in 1939 by Gerald A. Smith.

Determinations

San Bernardino County Museum has determined that:

- The 55 objects of cultural patrimony 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.
- 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 Yuhaaviatam of San Manuel Nation (*previously* listed as San Manuel Band of Mission Indians, 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 19, 2025. If competing requests for repatriation are received, San Bernardino County Museum 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. San Bernardino County Museum 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06634 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039953; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: The Field Museum, Chicago, IL

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Field Museum 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 19, 2025.

ADDRESSES: Helen Robbins, The Field Museum, 1400 S DuSable Lake Shore Drive, Chicago, IL 60605, telephone (312) 665–7317, email *hrobbins@fieldmuseum.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 Field Museum, 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 64 cultural items have been requested for repatriation. The 64 unassociated funerary objects are bowls, jars, mugs, ladles, and a fossilized wood arrow point. In 1897, 64 cultural items were removed from the site of Homolovi II in Navajo County, AZ. These items were taken by George A. Dorsey for the Field Museum during an archaeological expedition to Homolovi and were accessioned in 1898. Homolovi II was occupied from 1350 C.E. to 1400 C.E. Based on consultation, academic research, and Museum records, Homolovi II is affiliated with the Hopi Tribe of Arizona and the Zuni Tribe of the Zuni Reservation, New Mexico. There is no known presence of any potentially hazardous substances.

Determinations

The Field Museum has determined that:

- The 64 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 Hopi Tribe of Arizona and the Zuni Tribe of the Zuni Reservation, New Mexico.

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 19, 2025. If competing requests for repatriation are received, the Field Museum 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 Field Museum 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06643 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039946; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Department of the Interior, Bureau of Indian Affairs, Washington, DC

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, Bureau of Indian Affairs 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 19, 2025.

ADDRESSES: Tamara Billie, NAGPRA Manager, Bureau of Indian Affairs, 1001 Indian School Road NW, Mailbox 44, Albuquerque, NM 87104, telephone (505) 879–9711, email *tamara.billie@bia.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 Bureau of Indian Affairs, 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 11 individuals have been identified. The 157 associated funerary objects are 22 lots of groundstone, 20 lots of lithics, 49 lots of ceramic sherds, 11 lots of ''historic artifacts,'' two lots of lightning stones, eight lots of unmodified stone, six lots of ceramic vessels, five lots of ornamental objects, five lots of pipes, three lots of minerals, one lot of ''shatter,'' four lots of botanical objects, 11 lots of fauna, one lot of a figurine, one lot of unworked wood, one lot of a ceramic disc, two lots of architectural remains, one lot of fossils, two lots of cloud blowers, and two lots of ''indeterminate.'' The Museum of New Mexico (MNM) conducted an archaeological salvage excavation at Nambe Pueblo (LA17) from June 16 to July 8, 1966. Ceramics located at the site reveal an occupation no earlier than A.D. 1200 and suggest a continued occupation of the site into the Historic Period. Additional human remains were donated to the Museum by a private individual who collected the human remains in 1964 from Powakwaiouinge Ruin, across from the creek from Nambe Pueblo.

Archaeological reports and oral history both confirm that this site and LA 17 are culturally affiliated with the Nambe Pueblo. There are no known chemical treatments for the objects, minus the possible application of some labeling material that is a thermoplastic resin.

Cultural Affiliation

Based on the information available and the results of the consultation, cultural affiliation is clearly identified by the information available about the human remains and associated funerary objects described in this notice and by the geographical location or acquisition history of the human remains and associated funerary objects described in this notice.

Determinations

The Bureau of Indian Affairs has determined that:

- The human remains described in this notice represent the physical remains of 11 individuals of Native American ancestry.
- The 157 objects 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 Pueblo of Nambe, New Mexico.

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 19, 2025. If competing requests for repatriation are received, the Bureau of Indian Affairs 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 Bureau of Indian Affairs 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06636 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039954; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of Florida, Florida Museum of Natural History, Gainesville, FL

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of Florida, Florida Museum of Natural History 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 19, 2025.

ADDRESSES: Megan Fry, University of Florida, Florida Museum of Natural History, 1659 Museum Road, Gainesville, FL 32611, telephone (352) 273–1921, email *megan.fry@floridamuseum.ufl.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 Florida, Florida Museum of Natural History, 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 has been identified from the Unknown Name, Lemon Bay (8SoUn.1), in Sarasota County, Florida. There are no associated funerary objects from the site. This site is a small shell midden on Lemon Bay in the northern part of Englewood, Sarasota County, Florida. This collection includes the cranium of an Ancestor that was presented by Fred Kruea on September 9, 1959.

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 described in this notice to be associated with the Seminole Tribe of Florida.

Determinations

The University of Florida, Florida Museum of Natural History 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 and associated funerary objects described in this notice and the Seminole Tribe of Florida.

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 19, 2025. If competing requests for repatriation are received, the University of Florida, Florida Museum of Natural History 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 University of Florida, Florida 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.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06644 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039961; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Department of the Interior, Fish and Wildlife Service, Ridgefield National Wildlife Refuge Complex, Ridgefield, WA

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, Fish and Wildlife Service, Ridgefield National Wildlife Refuge Complex 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 19, 2025.

ADDRESSES: Eric Anderson, U.S. Fish and Service, Ridgefield National Wildlife Refuge Complex, P.O. Box 457, Ridgefield, WA 98642, telephone (360) 887–4106 Ext. 11126, email *eric_anderson@fws.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 Ridgefield National Wildlife Refuge Complex, 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

Based on the information available, human remains representing, at least, one individual has been reasonably identified. The 166 associated funerary objects are trade beads. The individual and the trade beads were excavated and collected in 1984 by Historical Research Associates, Inc. from the Wapato Portage (45–CL–4) site on Ridgefield National Wildlife Refuge. The items are curated at Portland State University (PSU). In 2021, the collection was reanalyzed, and the individual was identified co-mingled with non-human faunal bone. In addition, according to Native American traditional knowledge for this region, trade beads were commonly used as 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

The Ridgefield National Wildlife Refuge Complex has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The 166 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 Confederated Tribes of the Grand Ronde Community of Oregon and the Cowlitz Indian Tribe.

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 19, 2025. If competing requests for repatriation are received, the Ridgefield National Wildlife Refuge Complex 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 Ridgefield National Wildlife Refuge Complex 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06649 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039963; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Disposition: U.S. Department of the Interior, Fish and Wildlife Service, Washington Maritime National Wildlife Refuge Complex, Sequim, WA

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, Fish and Wildlife Service, Washington Maritime National Wildlife Refuge Complex intends to carry out the disposition of human remains removed from Federal or Tribal lands to the lineal descendants, Indian Tribe, or Native Hawaiian organization with priority for disposition in this notice.

DATES: Disposition of the human remains in this notice may occur on or after May 19, 2025. If no claim for disposition is received by April 20, 2026 the human remains in this notice will become unclaimed human remains.

ADDRESSES: Lorenz Sollmann, Refuge Manager, U.S. Fish and Wildlife Service, Washington Maritime National Wildlife Refuge Complex, 715 Holgerson Road, Sequim, WA 98382, telephone (360) 369–0566, email *lorenz_sollmann@fws.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 Washington Maritime National Wildlife Refuge Complex, 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

Based on the information available, human remains representing, at least, one individual has been reasonably identified. No associated funerary objects are present. The individual was discovered on or about 10 September 2021 on Washington Maritime National Wildlife Refuge in Jefferson County, Washington. A private citizen who was kayaking stopped on a small island and collected a single bone that was exposed on the surface of the site, concerned that it may be part of a crime scene. They submitted the bone to the Jefferson County Sherriff's Office, who determined the remains did not belong to a recent crime scene. The bone was turned over to the Washington Department of Archaeology and Historic Preservation's physical anthropologist, who determined that the individual is of Native American ancestry, and that the bone was from a previously known Native American archaeological site which has a previously recorded cemetery (45JE11). Officials at the Washington Maritime National Wildlife Refuge were informed and engaged in Consultation with culturally affiliated Tribes.

Determinations

The Washington Maritime National Wildlife Refuge Complex has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The Jamestown S'Klallam Tribe; Lower Elwha Tribal Community; Port Gamble S'Klallam Tribe; Puyallup Tribe the Puyallup Reservation; Samish Indian Nation; Skokomish Indian Tribe; Suquamish Indian Tribe of the Port Madison Reservation; and the Swinomish Indian Tribal Community have priority for disposition of the human remains described in this notice.

Claims for Disposition

Written claims for disposition of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. If no claim for disposition is received by April 20, 2026 the human remains in this notice will become unclaimed human remains. Claims for disposition may be submitted by:

1. Any lineal descendant, Indian Tribe, or Native Hawaiian organization 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 they have priority for disposition.

Disposition of the human remains described in this notice may occur on or after May 19, 2025. If competing claims for disposition are received, the Washington Maritime National Wildlife Refuge Complex must determine the most appropriate claimant prior to disposition. Requests for joint disposition of the human remains are considered a single request and not competing requests. The Washington Maritime National Wildlife Refuge Complex 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. 3002, and the implementing regulations, 43 CFR 10.7.

Dated: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06651 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039949; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Turtle Bay Exploration Park, Redding, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), Turtle Bay Exploration Park (TBEP) intends to repatriate a certain cultural item that meets the definition of an object of cultural patrimony 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 19, 2025.

ADDRESSES: Julia Cronin, Turtle Bay Exploration Park, 844 Sundial Bridge Drive, Redding, CA 96001, telephone (530) 242–3191, email *jcronin@turtlebay.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 Turtle Bay Exploration Park, 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 cultural item has been requested for repatriation. The one object of cultural patrimony is a lumjawi/canoe fashioned of a single log of ponderosa pine by burning and adzing. It has a metal plate on one bow covering a damaged area and bolt and nut with a chain on the opposite bow.

The lumjawi/canoe was found on Rising River Ranch which was purchased by Bing and Kathryn Crosby in 1959 and managed by Leonard William Meyer Jr. In 1978, Mr. Crosby passed away and Rising River Ranch was sold. In April 1982, Mr. Meyer brought the canoe to the Redding Museum and Art Center (TBEP's predecessor institution) and it was accessioned into the collection in May 1982.

Rising River is in Shasta County of northern California. Rising River feeds into Hat Creek approximately ten miles east of the town of Cassel and in part of what is considered the Pit River Drainage, which has been Ajumawi territory since time immemorial. The Ajumawi Band is one of the eleven autonomous bands of the Pit River Tribe (includes XL Ranch, Big Bend, Likely, Lookout, Montgomery Creek, and Roaring Creek Rancherias).

Museum documentation indicates the lumjawi/canoe was stored outside without protection until it arrived at the Museum. Oral history suggests it was serviceable at Rising River Lake in the late 1920s, but in the 1940s, it was observed listing to one side and partially filled with silt. It was taken out of the water and stored on land until the early 1970s when it was placed on blocks to prevent insect infestation.

Upon arrival to the Museum, the item was found to be infested with moss, lichen, fungi, and various insects, along with significant staining and deterioration. In order to exhibit the canoe, cleaning and conservation was required. The treatments were completed by professional conservators Dr. Arno Schniewind and Dale Paul Kronkright. They used hand dental tools to remove lichen and algae, and applied airbrasive cleaning to the exterior. Airbrasive cleaning is a method of dry cleaning mechanically by means of a grit spraying unit. Powdered abrasives can include calcium magnesium carbonate, sodium bicarbonate, glass beads, and several grades of aluminum oxide. Silicon carbide powder is used occasionally for very hard corrosion products on metal. The specific powdered abrasives used were not documented. Samples of the wood were removed from the artifact and sent to a lab to determine the best consolidant.

Due to its size, material, and fragility, the lumjawi/canoe was placed in a specially constructed tank for consolidation treatment. A recirculating pump and spray outlets allowed for continuous diffusion of a 13% solution of AYAF in methanol into the wood. AYAF is a polyvinyl acetate resin used for conservation. The canoe was put on display in the Museum in October 1982 and remains on display to this day. The methanol used during treatment has since evaporated, and AYAF is not considered hazardous.

Determinations

Turtle Bay Exploration Park has determined that:

- The one object of cultural patrimony described in this notice has ongoing historical, traditional, or cultural importance central to the Native 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 item described in this notice and the Pit River Tribe, California (includes XL Ranch, Big Bend, Likely, Lookout, Montgomery Creek, and Roaring Creek Rancherias).

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 19, 2025. If competing requests for repatriation are received, Turtle Bay Exploration Park 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. Turtle Bay Exploration Park 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: April 8, 2025

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06639 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039958; 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 19, 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 69 cultural items have been requested for repatriation. The 69 objects of cultural patrimony are 14 lots of ceramic sherds, 13 lots of lithics, nine lots of animal bone, seven lots of unmodified shell, four lots of geological materials, three lots of glass objects, two lots of metal objects, three lots of shell beads, five lots of botanical materials, one lot of organic material, two lots of fire altered rock, one metate, one modified animal bone, two manos, one lots of polished stone objects, and one stone sucking tube.

In 1971, the UCR Archaeological Research Unit was contracted to conduct an archaeological inventory of the Palm Hills Area. UCR Archaeologists, James Kelly and Thomas King led the project which consisted of a survey of Palm Canyon, Andreas Canyon, Murray Canyon, and Asbestos Spring. A total of 29 sites recorded and 335 cultural items were collected from the surface of various sites including ceramic sherds, lithic objects, animal bone, unmodified shell, and geological materials. The materials were subsequently housed at UCR under accession number 35.

In 1984, the UCR Archaeological Research Unit (UCRARU) was contracted to conduct an archaeological assessment and field-survey of a property in the Palm Canyon area near Palm Springs, California. The project, ARU #770, was led by Daniel McCarthy and Philip Wilke. The archaeological assessment of the site revealed a scattering of ceramic sherds, as well as a historic dump site with old-style solder cans and broken glass. The excavation of one 1x1 meter unit recovered Native American pottery fragments, square nails, glazed crockery, glazed sherds (of Chinese origin), two buttons, and some rusted metal fragments likely representing a metal container. The materials were subsequently housed at the University of California, Riverside under accession number 44.

In 1978, the University of California, Riverside Archaeological Research Unit (UCRARU) conducted a cultural resource assessment on a parcel of land located on the northwest edge of the city of Indian Wells ahead of a development project. The project, ARU #300, was led by James Swenson and consisted of a field-survey and the collection of surface materials. Archaeological site CA–RIV–1315 was recorded during the project. Archaeologists believed that it may be the western edge of archaeological site CA–RIV–64, which represents the ancestral Cahuilla village of Pal Kavinish. Materials including ceramics, lithics, shells beads, faunal bone, and unmodified shell were collected during the assessment and subsequently housed at UCR under accession number 60.

In 1980, the University of California, Riverside Archaeological Research Unit (UCRARU) conducted an archaeological assessment of 880 acres of land located at the foot of the Santa Rosa Mountains ahead of a development project. The project, UCRARU #574, was led by Alan Davis, James Swenson, and Philip Wilke. The archaeologists relocated a previously recorded site, CA–RIV–1336, and located three more prehistoric sites. During the assessment, a field survey was conducted with the collection of surface materials which were housed at UCR under accession number 80. Archaeologists described these sites as the location of prehistoric weir fishing activities with the presence of scatter of Tizon Brown Ware ceramic sherds, stone house rings, and extensive concentrations of stone structures thought to be prehistoric fish weirs. Materials recovered from the sites included ceramics, lithics, and faunal bone.

In 1989, the University of California, Riverside Archaeological Research Unit (UCRARU) evaluated archaeological sites CA–RIV–2195 and CA–RIV–2196 ahead of proposed land development. The project, UCRARU #1006, was led by Daniel McCarthy and Philip Wilke. Archaeologists identified and relocated two archaeological sites. The archaeologists described the site of CA–

RIV–2195 as a scatter of fifteen fire-cracked rock fragments, twenty potsherds, one piece of shell, and several pieces of fire clay. They described CA–RIV–2196 as 16 areas of concentrated broken rock, pottery, or fragments of non-human bone. Surface materials were collected and housed at UCR under accession number 145. The site was later revisited by UCRARU to conduct test excavations of the area. The excavation recovered pottery fragments, a single mano fragment, faunal remains, a metate, and several manos. This collection of surface materials was housed at UCR under accession number 145.

In 1990, the University of California, Riverside Archaeological Unit (UCRARU) conducted an archaeological assessment on a right-of-way corridor located in the City of La Quinta at the request of the Transpacific Development Company, ahead of the Washington Plaza project. The assessment consisted of a field survey during which archaeologists recorded one archaeological site, CA–RIV–3679. The site was later revisited in 1992 by UCRARU and conducted an additional on-foot survey along with test excavations at nearby archaeological site CA–RIV–2200. Cultural objects including ceramics, glass, lithics, shell beads, animal bone, floral materials, geological materials, unmodified shell, and fire-altered rock were collected from the site and housed at UCR under accession numbers 146, 211, and 212.

In 1989, the University of California, Archaeological Research Unit (UCRARU) conducted a reevaluation of several archaeological sites ahead of a development project. The project, UCRARU #1014, was led by Daniel McCarthy and Philip Wilke and consisted of a foot survey of 80 acres of land, archaeological mapping, surface collection, and test excavation. Archaeologists examined three prehistoric sites on the property, with the largest concentration of artifacts present at CA–RIV–1769. They described this site as consisting of a large hearth area exposed by deflation on top of a dune formation with the presence of charcoal, ash, numerous pieces of fish, bird, and small mammal bone, shell, ceramic shreds, debitage, a bone awl tip, and Olivella shell bead. Eleven 1m x 1.5m test units were excavated and yielded a total of 135 artifacts including animal bone, ceramics, lithics, shell beads, floral material, unmodified shell, ceramics. These objects were housed at UCR under accession numbers 147, 148, and 149.

In 1992, the University of California, Riverside Archaeological Research Unit (UCRARU) was contracted to oversee the development of land near the Whitewater River Channel near La Quinta. Archaeologists noted that project was near known archaeological sites. During the monitoring cultural objects were recovered from archaeological site CA–RIV–3683 including debitage, potsherds, ground stone, fire-affected rocks and daub, two projectile points, and one broken pestle. They were housed at UCR under accession number 152.

In 1990, the University of California, Riverside Archaeological Research Unit (UCRARU) conducted archaeological investigations at five prehistoric sites located in the City of La Quinta. The project, UCRARU #1044, was led by Brooke Arkush. The investigation consisted of archaeological mapping, surface collection, and the excavation of two test units. Archaeologists described this site as consisting of a small ceramic scatter on a small sand ridge. Excavation and surface collections were housed at UCR under accession number 165. During the same project, cremated human remains were found at nearby archaeological site CA–RIV–3144.

In November 1990, the University of California, Riverside Archaeological Research Unit (UCRARU) was contracted to assess land in the Coachella Valley ahead of a development project. The assessment consisted of a survey during which archaeologists recorded 17 isolated finds and archaeological site CA–RIV–4090. Items recovered during the survey included ceramic sherds, faunal bone, burnt daub, lithics, floral materials, geological materials, unmodified shell, and fire-altered rock, which were housed at UCR under accession number 168.

In 1991, the University of California, Archaeological Research Unit was contracted to assess a parcel of land that was proposed to be developed for a new civic center and baseball field in the city of Palm Desert. Archaeologists conducted an on-foot survey and recorded archaeological site CA–RIV–4157, which consisted of a scatter of ceramics and lithic flakes. The materials were collected and housed at the University of California, Riverside under accession number 204.

In 2022, a large metate was found in the University of California, Riverside's archaeological collections with a label reading ''CA–RIV–112''. No record of the metate could be found in UCR's original accession records. Site records describe the site as a possible camp. An additional collection from the site was reported to have been housed at the Riverside Municipal Museum (RMM) under accession numbers A929–1 through 775. Other objects reportedly noted at the site include metates, manos, projectile points, and scrapers. Although no burials were noted on the site records, the recorder noted that teeth and mandibles were reported in the RMM collection. The circumstances surrounding UCR's acquirement of the metate are unknown and it is unclear if it came from the RMM collection. It was assigned the new accession number 405 in 2022 after being discovered in the collections.

In 1977, the County of Riverside, Department of Airports contracted the University of California, Riverside Archaeological Research Unit (UCRARU) to survey large portions of the Thermal Airport property that was being proposed for agricultural development. The property is located near the historic Cahuilla village of La Mesa and large archaeological sites were recorded in 1951 in the northwestern portion of the airport land. During their survey of the property, UCRARU archaeologists located archaeological site CA–RIV–148. The site consisted of pot sherd scatters, multiple human cremations, middens, hearths, and large metates. UCRARU report #209 does not mention the removal of any artifacts from the site, however, in 2023, UCR NAGPRA Program staff discovered an animal bone flute, lithics flakes, a projectile point, and 6 ceramic sherds labelled ''CA–RIV–148''. The objects were subsequently assigned UCR accession number 424 and are assumed to have been collected during the 1977 project.

In 1978, the University of California, Riverside Archaeological Research Unit (UCRARU) was contracted to assess 11 acres of land in Indian Wells that was scheduled for residential development. The archaeological investigation was led by Jim Swenson and consisted of a field survey and surface collection of artifacts including a mano, ceramic sherds, lithic flakes, and faunal bone. During the project archaeologists recorded archaeological site CA–RIV–1455, which they described as light scatters of potsherds. The site is about a mile east from archaeological sites CA–RIV–1315 and CA–RIV–64, which are known to the Cahuilla as the ancestral village of Pal Kavinish.

In 1991, the University of California, Riverside Archaeological Research Unit (UCRARU) conducted a field survey of approximately 20 acres of land near Thermal to determine if any archaeological resources might be impacted by future development of

unincorporated areas. ARU Report #1123 indicates that no archaeological sites were located during the survey, however, in 2024 UCR NAGPRA Program staff found 3 lithic objects labelled ''CA–RIV–4113, ARU 1123'' in the University's collections. The objects are one highly polished mano and two highly polished, long and thin lithic objects. The objects were assigned UCR accession number 446.

In 1990, the University of California, Riverside Archaeological Research Unit (UCRARU) was contracted by an animal sanctuary in Mountain Center, California, to reevaluate a large archaeological site located in the sanctuary. The site, CA–RIV–1935, was first recorded in 1980 by UCR archaeology students and was described as being a significant site with pictographs, milling features, and numerous surface artifacts like polished bone, projectiles points, and manos. The 1990 evaluation was led by Robert Yohe III and consisted of an on-foot survey to locate the boundaries of the site. During the survey a steatite pipe or sucking tube and a quartz projectile point were noted on the surface of the site, but were not reported to have been collected. In 2024, however, UCR NAGPRA Program staff found the sucking tube, projectile point, and two glass trade beads in a box labelled ''CA–RIV–1935''. The objects were assigned UCR accession number 452.

In 1972, the University of California, Riverside Archaeological Research Unit (UCRARU) conducted a survey of two areas on lower Mission Creek ahead of proposed flood control measures. During the ground survey, archaeologists located two archaeological sites. The first site, CA–RIV–1294, was described as the ruins of a historic home; the second site, CA–RIV–1119, was described as a scatter of ceramic sherds. ARU Report #56 does not note the recovery of any artifacts, however, in 2023 UCR NAGPRA Program staff found two arrowheads and two flakes labelled ''CA–RIV–1119, CA–RIV–1249'' in the University's collections.

In 1989, the University of California, Riverside Archaeological Research Unit (UCRARU) was contracted to conduct an archaeological assessment of land south of Mission Creek. During the assessment, archaeologists identified three archaeological sites; CA–RIV–3658, –3656–H, and –3657–H. Sites –3656–H and 3657–H were described as historic camp sites associated with a nearby mining or well shaft. Archaeological site CA–RIV–3658 was described as an isolated prehistoric milling slick. No artifacts were reported to have been collected during the assessment, however, UCR NAGPRA Program staff discovered one ceramic potsherd labelled ''CA–RIV–3658 nearby isolate (Mission Creek area).

Determinations

The University of California, Riverside has determined that:

- The 69 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 Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation, California; Augustine Band of Cahuilla Indians, California; Cabazon Band of Cahuilla Indians (*previously* listed as Cabazon Band of Mission Indians, California); Cahuilla Band of Indians; Los Coyotes Band of Cahuilla and Cupeno Indians, California; Ramona Band of Cahuilla, California; Santa Rosa Band of Cahuilla Indians, California; and the Torres Martinez Desert Cahuilla Indians, 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 19, 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06647 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039948; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Turtle Bay Exploration Park, Redding, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Turtle Bay Exploration Park (TBEP) 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 19, 2025.

ADDRESSES: Julia Cronin, Turtle Bay Exploration Park, 844 Sundial Bridge Drive, Redding, CA 96001, telephone (530) 242–3191, email *jcronin@turtlebay.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 Turtle Bay Exploration Park, 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 113 cultural items have been requested for repatriation. The 113 objects of cultural patrimony include 12 stone tools and stone tool fragments, three bone needles, nine turtle shell fragments, 88 pieces of animal bone fragments, and one lot of fish bones.

Museum documentation states these items were found or excavated by Jim Dotta near Big Lake or McArthur in Shasta County in northern California. Though these items share a site number with which they are all associated, there is no archaeological report on file at the

Museum. Mr. Dotta estimated the manos and metate to be 2,000 years old. There is no date information for the remaining items. There is no indication any of the items are from a burial context. Mr. Dotta was usually meticulous about noting the presence or absence of a burial in relation to artifacts. However, this collection came to the Redding Museum after his death and records may be incomplete. The areas of Big Lake and McArthur have been Ajumawi territory since time immemorial. The Ajumawi Band is one of eleven autonomous bands of the Pit River Tribe (includes XL Ranch, Big Bend, Likely, Lookout, Montgomery Creek, and Roaring Creek Rancherias).

James ''Jim'' Dotta was a local instructor at Shasta Community College in Redding, CA, a professional archaeologist, and heavily involved in the Redding Museum and Art Center (TBEP's predecessor institution). He was also an avid collector of books, historical objects, artworks, and Indigenous Belongings. Mr. Dotta donated the metate and two manos to the Museum in 1979. The remaining items were donated in 1982 by his family after Mr. Dotta passed away. Turtle Bay Exploration Park does not treat Indigenous Belongings with hazardous materials. However, it is not documented whether these items received treatment prior to entering the care of the Redding Museum and Art Center.

Determinations

Turtle Bay Exploration Park has determined that:

- The 113 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 Pit River Tribe, California (includes XL Ranch, Big Bend, Likely, Lookout, Montgomery Creek, and Roaring Creek Rancherias).

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 19, 2025. If competing requests for repatriation are received, Turtle Bay Exploration Park 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 Turtle Bay Exploration Park 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06638 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039962; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Disposition: U.S. Department of the Interior, Fish and Wildlife Service, Stillwater National Wildlife Refuge Complex, Fallon, NV

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, Fish and Wildlife Service, Stillwater National Wildlife Refuge Complex intends to carry out the disposition of human remains removed from Federal or Tribal lands to the lineal descendants, Indian Tribe, or Native Hawaiian organization with priority for disposition in this notice.

DATES: Disposition of the human remains in this notice may occur on or after May 19, 2025. If no claim for disposition is received by April 20, 2026 the human remains in this notice will become unclaimed human remains.

ADDRESSES: Carl Lunderstadt, Refuge Manager, U.S. Fish and Wildlife Service, Stillwater National Wildlife Refuge Complex, 3175 Freeman Lane, Fallon, NV 89406, telephone (775) 423–5128, email *carl_lunderstadt@fws.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 Stillwater National Wildlife Refuge Complex, 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

Based on the information available, human remains representing, at least, one individual has been reasonably identified. The individual was discovered on 28 July 2017 on Stillwater National Wildlife Refuge in Churchill County, Nevada. The Churchill County Sherriff's Office was contacted, and investigators recovered several bones associated with a burial determined to be of Native American ancestry. The location where the individual was located in proximity to site 26CH1046 which was recorded in 1985 and has other known burials. The individual is believed to be from this site.

Determinations

The Stillwater National Wildlife Refuge Complex has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada, have priority for disposition of the human remains described in this notice.

Claims for Disposition

Written claims for disposition of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. If no claim for disposition is received by April 20, 2026 the human remains in this notice will become unclaimed human remains. Claims for disposition may be submitted by:

1. Any lineal descendant, Indian Tribe, or Native Hawaiian organization 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 they have priority for disposition.

Disposition of the human remains described in this notice may occur on or after May 19, 2025. If competing claims for disposition are received, the Stillwater National Wildlife Refuge

Complex must determine the most appropriate claimant prior to disposition. Requests for joint disposition of the human remains are considered a single request and not competing requests. The Stillwater National Wildlife Refuge Complex 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. 3002, and the implementing regulations, 43 CFR 10.7.

Dated: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06650 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039951; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of Tennessee, Department of Anthropology, Knoxville, TN

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of Tennessee, Department of Anthropology (UTK) 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 19, 2025.

ADDRESSES: Dr. Ellen Lofaro, University of Tennessee, Office of Repatriation, 5723 Middlebrook Pike, Knoxville, TN 37921–6053, telephone (865) 974–3370, email *nagpra@utk.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 UTK, 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, two individuals have been identified. No associated funerary objects are present. These individuals were removed from 14CY23, the Laflin Mound site, located in Clay County, KS, by Floyd Schultz during the 1920s and donated to the University of Kansas in 1948. These individuals were likely transferred to UTK by William Bass when he began working for UTK in 1971. The site dates to the Middle Woodland, circa 200 BCE–500 CE.

Human remains representing, at least, one individual have been identified. No associated funerary objects are present. This individual was removed from 14CY26, the Robert Younkin site, located in Clay County, KS, likely by Floyd Schultz in the 1920s. The circumstances that brought this individual to UTK are currently unknown, but based on past practice this individual likely came to UTK circa or post 1971 due to the actions of William Bass. This mound site dates to the Middle Woodland period.

Human remains representing, at least, eight individuals have been identified. No associated funerary objects are present. These individuals were removed from 14CY31, the Hartzell site, located in Clay County, KS, by Floyd Schultz during the 1920s and donated to the University of Kansas in 1948. These individuals were likely transferred to UTK by William Bass when he began working for UTK in 1971. This mound site dates to the Middle Woodland, circa 200 BCE–500 CE.

Human remains representing, at least, one individual have been identified. No associated funerary objects are present. This individual was removed from 14CY32, the Timber Creek site, located in Clay County, KS, by Floyd Schultz during the 1920s. This individual was likely transferred to UTK by William Bass when he began working for UTK in 1971. This mound site dates to the Middle Woodland, circa 200 BCE–500 CE, with a possible Early Plains component.

Human remains representing, at least, one individual have been identified. No associated funerary objects are present. This individual was removed from 14GE3, the Neimuller site, located in Geary County, KS, by Floyd Schultz during the 1920s. This individual was likely transferred to UTK by William Bass when he began working for UTK in 1971. This mound site dates to the Middle Woodland, circa 200 BCE–500 CE, with a Central Plains component, circa 900–1450 CE.

Human remains representing, at least, one individual have been identified. No associated funerary objects are present. This individual was removed from 14GE4, the A. Berry site, located in Geary County, KS, by Floyd Schultz during the 1920s. This individual was likely transferred to UTK by William Bass when he began working for UTK in 1971. This mound site possibly dates to Middle Woodland through Central Plains periods (circa 200 BCE–1450 CE).

Human remains representing, at least, one individual have been identified. No associated funerary objects are present. This individual was removed from 14GE6, the James Younkin site, located in Geary County, KS, likely by Floyd Schultz in the 1920s. The circumstances that brought this individual to UTK are currently unknown, but based on past practice this individual likely came to UTK circa or post 1971 due to the actions of William Bass. This mound site likely dates to the Middle Woodland (c. 200 BCE–500 CE).

Human remains representing, at least, one individual have been identified. No associated funerary objects are present. This individual was removed from 14GE7, the Dixon site, located in Geary County, KS, by Floyd Schultz during the 1920s. This individual was likely transferred to UTK by William Bass when he began working for UTK in 1971. This mound site likely dates to the Middle Woodland, circa 200 BCE–500 CE.

To our knowledge, the human remains described in this notice were not treated with any potentially hazardous substances.

Cultural affiliation between these human remains and the Indian Tribes listed in this notice was established via archaeological information, geographical information, historical information, Native American Traditional Knowledge/Expert Opinion, and oral history. Clay and Geary counties, KS, are part of the aboriginal lands of the Pawnee Nation of Oklahoma and the Kaw Nation, Oklahoma.

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 described in this notice.

Determinations

UTK has determined that:

- The human remains described in this notice represent the physical remains of 16 individuals of Native American ancestry.

• There is a connection between the human remains described in this notice and the Kaw Nation, Oklahoma and the Pawnee Nation of 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 19, 2025. If competing requests for repatriation are received, UTK 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. UTK 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06641 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039947; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: U.S. Department of the Interior, Bureau of Indian Affairs, Washington, DC

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, Bureau of Indian Affairs (BIA) 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 19, 2025.

ADDRESSES: Tamara Billie, NAGPRA Manager, Bureau of Indian Affairs, 1001 Indian School Road NW, Mailbox 44, Albuquerque, NM 87104, telephone (505) 879–9711, email *tamara.billie@bia.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 BIA. Additional information on the determinations in this notice, including the results of the 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 984 cultural items have been requested for repatriation: 957 ceramic vessel fragments (GRSM 49652–GRSM49663, GRSM 172213–172223, GRSM 172229–172246), one unmodified stone (GRSM 172247), 10 shatter (GRSM 17226), two biface (GRSM 12227), 10 lithic flakes (GRSM 172225, GRSM 172228), two cores (GRSM 1722224, and two faunal bones (GRSM 172248).

Between 1935 and 1936, 984 cultural items were removed from a site in the Qualla Boundary, NC. Civilian Conservation Corps (CCC) Forestry Technician, George MacPherson, was authorized to conduct surface and pedestrian surveys of possible archeological sites when time permitted alongside his official trail work. Items were removed without permission or authorization. A review of archeological field notes and reports shows that the cultural items listed in this notice as unassociated funerary objects were placed with individual human remains at the burial. Information obtained during consultation, the items listed in this notice are culturally affiliated with the Eastern Band of Cherokee Indians, the Cherokee Nation, and the United Keetoowah Band of Cherokee Indians in Oklahoma.

Determinations

The BIA has determined that:

• The 984 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 19, 2025. If competing requests for repatriation are received, the BIA must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of cultural items are considered a single request and not competing requests. The BIA 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06637 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039945; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of California, Davis, Davis, 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 (UC Davis) has completed an inventory of associated funerary objects and has determined that there is a cultural affiliation between the associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the associated funerary objects in this notice may occur on or after May 19, 2025.

ADDRESSES: Megon Noble, NAGPRA Project Manager, University of California, Davis, 412 Mrak Hall, One Shields Avenue, Davis, CA 95616, telephone (530) 752–8501, email *mnoble@ucdavis.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 UC Davis 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, there are a total of 1,159 lots of associated funerary objects (five of which are currently missing). The associated funerary objects are associated with human remains previously removed and reburied at the site. The 1,154 lots of present associated funerary objects are one lot of modified wood, three lots of modified clay, five lots of abraders, eight lots of charcoal, 16 lots of soil samples, 26 lots of groundstone, 47 lots of shell, 63 lots of miscellaneous organic items (seeds and wood), 80 lots of worked bone, 101 lots of projectile points, 138 lots of faunal bone, and 666 lots of chipped stone. The five lots of currently missing associated funerary objects are two lots of worked bone, one lot of quartz crystal, one lot of turtle bone, and one lot of unidentified missing material. Trudy Vaughn of Coyote & Fox Enterprises first excavated site CA–SHA–1048, located south of Redding, California, on April 26, 2005. The site was excavated again by Far Western Anthropological Research Group under Bill Hildebrandt's direction in July and August, 2005 in anticipation of the construction of a residential development. Accession 519 is comprised of materials from both excavations. The University is unaware of any treatment of the associated funerary objects with pesticides, preservatives, or other substances that represent a potential hazard to the objects or to persons handling the objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the associated funerary objects described in this notice.

Determinations

UC Davis has determined that:

- The 1,159 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 associated funerary objects described in this notice and the Grindstone Indian Rancheria of Wintun-Wailaki Indians of California; Paskenta Band of Nomlaki Indians of California; Redding Rancheria, California; and the Round Valley Indian Tribes, Round Valley Reservation, California.

Requests for Repatriation

Written requests for repatriation of the 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 associated funerary objects in this notice to a requestor may occur on or after May 19, 2025. If competing requests for repatriation are received, UC Davis must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of associated funerary objects are considered a single request and not competing requests. UC Davis 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06635 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039959; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: U.S. Department of the Interior, Fish and Wildlife Service, Ridgefield National Wildlife Refuge Complex, Ridgefield, WA

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, Fish and Wildlife Service, Ridgefield National Wildlife Refuge Complex 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 19, 2025.

ADDRESSES: Eric Anderson, U.S. Fish and Service, Ridgefield National Wildlife Refuge Complex, P.O. Box 457, Ridgefield, WA 98642, telephone (360) 887–4106, Ext. 11126, email *eric_anderson@fws.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 Ridgefield National Wildlife Refuge Complex, 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 98 cultural items have been requested for repatriation. The 98 unassociated funerary objects consist of a stone anchor, bracelets, metal buttons, a carved stone effigy, glass trade beads, hammerstones, mauls, stone net sinkers, projectile points, metal rings, and a metal knob. The items listed were collected over the years by Jim Carty on his family farm in Clark County Washington. The family sold the farm to the U.S. Fish and Wildlife Service in 1965, and it became part of the Ridgefield National Wildlife Refuge. In 1976, Jim Carty donated the collection to the Refuge. Mr. Carty listed objects as coming from a ''burial site.'' In 1993, most of the collection was loaned to Portland State University where it is still housed. The remaining portion of the collection is held by the U.S. Fish and Wildlife Service.

The Confederated Tribes of the Grand Ronde Community of Oregon and Cowlitz Indian Tribe have joined with the Chinook Nation to establish the Lower Columbia River NAGPRA Consortium to work together on this NAGPRA repatriation.

Determinations

The Ridgefield National Wildlife Refuge Complex has determined that:

- The 98 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 Confederated Tribes of the Grand Ronde Community of Oregon and the Cowlitz Indian Tribe.

Claims for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the appropriate official 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 19, 2025. If competing requests for repatriation are received, the Ridgefield National Wildlife Refuge Complex must determine the most appropriate claimant prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The Ridgefield National Wildlife Refuge Complex is responsible for sending a copy of this notice to the lineal descendants, 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06648 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–DTS#–39988; PPWOCRADI0, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is soliciting electronic comments on the significance of properties nominated before April 5, 2025, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted electronically by May 5, 2025.

ADDRESSES: Comments are encouraged to be submitted electronically to *National_Register_Submissions@nps.gov* with the subject line ''Public Comment on <property or proposed district name, (County) State>'' If you have no access to email, you may send them via U.S. Postal Service and all other carriers to the National Register of Historic Places, National Park Service, 1849 C Street NW, MS 2013, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Sherry A. Frear, Chief, National Register of Historic Places/National Historic Landmarks Program, 1849 C Street NW, MS 2013, Washington, DC 20240, *sherry_frear@nps.gov,* 202–913–3763.

SUPPLEMENTARY INFORMATION: The properties listed in this notice are being considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the National Park Service before April 5, 2025. Pursuant to Section 60.13 of 36 CFR part 60, comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Nominations submitted by State or Tribal Historic Preservation Officers:

Key: State, County, Property Name, Multiple Name (if applicable), Address/Boundary, City, Vicinity, Reference Number.

ARKANSAS

Baxter County

Big Spring, Bull Shoals Road. ¼ Mile Southwest of Powerhouse Road, Bull Shoals vicinity, SG100011816

Boone County

Rose Hill Cemetery, 601 West Prospect Avenue, Harrison, SG100011832

Drew County

Fine Arts Building (New Deal Recovery Efforts in Arkansas MPS), 372 University Drive, Monticello vicinity, MP100011828

Franklin County

Smith Creek Bridge (New Deal Recovery Efforts in Arkansas MPS), Oak Bend Road over Smith Creek, Webb City, MP100011812

Miller County

Porter-McClure Paint Company Store, 204 E Broad Street, Texarkana, SG100011830

Pulaski County

Gibson & Company's Blue Star/Horizon Home, 7012 Shamrock Drive, Little Rock, SG100011826

Johnson, Robert H. and Martha, House, 5026 E Crestwood Drive, Little Rock, SG100011831

Union County

James Johnson Boys Club Gymnasium Building, 1901 Detroit Avenue, El Dorado, SG100011810

Washington County

William and Marion Orton House (Arkansas Designs of E. Fay Jones MPS), 1641 West Halsell Road, Fayetteville, MP100011811
William and Marion Orton House (Residences of University Heights, Haskell Heights, and Markham Hill, Fayetteville, Arkansas), 1641 West Halsell Road, Fayetteville, MP100011811

COLORADO

Boulder County

Tower of Compassion, 1151 S Pratt Parkway, Longmont, SG100011790

Otero County

United Methodist Church of La Junta, 601 San Juan Ave., La Junta, SG100011789

DISTRICT OF COLUMBIA

District of Columbia

Randle Highlands School (Public School Buildings of Washington, DC MPS), 1650 Thirtieth Street SE, Washington, MP100011795

HAWAII

Hawaii County

Hāmākua Country Club, 45–3280 Māmalahoa Highway, Honoka'a, SG100011796

Honolulu County

Joseph and Joan Farrell Residence, 3196 Diamond Head Road, Honolulu, SG100011803

IOWA

Clayton County

German Methodist Episcopal Church, 25964 Giard Road, McGregor, SG100011791

NEBRASKA

Fillmore County

Grafton High School (School Buildings in Nebraska MPS), 102 West 2nd Street, Grafton, MP100011792

NEW YORK

Columbia County

Smith Octagon House, 1250 U.S. Rt. 9, Stockport, SG100011820

Kings County

Stuyvesant Gardens I, 835 Gates Avenue (see Building Inventory for full list of addresses), Brooklyn, SG100011817

Ulster County

Charles D. & Elizabeth Lantry House, 111 Downs Street, Kingston, SG100011821

NORTH DAKOTA

Williams County

Fort Union Trading Post National Historic Site Historic District (Boundary Increase), Address Restricted, Williston vicinity, BC100011806

PENNSYLVANIA

Cambria County

Grandview Cemetery, 801 Millcreek Road, Johnstown, SG100011822

SOUTH CAROLINA

Horry County

Conway Downtown Historic District (Boundary Increase II) (Conway MRA), Portions of Elm St., Fourth Ave, Kingston St., Laurel St., Main St., Norman Alley, and Third Ave., Conway, BC100011793

VIRGINIA

Carroll County

Little Valley School, 880 Little Valley Road, Meadows of Dan, SG100011809

Fredericksburg INDEPENDENT CITY

Fall Hill Avenue Medical Historic District, 2300–2501 Fall Hill Avenue, Fredericksburg, SG100011797

Middlesex County

Christchurch School, 218 Christchurch Lane, Saluda, SG100011800

Pittsylvania County

Gilbert's Restaurant, 401–405 N Main Street, Chatham, SG100011808

Powhatan County

Sublett's Tavern, 1652 Huguenot Trail, Powhatan, SG100011798

WEST VIRGINIA

Ohio County

Warwood Historic District, N 23rd Street to the North, Ohio River to the west Warwood Avenue & River Road to the east and Centre Foundry to the south, Wheeling, SG100011807

WISCONSIN

Green County

New Glarus Hotel, 100 6th Avenue, New Glarus, SG100011829

WYOMING

Campbell County

Daly Petroglyphs, Address Restricted, Wildcat vicinity, SG100011833

A request for removal has been made for the following resource(s):

ARKANSAS

Clay County

Waddle House, S Erwin, Success, OT77000246
Baynham House, Stephens St., Success, OT78000579

Hempstead County

Ruggles, Nesburt T., House, AR 32 E side, SE of Shover Springs, Shover Springs vicinity, OT94001463

Washington County

Cane Hill Road Bridge (Historic Bridges of Arkansas MPS), AR 170 over the Little Red River, Prairie Grove vicinity, OT09001261

White County

Cremane House (White County MPS), Co. Rd. 95 W of Bradford Lake, Bradford, OT91001320

Additional documentation has been received for the following resource(s):

ARIZONA

Pima County

Broadmoor Historic District (Additional Documentation III), Residential subdivision south of Broadway Blvd. between Tucson Blvd. and Country Club Rd., Tucson, AD100006151

NORTH DAKOTA

Williams County

Fort Union Trading Post National Historic Site Historic District Additional Documentation), Address Restricted, Williston vicinity, AD66000103

SOUTH CAROLINA

Horry County

Conway Downtown Historic District (Additional Documentation) (Conway MRA), Roughly bounded by Fourth Ave., Kingston St., Third Ave. and Laurel St., Conway, AD94000815

Authority: Section 60.13 of 36 CFR part 60.

Sherry A. Frear,

Chief, National Register of Historic Places/ National Historic Landmarks Program.

[FR Doc. 2025–06742 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039952; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Gilcrease Museum, Tulsa, OK

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Gilcrease Museum 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 19, 2025.

ADDRESSES: Laura Bryant, Gilcrease Museum, 800 S Tucker Drive, Tulsa, OK 74104, telephone (918) 596–2747, email *laura-bryant@utulsa.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 Gilcrease Museum, 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 unassociated funerary objects are two lots of stone beads, four lots of shell beads, one lot of glass beads, and one tar mat headrest. These items were removed from near Buena Vista Lake in Kern County, California likely around the mid-20th century. Seven of the items were likely removed by Dr. Norman Westermann, who donated his collection to Gilcrease Museum in 1986. One of the items was collected by Frank Soday, whose collection was purchased in 1982 by the Thomas Gilcrease Museum Association and then donated to the Museum.

Determinations

The Gilcrease Museum has determined that:

- The eight 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 Tejon Indian Tribe.

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 19, 2025. If competing requests for repatriation are received, the Gilcrease Museum 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 Gilcrease Museum 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: April 8, 2025

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06642 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039966; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Department of the Interior, National Park Service, Delaware Water Gap National Recreation Area, Bushkill, PA

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, Delaware Water Gap National Recreation Area (DEWA) 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 19, 2025.

ADDRESSES: Eamon Leighty, Acting Superintendent, Delaware Water Gap National Recreation Area, 1978 River Road, Bushkill, PA 18324, telephone (570) 426–2412, email *eamon_leighty@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 Acting Superintendent, DEWA, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records.

Abstract of Information Available

Human remains representing at least three individuals have been identified. These ancestral remains were removed by a Seton Hall University archeological student during 1974 excavations at a site in Sussex County, NJ. The student was given permission by a university professor to retain the remains for study. In 2020, DEWA staff discovered that the former student had mailed the remains to DEWA. No known individuals were identified. No associated funerary objects are present.

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 described in this notice.

Determinations

DEWA has determined that:

- The human remains described in this notice represent the physical remains of three individuals of Native American ancestry.
- There is a connection between the human remains described in this notice and the Delaware Nation, Oklahoma; Delaware Tribe of Indians; and the Stockbridge Munsee Community, Wisconsin.

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 19, 2025. If competing requests for repatriation are received, DEWA 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. DEWA 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06654 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0039950; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: California Polytechnic State University, San Luis Obispo, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), California Polytechnic State University (Cal Poly), 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 19, 2025.

ADDRESSES: Kent Spiers, Cal Poly, 1 Grand Avenue, San Luis Obispo, CA 93407, telephone (805) 756–6060, email *spiers@calpoly.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 Cal Poly, 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, eight individuals have been identified. No associated funerary objects are present. The human remains are presumed to have been unearthed in downtown San Luis Obispo, CA, as noted in a newspaper clipping from 1958 that was provided with the human remains and given to Cal Poly. There are no records of indication that hazardous substances were used on these 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 described in this notice.

Determinations

Cal Poly has determined that:

- The human remains described in this notice represent the physical remains of eight individuals of Native American ancestry.
- There is a connection between the human remains described in this notice and the Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California.

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 19, 2025. If competing requests for repatriation are received, Cal Poly 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. Cal Poly 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: April 8, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–06640 Filed 4–17–25; 8:45 am]

BILLING CODE 4312–52–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1446]

Certain Active Electrical Cables and Components Thereof; Notice of Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on March 13, 2025, under section 337 of the Tariff Act of 1930, as amended, on behalf of Credo Semiconductor Inc. of San Jose, California and Credo Technology Group Ltd. of the Cayman Islands. An amended complaint was filed on March 18, 2025. A supplement to the amended complaint was filed on March 27, 2025. A second supplement was filed on March 31, 2025. A third supplement was filed on April 7, 2025. The amended complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain active electrical cables and components thereof by reason of the infringement of certain claims of U.S. Patent No. 10,877,233 (''the '233 patent''); U.S. Patent No. 11,012,252 (''the '252 patent''); and U.S. Patent No. 11,032,111 (''the '111 patent''). The amended complaint, as supplemented, further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainants request that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* Hearing impaired individuals are advised that information on this matter can be obtained 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 at *https://www.usitc.gov.*

FOR FURTHER INFORMATION CONTACT: Pathenia Proctor, The Office of Unfair

Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2024).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on April 14, 2025, ORDERED THAT—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1–20 of the '233 patent; 1–14 of the '252 patent; and 1–19 of the '111 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is ''active electrical cables, which are copper cables including high bandwidth connectors, high speed metal conductors, and digital signal support elements such as a digital signal processor (DSP) or retimer, and components thereof'';[1]

(3) Pursuant to Commission Rule 210.50(b)(l), 19 CFR 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties or other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the statutory public interest factors set forth in 19 U.S.C. l337(d)(l), (f)(1), (g)(1);

(4) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:

Credo Semiconductor Inc., 110 Rio Robles, San Jose, California 95134

Credo Technology Group Ltd., Ugland House, Grand Cayman, Cayman Islands KY1–1104

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Amphenol Corporation, 358 Hall Avenue, Wallingford, Connecticut 06492

Molex, LLC, 2222 Wellington Court, Lisle, Illinois 60532

TE Connectivity PLC, Parkmore Business Park West, Parkmore, H91VN2T Ballybrit, Galway, Ireland

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW, Suite 401, Washington, DC 20436; and

(5) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: April 14, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–06669 Filed 4–17–25; 8:45 am]

BILLING CODE 7020–02–P

[1] In this plain English statement of the scope of the investigation, ''components thereof'' is included pursuant to the allegations in the amended complaint. To the extent that the complainants have included such an allegation based upon a concern regarding specific components, the complainants should, during the course of this investigation, seek adjudication and specifically identify the components of the claimed invention sought for exclusion. The lack of adjudication of specific components, however, would not affect any later ability to adjudicate and remedy circumvention through the importation of components with additional enforcement actions.

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1427]

Certain Components for Injection Molding Machines, and Products Containing the Same; Notice of a Commission Determination To Issue a Limited Exclusion Order; 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 to issue a limited exclusion order (''LEO'') barring entry of certain components for injection molding machines, and products containing the same by or on behalf of respondent Ningbo AO Sheng Mold Co., Ltd., d/b/a AOSIMI (''AOSIMI'') previously found to be in default. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Paul Lall, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2043. 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: On December 18, 2024, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (''section 337''), based on a complaint filed by Husky Injection Molding Systems Ltd. of Bolton, Ontario, Canada and Husky Injection Molding Systems, Inc. of Milton, Vermont (collectively, ''Complainants''). *See* 89 FR 102953–54 (Dec. 18, 2024). The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within

the United States after importation of certain components for injection molding machines, and products containing the same by reason of the infringement of certain claims of U.S. Patent Nos. 9,713,891; 11,794,375; 10,093,053; 8,834,149 and 7,645,132 (the ''Asserted Patents''). *Id.* at 102953. The Commission's notice of investigation (''NOI'') named AOSIMI of Yuyao, Zhejiang, China as the sole respondent. *Id.* at 102954. The Office of Unfair Import Investigations was not named as a party.

On January 24, 2025, the Chief Administrative Law Judge issued an order directing AOSIMI to show cause, no later than February 7, 2025, why it should not be found in default for failing to respond to the complaint and NOI. *See* Order No. 5 (January 24, 2025), at 3. AOSIMI did not respond to the order to show cause.

On February 28, 2025, the Commission issued a notice determining AOSIMI to be in default. *See* Order No. 7 (February 14, 2025), *unreviewed by* Comm'n Notice, 90 FR 11437–38 (Feb. 28, 2025) (the ''Remedy Notice''). In the same notice, the Commission asked parties to the investigation, interested government agencies, and any other interested parties to file written submissions on the issues of remedy, the public interest, and bonding. *Id.* On March 14, 2025, Complainants filed a written submission, requesting the Commission to issue a limited exclusion order (''LEO'') and a cease and desist order against AOSIMI. The Commission received no other written submissions in response to the Remedy Notice.

When the conditions in section 337(g)(1)(A)–(E) (19 U.S.C. 1337(g)(1)(A)–(E)) have been satisfied, section 337(g)(1) and Commission Rule 210.16(c) (19 CFR 210.16(c)) direct the Commission, upon request, to issue a limited exclusion order or a cease and desist order or both against a respondent found in default, based on the allegations regarding a violation of section 337 in the Complaint, which are presumed to be true, unless after consideration of the public interest factors in section 337(g)(1), it finds that such relief should not issue.

Having examined the record of this investigation, including the Complainants' submission in response to the Remedy Notice, the Commission has determined, pursuant to section 337(g)(1) (19 U.S.C. 1337(g)(1)), that the appropriate remedy in this investigation is an LEO prohibiting the unlicensed entry of certain components for injection molding machines, and products containing the same by reason of the infringement of certain claims of the Asserted Patents. The Commission has determined that the public interest factors enumerated in subsection 337(g)(1) do not preclude the issuance of the requested LEO. Although Complainants requested the Commission to issue a cease and desist order (''CDO'') directed to AOSIMI, the Commission has determined not to issue the requested CDO because of the lack of evidence or allegations that AOSIMI maintains commercially significant inventories and/or engages in significant commercial operations in the United States.

Chair Karpel agrees that section 337(g)(1) is the appropriate authority for issuance of relief in this investigation but disagrees with the determination not to issue the CDO requested by Complainants. Specifically, Chair Karpel supports issuance of both the requested LEO and the requested CDO against AOSIMI because the criteria for issuance of such relief under section 337(g)(1)(A)–(E) are met as to AOSIMI. (19 U.S.C. 1337(g)(1)(A)–(E); *see* Order No. 7 (February 14, 2025), *unreviewed by* Comm'n Notice, 90 FR 11437–38 (Feb. 28, 2025). Here, in addition to an exclusion order, Complainants have requested a CDO as to AOSIMI in their remedy submission before the Commission. Given that sections 337(g)(1)(A)–(E) are satisfied, in Chair Karpel's view, the statute directs the Commission to issue the requested CDO, subject to consideration of the public interest. Chair Karpel further finds that the public interest factors enumerated in section 337(g)(1) do not preclude the issuance of the CDO directed to AOSIMI. Accordingly, Chair Karpel supports issuance of the CDO, in addition to the issuance of the LEO discussed above, under section 337(g)(1).

The Commission has further determined that the bond during the period of Presidential review pursuant to section 337(j) (19 U.S.C. 1337(j)) shall be in the amount of one hundred percent (100%) of the entered value of the imported articles that are subject to the LEO.

The investigation is terminated.

The Commission's vote for this determination took place on April 15, 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: April 15, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–06719 Filed 4–17–25; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–755–756 and 731–TA–1734–1736 (Preliminary)]

Chassis and Subassemblies From Mexico, Thailand, and Vietnam

Determinations

On the basis of the record [1] developed in the subject investigations, 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 chassis and subassemblies from Mexico, Thailand, and Vietnam, provided for in subheadings 8716.39.00 and 8716.90.50 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'') and subsidized by the governments of Mexico and Thailand.[2]

Commencement of Final Phase Investigations

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the **Federal Register** as provided in § 207.21 of the Commission's rules, upon notice from the U.S. Department of Commerce (''Commerce'') of affirmative preliminary determinations in the investigations under §§ 703(b) or 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under §§ 705(a) or 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Any other party may file an entry of appearance for the final phase of the investigations after publication of the final phase notice of scheduling. Industrial users, and, if the merchandise under investigation is sold

[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

[2] 90 FR 13452 and 90 FR 13457 (March 24, 2025).

at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations. 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 investigations to parties to the investigations, placing copies on the Commission's Electronic Document Information System (EDIS, *https://edis.usitc.gov*), for comment.

Background

On February 26, 2025, the U.S. Chassis Manufacturers Coalition, whose members are Cheetah Chassis Corporation, Berwick, Pennsylvania and Stoughton Trailers LLC, Stoughton, Wisconsin, filed petitions with the Commission and Commerce, alleging that an industry in the United States is materially injured or threatened with material injury by reason of subsidized imports of chassis and subassemblies from Mexico and Thailand and LTFV imports of chassis and subassemblies from Mexico, Thailand, and Vietnam. Accordingly, effective February 26, 2025, the Commission instituted countervailing duty investigation Nos. 701–TA–755–756 and antidumping duty investigation Nos. 731–TA–1734–1736 (Preliminary).

Notice of the institution of the Commission's investigations 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 March 4, 2025 (90 FR 11180). The Commission conducted its conference on March 19, 2025. All persons who requested the opportunity were permitted to participate.

The Commission made these determinations pursuant to §§ 703(a) and 733(a) of the Act (19 U.S.C. 1671b(a) and 1673b(a)). It completed and filed its determinations in these investigations on April 14, 2025. The views of the Commission are contained in USITC Publication 5612 (April 2025), entitled *Chassis and Subassemblies from Mexico, Thailand, and Vietnam: Investigation Nos. 701–TA–755–756 and 731–TA–1734–1736 (Preliminary).*

By order of the Commission.

Issued: April 14, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–06672 Filed 4–17–25; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1527]

Importer of Controlled Substances Application: Scottsdale Research Institute

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Scottsdale Research Institute has applied to be registered as an importer of basic class(es) of controlled substance(s). Refer to Supplementary Information listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before May 19, 2025. Such persons may also file a written request for a hearing on the application on or before May 19, 2025.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitted comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment. All requests for a hearing must be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrissette Drive, Springfield, Virginia 22152, and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent to: Drug Enforcement Administration, Atn: Administrator, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on January 13, 2025, Scottsdale Research Institute, 12815 North Cave Creek Road, Phoenix, Arizona 85022, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Marihuana	7360	I

The company plans to import Active Pharmaceutical Ingredients for clinical research by Schedule I registrants. The company aim to meet the needs of Schedule I researchers with these novel compounds. In reference to drug codes7360 (Marihuana), the company plans to import a synthetic cannabidiol. No other activity for this drug code is authorized for this registration.

Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2).

Authorization will not extend to the import of Food and Drug Administration approved or non-approved finished dosage forms for commercial sale.

Matthew Strait,

Deputy Assistant Administrator.

[FR Doc. 2025–06705 Filed 4–17–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1529]

Bulk Manufacturer of Controlled Substances Application: Patheon API Services Inc.

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Patheon API Services Inc. has applied to be registered as a bulk manufacturer of basic class(es) of controlled substance(s). Refer to Supplementary Information listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before June 17, 2025. Such persons may also file a written request for a hearing on the application on or before June 17, 2025.

ADDRESSES: The Drug Enforcement Administration requires that all

comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on February 5, 2025, Patheon API Services Inc., 101 Technology Place, Florence, South Carolina 29501, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Dimethyltryptamine	7435	I
Psilocybin	7437	I
Psilocyn	7438	I
Amphetamine	1100	II
Methadone	9250	II

The company plans to bulk manufacture the listed controlled substances to support the clinical trials of their customers. No other activities for these drug codes are authorized for this registration.

Matthew Strait,

Deputy Assistant Administrator.

[FR Doc. 2025–06707 Filed 4–17–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1532]

Importer of Controlled Substances Application: Myonex LLC

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Myonex LLC has applied to be registered as an importer of basic class(es) of controlled substance(s). Refer to Supplementary Information listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before May 19, 2025. Such persons may also file a written request for a hearing on the application on or before May 19, 2025.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment. All requests for a hearing must be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrissette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent: Drug Enforcement Administration, Attn: Administrator, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on January 9, 2025, Myonex LLC, 100 Progress Drive, Horsham, Pennsylvania 19044, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Amphetamine	1100	II
Lisdexamfetamine	1205	II
Methylphenidate	1724	II
Nabilone	7379	II
Oxycodone	9143	II
Hydromorphone	9150	II
Hydrocodone	9193	II
Morphine	9300	II
Oxymorphone	9652	II
Fentanyl	9801	II

The company plans to import the listed controlled substances in dosage form for clinical trials, research, and analytical purposes. No other activities for these drug codes are authorized for this registration.

Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2). Authorization will not extend to the import of Food and Drug Administration approved or non-approved finished dosage forms for commercial sale.

Matthew Strait,

Deput Assistant Administrator.

[FR Doc. 2025–06712 Filed 4–17–25; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1513]

Bulk Manufacturer of Controlled Substances Application: Stepan Company

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Stepan Company has applied to be registered as a bulk manufacturer of basic class(es) of controlled substance(s). Refer to **SUPPLEMENTARY INFORMATION** listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before June 17, 2025. Such persons may also file a written request for a hearing on the application on or before June 17, 2025.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on January 31, 2025, Stepan Company, 100 West Hunter Avenue, Maywood, New Jersey 07607–

1021, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Cocaine	9041	II
Ecgonine	9180	II

The company plans to bulk manufacture the listed controlled substances for use as internal intermediates or for sale to its customers. No other activities for these drug codes are authorized for this registration.

Matthew Strait,

Deputy Assistant Administrator.

[FR Doc. 2025–06706 Filed 4–17–25; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1531]

Bulk Manufacturer of Controlled Substances Research Triangle Institute

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Research Triangle Institute has applied to be registered as a bulk manufacturer of basic class(es) of controlled substance(s). Refer to Supplementary Information listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before June 17, 2025. Such persons may also file a written request for a hearing on the application on or before June 17, 2025.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on March 14, 2025, Research Triangle Institute, 3040 East Cornwallis Road, Hermann Building Room 106, Research Triangle Park, North Carolina 27709–2194, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Tetrahydrocannabinols	7370	I

The company plans to bulk manufacture the listed controlled substance(s) synthetically for distribution to its customers for research and as analytical reference standards. No other activity for this drug code is authorized for this registration.

Matthew Strait,

Deputy Assistant Administrator.

[FR Doc. 2025–06710 Filed 4–17–25; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1530]

Bulk Manufacturer of Controlled Substances Application: Restek Corporation

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Restek Corporation has applied to be registered as a bulk manufacturer of basic class(es) of controlled substance(s). Refer to Supplementary Information listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before June 17, 2025. Such persons may also file a written request for a hearing on the application on or before June 17, 2025.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on February 19, 2025, Restek Corporation, 110 Benner Circle, Bellefonte, Pennsylvania 16823–8433, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Gamma Hydroxybutyric Acid	2010	I
Methaqualone	2565	I
JWH–018 (also known as AM678) (1-Pentyl-3-(1naphthoyl)indole)	7118	I
JWH–200 (1-[2-(4-Morpholinyl)ethyl]-3-(1- naphthoyl)indole	7200	I
CP–47,497 (5-(1,1-Dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexy]-phenol)	7297	I
CP–47,497 C8 Homologue (5-(1,1-Dimethyloctyl)-2- [(1R,3S)3-hydroxycyclohexyl]-phenol)	7298	I
Lysergic acid diethylamide	7315	I
Marihuana	7360	I
Tetrahydrocannabinols	7370	I
4-Methyl-2,5-dimethoxyamphetamine	7395	I
3,4-Methylenedioxyamphetamine	7400	I

Controlled substance	Drug code	Schedule
3,4-Methylenedioxy-N-ethylamphetamine	7404	I
3,4-Methylenedioxymethamphetamine	7405	I
Bufotenine	7433	I
Psilocybin	7437	I
Psilocyn	7438	I
Cyprenorphine	9054	I
Dihydromorphine	9145	I
Heroin	9200	I
Normorphine	9313	I
Beta-hydroxyfentanyl	9830	I
Beta-hydroxy-3-methylfentanyl	9831	I

The company plans to bulk manufacture the listed controlled substances for the Drug Enforcement Administration-exempted certified reference materials. In-house synthesis gives access to compounds that are difficult to source. In reference to drug codes 7360 (Marihuana), and 7370 (Tetrahydrocannabinols), the company plans to bulk manufacture these drugs as synthetic. No other activities for these drug codes are authorized for this registration.

Matthew Strait,

Deputy Assistant Administrator.

[FR Doc. 2025–06709 Filed 4–17–25; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Notice of Availability; Service Contract Inventory

AGENCY: Justice Management Division, Department of Justice.

ACTION: Notice of availability.

SUMMARY: The Justice Management Division (JMD), Department of Justice (DOJ) is publishing this notice to advise the public of the availability of its FY 2023 Service Contracts Inventory and Inventory Supplement.

ADDRESSES: *https://www.justice.gov/jmd/service-contract-inventory*.

FOR FURTHER INFORMATION CONTACT: Wendy G. Devoe, Office of Acquisition Management, Justice Management Division, U.S. Department of Justice, Washington, DC 20530; Phone: 202–285–7425; Email: *Wendy.Devoe@usdoj.gov*.

SUPPLEMENTARY INFORMATION: The inventory includes service contract actions over $25,000 that were awarded in Fiscal Year (FY) 2023. Additionally, the inventory supplement includes information collected from contractors on the amount invoiced and direct labor hours expended for covered service contracts. The Department of Justice analyzes this data for the purpose of determining whether its contract labor is being used in an effective and appropriate manner and if the mix of federal employees and contractors in the agency is effectively balanced. The inventory and supplement do not include contractor proprietary or sensitive information.

Authority: Section 743 of Division C of the FY 2010 Consolidated Appropriations Act, Pub. L. 111–117.

Dated: April 15, 2025.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025–06708 Filed 4–17–25; 8:45 am]

BILLING CODE 4410–02–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; National Safety Stand-Down To Prevent Falls in Construction

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Occupational Safety & Health Administration (OSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before May 19, 2025.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Nicole Bouchet by telephone at 202–693–0213, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: The National Safety Stand-Down to Prevent Falls in construction raises fall hazard awareness across the country in an effort to stop fall fatalities and injuries. Participants (mainly employers) download a Certificate of Participation by completing a simple eight question online survey. The survey is the primary means that OSHA will have for validating participation in the Stand-Down. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on November 5, 2024 (89 FR 87897).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that

information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–OSHA.

Title of Collection: National Safety Stand-Down to Prevent Falls in Construction.

OMB Control Number: 1218–0271.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 4,500.

Total Estimated Number of Responses: 4,500.

Total Estimated Annual Time Burden: 750 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025–06731 Filed 4–17–25; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Attestation for Employers Seeking To Employ H–2B Nonimmigrant Workers Under Section 105 of Division G, Title 1 of the Further Consolidated Appropriations Act, 2024, Public Law 118–47, as Extended

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Employment and Training Administration (ETA) sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before May 19, 2025.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Michael Howell by telephone at 202–693–6782, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: This ICR supports the Temporary Final Rule (TFR), Exercise of Time-Limited Authority to Increase the Numerical Limitation for Fiscal Year 2025 for H–2B Temporary Nonagricultural Worker Program and Portability Flexibility for H–2B Workers Seeking To Change Employers, which is being promulgated by DOL (or the Department) and the Department of Homeland Security (DHS) (collectively, the Departments). The regulatory requirements will be codified at 8 CFR part 214 and 20 CFR part 655. The ICR includes a new form, Attestation for Employers Seeking to Employ H–2B Nonimmigrant Workers under Section 105 of Division G, Title I of the Further Consolidated Appropriations Act, 2024, Public Law 118–47 (FY 2024 Omnibus), as extended by section 101(6) and 106 of Division A, Title I of the Continuing Appropriations and Extensions Act, 2025 Public Law 118–83, Form ETA–9142–B–CAA–9 (Form ETA–9142–B–CAA–9). For additional substantive information about this ICR, see the related notice published in the **Federal Register** on December 2, 2024 (89 FR 95626).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–ETA.

Title of Collection: Attestation for Employers Seeking to Employ H–2B Nonimmigrant Workers under section 105 of Division G, Title 1 of the Further Consolidated Appropriations Act, 2024, Public Law 118–47, as Extended.

OMB Control Number: 1205–0563.

Affected Public: Private Sector—businesses or other for-profits.

Total Estimated Number of Respondents: 26,065.

Total Estimated Number of Responses: 26,065.

Total Estimated Annual Time Burden: 32,581 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Michael Howell,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025–06730 Filed 4–17–25; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Jobs for Veterans State Grants Reports

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Veterans' Employment and Training Service (VETS)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before May 19, 2025.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Nicole Bouchet by telephone at 202–693–0213, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: The DOL VETS administers funds for the multi-year Jobs for Veterans' State Grants to each State, the District of Columbia,

Puerto Rico, the Virgin Islands and Guam on an annual basis on a fiscal year cycle. These forms are used to facilitate the identification of required programmatic and financial data provided by States requesting and expending funds and for monitoring the grants, making quarterly adjustments and reporting results to Congress. The use of program-specific standard formats helps to ensure that requested data can be provided in a uniform way, reporting burdens are minimized, the impact of collection requirements on respondents are properly assessed, collection instruments are clearly understood by respondents, and the information is easily consolidated for posting in accordance with statutory requirements. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on November 14, 2024 (89 FR 90054).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–VETS.

Title of Collection: Jobs for Veterans State Grants Reports.

OMB Control Number: 1293–0009.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 54.

Total Estimated Number of Responses: 3,078.

Total Estimated Annual Time Burden: 6,102 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025–06732 Filed 4–17–25; 8:45 am]

BILLING CODE 4510–79–P

DEPARTMENT OF LABOR

Bureau of Labor Statistics

Information Collection Activities; Comment Request

AGENCY: Bureau of Labor Statistics, Department of Labor.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The Bureau of Labor Statistics (BLS) is soliciting comments concerning the proposed extension of the ''Survey of Occupational Injuries and Illnesses.'' A copy of the proposed information collection request (ICR) can be obtained by contacting the individual listed below in the Addresses section of this notice.

DATES: Written comments must be submitted to the office listed in the Addresses section of this notice on or before June 17, 2025.

ADDRESSES: Send comments to Nora Kincaid, BLS Clearance Officer, Division of Management Systems, Bureau of Labor Statistics, by email to *BLS_PRA_Public@bls.gov.*

FOR FURTHER INFORMATION CONTACT: Nora Kincaid, BLS Clearance Officer, 202–691–7628 (this is not a toll-free number). (See **ADDRESSES** section.)

SUPPLEMENTARY INFORMATION:

I. Background

Section 24(a) of the Occupational Safety and Health Act of 1970 requires the Secretary of Labor to develop and maintain an effective program of collection, compilation, and analysis of statistics on occupational injuries and illnesses. The Commissioner of Labor Statistics has been delegated the responsibility for ''Furthering the purpose of the Occupational Safety and Health Act by developing and maintaining an effective program of collection, compilation, analysis and publication of occupational safety and health statistics.'' The BLS fulfills this responsibility, in part, by conducting the Survey of Occupational Injuries and Illnesses in conjunction with participating state statistical agencies. The BLS Survey of Occupational Injuries and Illnesses provides the Nation's primary indicator of the progress towards achieving the goal of safer and healthier workplaces. The survey produces the overall rate of occurrence of work injuries and illnesses by industry which can be compared to prior years to produce measures of the rate of change. These data are used to assess the Nation's progress in improving the safety and health of America's workplaces; to prioritize scarce federal and state resources; to guide the development of injury and illness prevention strategies; and to support Occupational Safety and Health Administration (OSHA) and state safety and health standards and research. Data are essential for evaluating the effectiveness of federal and state programs for improving workplace safety and health. For these reasons, it is necessary to provide estimates separately for participating states.

Effective with the release of estimates from the Survey of Occupational Injuries and Illnesses (SOII) in November 2023, the BLS introduced the publication of a new biennial case and demographic data series for cases that involve days of job transfer or restriction (DJTR). The first release of this new series covered the 2021–22 biennial reference period. This shift significantly changed the SOII news release and how publication tables are presented to provide additional data on the case circumstances and worker demographics for DJTR cases, in addition to details that have long been published for cases involving days away from work (DAFW). Biennial estimates for DJTR and DAFW are now released together. Summary industry estimates, produced annually, remain unchanged.

Starting with reference year 2023 data, the circumstances of injury and illness cases were coded using the updated Occupational Injury and Illness Classification System (OIICS), version 3. (See *https://www.bls.gov/iif/definitions/occupational-injuries-and-illnesses-classification-manual.htm* for more information on OIICS.) Estimates of detailed case circumstances for DJTR and DAFW using OIICS 3 will first be published in the SOII news release in November 2025, covering the 2023–24 biennial reference period.

II. Current Action

Office of Management and Budget clearance is being sought for the Survey of Occupational Injuries and Illnesses. The survey measures the overall rate of occurrence of work injuries and illnesses by industry for private industry, state governments, and local governments. For more serious injuries and illnesses with days away from work (DAFW) or with days of job transfer or restriction (DJTR), the survey provides detailed information on the injured/ill worker (age, sex, race, industry, occupation, and length of service), the time in shift, and the circumstances of the injuries and illnesses classified by standardized codes (nature of the injury/illness, part of body affected, primary and secondary sources of the injury/illness, and the event or exposure which produced the injury/illness).

The SOII is a mandatory survey that has traditionally experienced relatively high response rates compared to other establishment surveys. However, the SOII response rate has been trending lower for several years and was significantly impacted by the pandemic. The BLS is currently conducting a one-year test with a small sample of survey participants to evaluate the effectiveness of an additional respondent contact for improving response rates. Pending positive outcomes from the ongoing test, the BLS will further expand respondent contact in subsequent collections to improve SOII response rates.

III. Desired Focus of Comments

The Bureau of Labor Statistics is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses.

Title of Collection: Survey of Occupational Injuries and Illnesses.

OMB Number: 1220–0045.

Type of Review: Extension of a currently approved collection.

Affected Public: Businesses or other for-profits; Not-for-profit institutions; Farms; State, Local or Tribal Governments.

BLS 9300—RESPONDENT BURDEN ESTIMATES

Form	Annual number of respondents	Frequency	Total annual responses	Average time per response (minutes)	Burden hours
Total Recording Burden	77,700	Annually	77,700	69.907	90,530
Total Reporting Burden	228,700	Annually	228,700	29.677	113,117
Totals	228,700	Annually	228,700		203,647

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they also will become a matter of public record.

Signed at Washington, DC, this 10th day of April 2025.

Eric Molina,

Chief, Division of Management Systems, Branch of Policy Analysis.

[FR Doc. 2025–06728 Filed 4–17–25; 8:45 am]

BILLING CODE 4510–24–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Wolf Run Mining, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before May 19, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0046 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2025–0046.
2. *Fax:* 202–693–9441.
3. *Email: petitioncomments@dol.gov.*
4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a

petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–025–C.

Petitioner: Wolf Run Mining, LLC, 21550 Barbour County Highway, Philippi, WV 26416.

Mine: Leer South Mine, MSHA ID No. 46–04168, located in Barbour County, West Virginia.

Regulation Affected: 30 CFR 75.500(d), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.500(d) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is requesting to use the 3M Versaflo TR–800 Intrinsically Safe Powered Air Purifying Respirator (PAPR) and the CleanSpace EX PAPR.

The petitioner states that:

(a) Currently Wolf Run Mining, LLC, uses the 3M Airstream helmet to provide additional protection for its miners against exposure to respirable coal mine dust. There are clear long-term health benefits from using such technology. One of the benefits of PAPRs is that they provide a constant flow of air inside the headtop or helmet. This constant airflow helps to provide both respiratory protection and comfort in hot working environments.

(b) 3M has elected to discontinue the Airstream helmet, replacing it with a Versaflo TR–800 intrinsically safe PAPR unit, which benefits from additional features and reduced weight. Because of its reduced weight, it provides significant ergonomic benefits.

(c) For more than 40 years the 3M Airstream Headgear-Mounted PAPR has been used by many mine operators to help protect their workers. During those years there have been technological advancements in products and services for industrial applications. Recently 3M has indicated that they have been facing multiple key component supply disruptions for the Airstream product line that created issues with providing acceptable supply service levels. Because of those issues, 3M discontinued the Airstream in June 2020, and that discontinuation was global.

(d) 3M announced that February 2020 was the final time to place an order for systems and components and that June 2020 was the final date to purchase Airstream components.

(e) Currently there are no replacement 3M PAPRs that meet applicable MSHA standards for permissibility. Electronic equipment used in underground mines in potentially explosive atmospheres are required to be approved by MSHA in accordance with 30 CFR. 3M and other manufacturers do offer alternative products for many other environments and applications.

(f) Following the discontinuation, mines that currently use the Airstream do not have an MSHA-approved alternative PAPR to provide to miners.

(g) Application of the standard results in a diminution of safety at the mine.

(h) The 3M Versaflo TR–800 motor/blower and battery qualify as intrinsically safe in the U.S., Canada, and any other country accepting IECEx (International Electrotechnical Commission System for Certification to Standards Relating to Equipment for Use in Explosive Atmospheres) reports. The 3M Versaflo TR–800 has a blower that is UL-certified with an intrinsically safe (IS) rating of Division 1: IS Class I, II, III; Division 1 (includes Division 2) Groups C, D, E, F, G; T4, under the most current standard (UL 60079, 6th Edition, 2013). It is ATEX-certified with an IS rating of ''ia.'' (ATEX refers to European directives for controlling explosive 2 atmospheres.) It is rated and marked with Ex ia I Ma, Ex ia IIB T4 Ga, Ex ia IIIC 135 °C Da, $-20\ °C \leq Ta \leq +55\ °C$, under the current standard (IEC 60079).

(i) Wolf Run Mining, LLC, also requests a modification to permit the use of the CleanSpace EX powered respirator under the same conditions as it proposes with respect to the 3M Versaflo TR–800. It too has been determined to be intrinsically safe.

(j) The 3M Versaflo TR–800 is not MSHA approved as permissible, and 3M is not pursuing approval.

(k) The CleanSpace EX Power Unit is not MSHA approved as permissible, and CleanSpace is not pursuing approval.

(l) The standards for approval of these respirators are an acceptable alternative to MSHA's standards and provide an equivalent level of protection.

(m) The alternative method will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

The petitioner proposes the following alternative method:

(a) Affected mine employees shall be trained in the proper use and maintenance of the 3M Versaflo TR–800 and the CleanSpace EX PAPRs in accordance with established manufacturer guidelines. This training shall alert the affected employee that neither the 3M Versaflo TR–800 nor the CleanSpace EX is approved under 30 CFR part 18 and shall be deenergized when 1.0 or more percent methane is detected. The training shall also include the proper method to deenergize these PAPRs. In addition to manufacturer guidelines, the petitioner shall require that mine employees be trained to inspect the units before use to determine if there is any damage to the units that would negatively impact intrinsic safety as well as all stipulations in the Proposed Decision and Order (PDO) granted by MSHA.

(b) The PAPRs, battery packs, and all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) Wolf Run Mining, LLC, shall maintain a separate logbook for the 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be kept with the equipment, or in a location with other mine record books, and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512–1 and the examination results recorded in the logbook. Since float coal dust is removed by the air filter prior to reaching the motor, the PAPR user shall conduct regular examinations of the filter prior to reaching the motor, the PAPR user shall conduct regular examinations of the filter and perform periodic testing for proper operation of the ''high filter load alarm'' on the 3M Versaflo TR–800 and the ''blocked filter'' alarm on the CleanSpace EX PAPR. Examination entries may be expunged after one year.

(d) All 3M Versaflo TR–800 and CleanSpace EX PAPRs to be used inby the last open crosscut shall be physically examined prior to initial use, and each unit shall be assigned a unique identification number. Each unit shall be examined by the person who will be operating the equipment prior to taking the equipment underground to ensure the equipment is being used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition.

(e) The examination for the 3M Versaflo TR–800 shall include:

(1) Check the equipment for any physical damage and the integrity of the case;

(2) Remove the battery and inspect for corrosion;

(3) Inspect the contact points to ensure a secure connection to the battery;

(4) Reinsert the battery and power up and shut down to ensure proper connections;

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size. The CleanSpace EX does not have an accessible/removable battery. The battery and motor/blower assembly are both contained within the sealed power pack assembly and cannot be removed, reinserted, or fastened. The pre-use examination is limited to inspecting the equipment for indications of physical damage.

(f) Wolf Run Mining, LLC, shall ensure that all 3M Versaflo TR–800 and CleanSpace EX PAPRs are serviced according to the manufacturer's recommendations. Dates of service shall be recorded in the equipment's logbook and shall include a description of the work performed.

(g) The 3M Versaflo TR–800 and CleanSpace EX PAPRs that will be used inby the last open crosscut, or in areas where methane may enter the air current, shall not be put into service until MSHA has initially inspected the equipment and determined that it is in compliance with all the terms and conditions of the PDO granted by MSHA.

(h) Prior to energizing the 3M Versaflo TR–800 or the CleanSpace EX inby the last open crosscut, methane tests shall be made in accordance with 30 CFR 75.323(a).

(i) All hand-held methane detectors shall be MSHA-approved and maintained in permissible and proper operating condition as defined by 30 CFR 75.320. All methane detectors shall provide visual and audible warnings when methane is detected at or above 1.0 percent.

(j) A qualified person as defined in 30 CFR 75.151 shall continuously monitor for methane immediately before and during the use of the 3M Versaflo TR–800 or CleanSpace EX inby the last open crosscut or in areas where methane may enter the air current.

(k) Neither the 3M Versaflo TR–800 nor the CleanSpace EX shall be used if methane is detected in concentrations at or above 1.0 percent. When 1.0 percent or more of methane is detected while the 3M Versaflo TR–800 or CleanSpace EX is being used, the equipment shall be deenergized immediately and the equipment withdrawn outby the last open crosscut.

(l) Wolf Run Mining, LLC, shall use only the 3M TR–830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133 in the 3M Versaflo TR–800. The petitioner shall use only the CleanSpace EX Power Unit which meets lithium battery safety standard UL 1642 or IEC 62133 in the CleanSpace EX.

(m) The battery packs shall be ''changed out'' in intake air outby the last open crosscut. Before each shift when the 3M Versaflo TR–800 or CleanSpace EX is to be used, all batteries and power units for the equipment shall be charged sufficiently so that they are not expected to be replaced on that shift.

(n) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Always correctly use and maintain the lithium-ion battery packs. Neither the 3M TR–830 Battery Pack nor the CleanSpace EX Power Unit may be disassembled or modified by anyone other than persons permitted by the manufacturer of the equipment.

(2) The 3M TR–830 Battery Pack shall only be charged in an area free of combustible material, readily monitored, and located on the surface of the mine. The 3M TR–830 Battery Pack is to be charged by either:

(i) 3M Battery Charger Kit TR–641N, which includes one 3M Charger Cradle TR–640 and one 3M Power Supply TR–941N, or

(ii) 3M 4-Station Battery Charger Kit TR–644N, which includes four 3M Charger Cradles TR–640 and one 3M 4-Station Battery Charger Base/Power Supply TR–944N.

(iii) The CleanSpace EX Power Unit is to be charged only by the CleanSpace Battery Charger EX, Product Code PAF–0066.

(iv) The batteries shall not be allowed to get wet. This does not preclude incidental exposure of sealed battery packs.

(v) The batteries shall not be used, charged, or stored in locations where the manufacturer's recommended temperature limits are exceeded. The batteries shall not be placed in direct sunlight or used or stored near a source of heat.

(o) Personnel engaged in the use of the 3M Versaflo TR–800 and CleanSpace EX PAPRs shall be properly trained to recognize the hazards and limitations associated with the use of the equipment in areas where methane could be present. Additionally, personnel shall be trained regarding proper procedures for donning Self-Contained Self Rescuers (SCSRs) during a mine emergency while wearing the 3M Versaflo TR–800 or CleanSpace EX. The mine operator shall submit proposed revisions to update the Mine Emergency Evacuation and Firefighting Program of Instruction under 30 CFR 75.1502 to address this issue.

(p) Within 60 days after the PDO granted by MSHA becomes final, Wolf Run Mining, LLC, shall submit proposed revisions for its approved 30 CFR part 48 training plans to the Mine Safety and Health Enforcement District Manager. These proposed revisions shall specify initial and refresher training regarding the terms and conditions stated in the PDO granted by MSHA. When training is conducted on the terms and conditions in the PDO granted by MSHA, an MSHA Certificate of Training (Form 5000–23) shall be completed. Comments shall be included on the Certificate of Training indicating that the training received was for use of the 3M Versaflo TR–800 or CleanSpace EX.

(q) All personnel who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX shall receive training in accordance with 30 CFR 48.7 on the requirements of the PDO granted by MSHA within 60 days of the date the PDO granted by MSHA becomes final. Such training shall be completed before any 3M Versaflo TR–800 or CleanSpace EX can be used inby the last open crosscut. The operator shall keep a record of such training and provide such record to MSHA upon request.

(r) Wolf Run Mining, LLC, shall provide annual retraining to all personnel who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX in accordance with 30 CFR 48.8. The operator shall train new miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.5 and shall train experienced miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.6. The operator shall keep a record of such training and provide such record to MSHA upon request.

(s) Wolf Run Mining, LLC, shall post the PDO granted by MSHA in unobstructed locations on the bulletin boards and/or in other conspicuous places where notices to miners are ordinarily posted for a period of not less than 60 consecutive days.

(t) The miners at Wolf Run Mining, LLC, Leer South Mine are not represented by a labor organization and

it has been posted on the bulletin board on March 12, 2025.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–06722 Filed 4–17–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Mingo Logan Coal, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before May 19, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0050 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2025–0050.
2. *Fax:* 202–693–9441.
3. *Email: petitioncomments@dol.gov.*
4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or
2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, §§ 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–029–C.

Petitioner: Mingo Logan Coal, LLC, P.O. Box E, Sharples, WV 25183.

Mine: Mountaineer II Mine, MSHA ID No. 46–09029, located in Logan County, West Virginia.

Regulation Affected: 30 CFR 75.1002(a), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.1002(a) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is requesting to use the 3M Versaflo TR–800 Intrinsically Safe Powered Air Purifying Respirator (PAPR) and the CleanSpace EX PAPR within 150 feet of pillar workings or longwall faces.

The petitioner states that:

(a) Mountaineer II Mine has previously used the 3M Airstream helmet to provide additional protection for its miners against exposure to respirable coal mine dust. There are clear long-term health benefits from using such technology. One of the benefits of PAPRs is that they provide a constant flow of air inside the headtop or helmet. This constant airflow helps to provide both respiratory protection and comfort in hot working environments.

(b) 3M elected to discontinue the 3M Airstream helmet, replacing it with the 3M Versaflo TR–800, which benefits from additional features and reduced weight. Because of its reduced weight, it provides significant ergonomic benefits.

(c) For more than 40 years the 3M Airstream Headgear-Mounted PAPR System has been used by many mine operators to help protect their workers. During those years there have been technological advancements in products and services for industrial applications. 3M indicated that they faced multiple key component supply disruptions for the Airstream product line that created issues with providing acceptable supply service levels. Because of those issues, 3M discontinued the Airstream in June 2020, and that discontinuation was global.

(d) 3M announced that February 2020 was the final time to place an order for systems and components and that June 2020 was the final date to purchase Airstream components.

(e) Currently there are no replacement 3M PAPRs that meet applicable MSHA standards for permissibility. Electronic equipment used in underground mines in potentially explosive atmospheres are required to be approved by MSHA in accordance with 30 CFR. 3M and other manufacturers offer alternative products for many other environments and applications.

(f) Following the discontinuation, mines that currently use the Airstream do not have an MSHA-approved alternative PAPR to provide to miners.

(g) Application of the standard results in a diminution of safety at the mine.

(h) The 3M Versaflo TR–800 motor/blower and battery qualify as intrinsically safe in the U.S., Canada, and any other country accepting IECEx (International Electrotechnical Commission System for Certification to Standards Relating to Equipment for Use in Explosive Atmospheres) reports. The 3M Versaflo TR–800 has a blower that is UL-certified with an intrinsically safe (IS) rating of Division 1: IS Class I, II, III; Division 1 (includes Division 2) Groups C, D, E, F, G; T4, under the most current standard (UL 60079, 6th Edition, 2013). It is ATEX-certified with an IS rating of ''ia.'' (ATEX refers to European directives for controlling explosive 2 atmospheres.) It is rated and marked with Ex ia I Ma, Ex ia IIB T4 Ga, Ex ia IIIC 135 °C Da, $-20\ °C \leq Ta \leq +55\ °C$, under the current standard (IEC 60079).

(i) Mountaineer II Mine seeks modification to also permit the use of the CleanSpace EX powered respirator under the same conditions as it proposes with respect to the 3M Versaflo TR–800. It too has been determined to be intrinsically safe.

(j) The 3M Versaflo TR–800 is not MSHA approved as permissible, and 3M is not pursuing approval.

(k) The CleanSpace EX Power Unit is not MSHA approved as permissible, and CleanSpace is not pursuing approval.

(l) The standards for approval of these respirators are an acceptable alternative to MSHA's standards and provide an equivalent level of protection.

(m) The alternative method will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

The petitioner proposes the following alternative method:

(a) Affected mine employees shall be trained in the proper use and maintenance of the 3M Versaflo TR–800 and the CleanSpace EX in accordance with established manufacturer guidelines. This training shall alert the affected employee that neither the 3M Versaflo TR–800 nor the CleanSpace EX is approved under 30 CFR part 18 and shall be deenergized when 1.0 or more percent methane is detected. The training shall also include the proper method to deenergize these PAPRs. In addition to manufacturer guidelines, the petitioner shall require that mine employees be trained to inspect the units before use to determine if there is any damage to the units that would negatively impact intrinsic safety as well as all stipulations in the Proposed Decision and Order (PDO) granted by MSHA.

(b) The PAPRs, battery packs, and all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) Mountaineer II Mine shall maintain a separate logbook for the 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be kept with the equipment or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512–1 and the examination results recorded in the logbook. Since float coal dust is removed by the air filter prior to reaching the motor, the PAPR user shall conduct regular examinations of the filter and perform periodic testing for proper operation of the ''high filter load alarm'' on the 3M Versaflo TR–800 and the ''blocked filter'' alarm on the CleanSpace EX. Examination entries may be expunged after one year.

(d) All 3M Versaflo TR–800 and CleanSpace EX PAPRs used within 150 feet of pillar workings or longwall faces shall be physically examined prior to initial use, and each unit shall be assigned a unique identification number. Each unit shall be examined by the person who will be operating the equipment prior to taking the equipment underground to ensure the equipment is being used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition.

(e) The examination for the 3M Versaflo TR–800 shall include:

(1) Check the equipment for any physical damage and the integrity of the case;

(2) Remove the battery and inspect for corrosion;

(3) Inspect the contact points to ensure a secure connection to the battery;

(4) Reinsert the battery and power up and shut down to ensure proper connections;

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size.

(f) The CleanSpace EX does not have an accessible/removable battery. The battery and motor/blower assembly are both contained within the sealed four power pack assembly and cannot be removed, reinserted, or fastened. The pre-use examination is limited to inspecting the equipment for indications of physical damage.

(g) Mountaineer II Mine shall ensure that all 3M Versaflo TR–800 and CleanSpace EX PAPRs are serviced according to the manufacturer's recommendations. Dates of service shall be recorded in the equipment's logbook and shall include a description of the work performed.

(h) The 3M Versaflo TR–800 and CleanSpace EX PAPRs used within 150 feet of pillar workings or longwall faces, or in areas where methane may enter the air current, shall not be put into service until MSHA has initially inspected the equipment and determined that it is following all the terms and conditions of the PDO granted by MSHA.

(i) Prior to energizing the 3M Versaflo TR–800 or the CleanSpace EX within 150 feet of pillar workings or longwall faces, methane tests shall be made in accordance with 30 CFR 75.323(a).

(j) All hand-held methane detectors shall be MSHA-approved and maintained in permissible and proper operating condition as defined by 30 CFR 75.320. All methane detectors shall provide visual and audible warnings when methane is detected at or above 1.0 percent.

(k) A qualified person as defined in 30 CFR 75.151 shall continuously monitor for methane immediately before and during the use of the 3M Versaflo TR–800 or CleanSpace EX within 150 feet of pillar workings or longwall faces or in areas where methane may enter the air current.

(l) Neither the 3M Versaflo TR–800 nor the CleanSpace EX shall be used if methane is detected in concentrations at or above 1.0 percent. When 1.0 percent or more of methane is detected while the 3M Versaflo TR–800 or CleanSpace EX is being used, the equipment shall be deenergized immediately and the equipment withdrawn outby the last open crosscut.

(m) Mountaineer II Mine shall use only the 3M TR–830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133 in the 3M Versaflo TR–800. The petitioner shall use only the CleanSpace EX Power 5 Unit which meets lithium battery safety standard UL 1642 or IEC 62133 in the CleanSpace EX.

(n) The battery packs shall be ''changed out'' in intake air outby the last open crosscut. Before each shift when the 3M Versaflo TR–800 or CleanSpace EX is to be used, all batteries and power units for the equipment shall be charged sufficiently so that they are not expected to be replaced on that shift.

(o) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Always correctly use and maintain the lithium-ion battery packs. Neither the 3M TR–830 Battery Pack nor the CleanSpace EX Power Unit may be disassembled or modified by anyone other than persons permitted by the manufacturer of the equipment.

(2) The 3M TR–830 Battery Pack shall only be charged in an area free of combustible material, readily monitored, and located on the surface of the mine. The 3M TR–830 Battery Pack is to be charged by either:

(i) 3M Battery Charger Kit TR–641N, which includes one 3M Charger Cradle TR–640 and one 3M Power Supply TR–941N, or

(ii) 3M 4-Station Battery Charger Kit TR–644N, which includes four 3M Charger Cradles TR–640 and one 3M 4-Station Battery Charger Base/Power Supply TR–944N.

(iii) The CleanSpace EX Power Unit is to be charged only by the CleanSpace Battery Charger EX, Product Code PAF–0066.

(iv) The batteries shall not be allowed to get wet. This does not preclude incidental exposure of sealed battery packs.

(v) The batteries shall not be used, charged, or stored in locations where the manufacturer's recommended temperature limits are exceeded. The batteries shall not be placed in direct

sunlight or used or stored near a source of heat.

(p) Personnel engaged in the use of the 3M Versaflo TR–800 and CleanSpace EX PAPRs shall be properly trained to recognize the hazards and limitations associated with the use of the equipment in areas where methane could be present. Additionally, personnel shall be trained regarding proper procedures for donning Self-Contained Self Rescuers (SCSRs) during a mine emergency while wearing the 3M Versaflo TR–800 or CleanSpace EX. The mine operator shall submit proposed revisions to update the Mine Emergency Evacuation and Firefighting Program of Instruction under 30 CFR 75.1502 to address this issue.

(q) Within 60 days after the PDO granted by MSHA becomes final, Mountaineer II Mine shall submit proposed revisions for its approved 30 CFR part 48 training plans to the Mine Safety and Health Enforcement District Manager. These proposed revisions shall specify initial and refresher training regarding the terms and conditions stated in the PDO granted by MSHA. When training is conducted on the terms and conditions in the PDO granted by MSHA, an MSHA Certificate of Training (Form 5000–23) shall be completed. Comments shall be included on the Certificate of Training indicating that the training received was for use of the 3M Versaflo TR–800 or CleanSpace EX.

(r) All personnel who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX shall receive training in accordance with 30 CFR 48.7 on the requirements of the PDO granted by MSHA within 60 days of the date the PDO granted by MSHA becomes final. Such training shall be completed before any 3M Versaflo TR–800 or CleanSpace EX can be used within 150 feet of pillar workings or longwall faces. The operator shall keep a record of such training and provide such record to MSHA upon request.

(s) Mountaineer II Mine shall provide annual retraining to all personnel who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX in accordance with 30 CFR 48.8. The operator shall train new miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.5 and shall train experienced miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.6. The operator shall keep a record of such training and provide such record to MSHA upon request.

(t) Mountaineer II Mine shall post the PDO granted by MSHA in unobstructed locations on the bulletin boards and/or in other conspicuous places where notices to miners are ordinarily posted for a period of not less than 60 consecutive days.

(u) The miners at Mingo Logan Coal, LLC, Mountaineer II Mine are not represented by a labor organization but the petition has been posted at the mine on March 07, 2025.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–06725 Filed 4–17–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by ACNR Holdings, Inc.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before May 19, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0043 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov*. Follow the instructions for submitting comments for MSHA–2025–0043.
2. *Fax:* 202–693–9441.
3. *Email: petitioncomments@dol.gov*.
4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or
2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–033–C.

Petitioner: ACNR Holdings, Inc., 46226 National Road, St. Clairsville, OH 43950.

Mines: Ohio County Mine, MSHA ID No. 46–01436, located in Marshall County, West Virginia; Marshall County Mine, MSHA ID No. 46–01437, located in Marshall County, West Virginia; Marion County Mine, MSHA ID No. 46–01433, located in Marion County, West Virginia; Harrison County Mine, MSHA ID No. 46–01318, located in Wetzel County, West Virginia.

Regulation Affected: 30 CFR 75.500(d), Permissible electric equipment.

Modification Request: The petitioner requests a modification of the application of 30 CFR 75.500(d) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is requesting to utilize the 3M Versaflo TR–800 Powered Air Purifying Respirator (PAPR) to be used in or inby the last open crosscut.

The petitioner states that:

(a) The 3M Versaflo TR–800 Powered Respirator is an intrinsically safe Powered Air Purifying Respirator (PAPR) which is certified by UL under the ANSI/UL 60079–11 standard to be used in hazardous locations because it meets the intrinsic safety protection

level and is acceptable in other jurisdictions to use in mines with the potential for methane accumulation.

(b) ACNR Holdings, Inc. currently has approved petitions for modification pertaining to 30 CFR 75.500(d), 75.507–1(a) and 75.1002(a) to utilize the CleanSpace EX in areas where permissible equipment is used.

(c) ACNR Holdings, Inc. previously used the 3M airstream helmets to provide miners respirable dust protection on the longwall faces.

(d) 3M has discontinued the Airstream helmet and there are no other MSHA approved PAPRs available.

The petitioner proposes the following alternative method:

(a) The equipment shall be examined at least weekly by a qualified person according to 30 CFR 75.512–2 and examination results shall be recorded weekly and may be expunged after one year.

(b) A qualified person under 30 CFR 75.151 shall monitor for methane as is required by the standard in the affected area of the mine.

(c) If methane is detected in concentrations of 1.0 percent or more, procedures in accordance with 30 CFR 75.323 shall be followed.

(d) The examinations for the Versaflo TR–800 PAPRs shall include:

(1) Check the equipment for any physical damage and the integrity of the case;

(2) Remove the battery and examine for corrosion;

(3) Inspect the contact points to ensure a secure connection to the battery;

(4) Reinsert the battery and power up and shut down to ensure proper connections;

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened; and

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swollen.

(e) The 3M Versaflo TR–800 PAPR shall only use the 3M TR–830 battery pack or manufacturer equivalent.

(f) Before each shift when the Versaflo TR–800 is to be used, all batteries and power units for the equipment shall be charged sufficiently for the expected usage on that shift. If spare battery packs for the Versaflo TR–800 PAPR are provided, all battery ''change outs'' shall occur in intake air outby the last open crosscut.

(g) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) The TR–830 Battery Pack shall not be disassembled or modified by anyone other than permitted by the manufacturer of the equipment.

(2) The TR–830 Battery Pack shall be charged only on the surface of the mine and only using a manufacturer's recommended battery charger shown below or manufacturer equivalent.

(i) 3M Battery Charger TR–641N

(ii) 3M 4-Station battery charger TR–644N.

(3) The Versaflo TR–800 PAPR, including the internal battery, shall be used, charged, or stored in locations where the manufacturer's recommended temperature limits are not exceeded.

(4) The TR–830 battery pack shall not be used at the end of its life cycle (*i.e.,* when there is a performance decrease of greater than 20% in battery-operated equipment). The battery pack shall be disposed of properly.

(h) Miners will receive training regarding how to safely use, care for, inspect the PAPR, and the Proposed Decision and Order (PDO) before using equipment in the relevant part of the mine. A record of the training shall be kept and available upon request.

The miners at Ohio County Mine, Marshall County Mine, Marion County Mine, and Harrison County Mine are represented by a representative of miners. A copy of the petition for modification was presented to the representatives of miners for Ohio County Mine and Marion County Mine on February 10, 2025. A copy of the petition for modification was presented to the representatives of miners for Marshall County Mine and Harrison County Mine on February 13, 2025.

In support of the proposed alternative method, the petitioner has also submitted the manufacturer spec sheets for the 3M Versaflo TR–800 PAPR.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–06727 Filed 4–17–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by ACNR Holdings, Inc.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before May 19, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0045 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2025–0045.

2. *Fax:* 202–693–9441.

3. *Email: petitioncomments@dol.gov.*

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, §§ 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–035–C.

Petitioner: ACNR Holdings, Inc., 46226 National Road, St. Clairsville, OH 43950.

Mines: Ohio County Mine, MSHA ID No. 46–01436, located in Marshall County, West Virginia; Marshall County Mine, MSHA ID No. 46–01437, located in Marshall County, West Virginia; Marion County Mine, MSHA ID No. 46–01433, located in Marion County, West Virginia; Harrison County Mine, MSHA ID No. 46–01318, located in Wetzel County, West Virginia.

Regulation Affected: 30 CFR 75.1002(a), Permissible electric equipment.

Modification Request: The petitioner requests a modification of the application of 30 CFR 75.1002(a) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is requesting to utilize the 3M Versaflo TR–800 Powered Air Purifying Respirator (PAPR) to be used within 150 feet of pillar workings or longwall faces.

The petitioner states that:

(a) The 3M Versaflo TR–800 Powered Respirator is an intrinsically safe Powered Air Purifying Respirator (PAPR) which is certified by UL under the ANSI/UL 60079–11 standard to be used in hazardous locations because it meets the intrinsic safety protection level and is acceptable in other jurisdictions to use in mines with the potential for methane accumulation.

(b) ACNR Holdings, Inc. currently has approved petitions for modification pertaining to 30 CFR 75.500(d), 75.507–1(a) and 75.1002(a) to utilize the CleanSpace EX in areas where permissible equipment is used.

(c) ACNR Holdings, Inc. previously used the 3M airstream helmets to provide miners respirable dust protection on the longwall faces.

(d) 3M has discontinued the Airstream helmet and there are no other MSHA approved PAPRs available.

The petitioner proposes the following alternative method:

(a) The equipment shall be examined at least weekly by a qualified person according to 30 CFR 75.512–2 and examination results shall be recorded weekly and may be expunged after one year.

(b) A qualified person under 30 CFR 75.151 shall monitor for methane as is required by the standard in the affected area of the mine.

(c) If methane is detected in concentrations of 1.0 percent or more, procedures in accordance with 30 CFR 75.323 shall be followed.

(d) The examinations for the Versaflo TR–800 PAPRs shall include:

(1) Check the equipment for any physical damage and the integrity of the case;

(2) Remove the battery and examine for corrosion;

(3) Inspect the contact points to ensure a secure connection to the battery;

(4) Reinsert the battery and power up and shut down to ensure proper connections;

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened; and

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swollen.

(e) The 3M Versaflo TR–800 PAPR shall only use the 3M TR–830 battery pack or manufacturer equivalent.

(f) Before each shift when the Versaflo TR–800 is to be used, all batteries and power units for the equipment shall be charged sufficiently for the expected usage on that shift. If spare battery packs for the Versaflo TR–800 PAPR are provided, all battery ''change outs'' shall occur in intake air outby the last open crosscut.

(g) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) The TR–830 Battery Pack shall not be disassembled or modified by anyone other than permitted by the manufacturer of the equipment.

(2) The TR–830 Battery Pack shall be charged only on the surface of the mine and only using a manufacturer's recommended battery charger shown below or manufacturer equivalent.

(i) 3M Battery Charger TR–641N.

(ii) 3M 4-Station battery charger TR–644N.

(3) The Versaflo TR–800 PAPR, including the internal battery, shall be used, charged, or stored in locations where the manufacturer's recommended temperature limits are not exceeded.

(4) The TR–830 battery pack shall not be used at the end of its life cycle (*i.e.,* when there is a performance decrease of greater than 20% in battery-operated equipment). The battery pack shall be disposed of properly.

(h) Miners will receive training regarding how to safely use, care for, inspect the PAPR, and the Proposed Decision and Order (PDO) before using equipment in the relevant part of the mine. A record of the training shall be kept and available upon request.

The miners at Ohio County Mine, Marshall County Mine, Marion County Mine, and Harrison County Mine are represented by a representative of miners. A copy of the petition for modification was presented to the representatives of miners for Ohio County Mine and Marion County Mine on February 10, 2025. A copy of the petition for modification was presented to the representatives of miners for Marshall County Mine and Harrison County Mine on February 13, 2025.

In support of the proposed alternative method, the petitioner has also submitted the manufacturer spec sheets for the 3M Versaflo TR–800 PAPR.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–06734 Filed 4–17–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by 3M Company.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before May 19, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0039 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2025–0039.
2. *Fax:* 202–693–9441.
3. *Email: petitioncomments@dol.gov.*
4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards,

Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–003–M.

Petitioner: 3M Company, 18750 Minnesota Road, Corona, CA 92881.

Mine: 3M Corona Plant, MSHA ID No. 04–00191, located in Riverside County, California.

Regulation Affected: 30 CFR 56.13020, Use of compressed air.

Modification Request: The petitioner requests a modification of 30 CFR 56.13020 to implement a clothes cleaning booth process that has been jointly developed with and successfully tested by the National Institute for Occupational Safety and Health (NIOSH). The process utilizes controlled compressed air for the purpose of cleaning miners' dust laden clothing.

The petitioner states that:

(a) Contaminated worker clothing can be a major contributor to increased employee dust exposure based on data obtained from NIOSH.

(b) The petitioner wants to install three clothes cleaning booths at the 3M Corona Plant.

(c) The clothes cleaning process uses a regulated compressed air nozzle manifold at less than 30 pounds per square inch to blow dust from a worker's clothing. The process is performed in an enclosed booth, capturing the dust and then delivering it to a stack located outside the plant.

(d) The booth is under negative pressure with air moving downward away from the worker's breathing zone and no dust escapes to contaminate the work environment or other workers.

(e) The worker entering the booth is required to wear full indirect vented safety goggles, hearing protection, and a half mask respirator.

(f) No significant safety or health concerns have been identified because the eyes are protected by full seal goggles; the skin is protected by work clothes; hearing is protected by plugs or muffs; the lungs are protected by a respirator; and air is limited to 30 pounds per square inch, which is the Occupational Safety and Health Administration (OSHA) limit for cleaning purposes.

(g) Air monitoring has shown minimal to no respirable dust contamination inside the respirator during this process.

(h) Testing showed no increase in respirable dust levels anywhere inside the plant.

The petitioner proposes the following alternative method:

(a) Only miners trained in the operation of the NIOSH-tested clothes cleaning booth process shall be permitted to use the process.

(b) The petitioner shall incorporate clothes cleaning booth process training into their 30 CFR part 46 training plan.

(c) Miners entering the booth shall wear, at a minimum, eye protection in standard use (or safety glasses if using a powered air purifying respirator (PAPR)) within the plant, ear plugs or muffs for hearing protection, and respiratory protection. Respiratory protection means a full-face or half-mask respirator that meets or exceeds the minimum requirements of 30 CFR parts 56, 57, 60, 70, 71, 72, 75, and 90.

(d) The NIOSH-tested clothes cleaning booth process shall have a caution sign indicating that the use of respiratory protection, hearing protection, and safety goggles (or safety glasses if using a PAPR) are required before entering the booth.

(e) Air pressure through the spray manifold shall be limited to 30 pounds per square inch.

(f) The air spray manifold shall consist of 2″ square quarter inch hot rolled steel tubing, capped at the base, actuated by an electrically controlled ball valve at the top, and provide a yield strength safety factor of more than 20 when compared to the 30 psig operating pressure.

(g) The air spray manifold shall contain 27 total nozzles of which 26 will be Spraying Systems Co. Nozzle No. AA727–23, 18.4 SCFM at 30 psig. The 27th and lowermost nozzle shall be Spraying System Co. Nozzle No. AA707–23, 19.2 SCFM at 30 psig.

(h) The uppermost spray nozzle shall be located at a height of not more than 56 inches. This places the nozzle height at shoulder height for the 50th percentile male U.S. worker according to ''Ergonomics—How to Design for Ease and Efficiency,'' 2nd Edition, Kroemer, K.H.E., Kroemer, H.B., Kroemer-Elbert, K.E., Prentice Hall, NJ, 2001. Those miners with shoulder height less than the 50th percentile male shall utilize the mechanical air spray deflector, which is quick, effective, and easy to use.

(i) Spray nozzles have been recessed into the manifold, which is designed to eliminate the possibility of incidental contact with the air nozzles during utilization of the clothes cleaning process.

(j) Airflow through the manifold during the cleaning cycle shall occur only if the measured differential pressure on the exhaust system and pressure on the main airline are within proper operating ranges. If at any time either the differential pressure or line pressure falls outside preset limits, the cleaning cycle shall automatically stop via an electrical interlock system.

(k) Airflow through the clothes cleaning booth shall be sufficient to maintain negative pressure during use of the clothes cleaning system in order to prevent contamination of the environment outside of the booth.

(l) The air receiver tank supplying air to the manifold system shall be of sufficient volume to permit not less than 20 seconds of continuous cleaning time.

(m) Airflow through the booth shall be in the downward direction, thereby moving contaminants away from the miner's breathing zone.

(n) Miners entering the NIOSH-tested clothes cleaning booth shall examine the valves and nozzle for damage or malfunction and ensure that the door is fully closed before opening the air valve. Any defects shall be repaired prior to the booth being used.

(o) The petitioner shall ensure that periodic maintenance checks are performed in accordance with the NIOSH recommendations contained within the ''Clothes Cleaning Process Instruction Manual.''

The miners at 3M Corona Plant are represented by a representative of miners. A copy of the petition for modification was presented to the representative of miners on February 28, 2025. The petition was also posted at the mine on February 28, 2025.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same

measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–06721 Filed 4–17–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Wolf Run Mining, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before May 19, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0048 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov*. Follow the instructions for submitting comments for MSHA–2025–0048.

2. *Fax:* 202–693–9441.

3. *Email: petitioncomments@dol.gov*.

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–027–C

Petitioner: Wolf Run Mining, LLC, 21550 Barbour County Highway, Philippi, WV 26416.

Mine: Leer South Mine, MSHA ID No. 46–04168, located in Barbour County, West Virginia.

Regulation Affected: 30 CFR 75.1002(a), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.1002(a) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is requesting to use the 3M Versaflo TR–800 Intrinsically Safe Powered Air Purifying Respirator (PAPR) and the CleanSpace EX PAPR.

The petitioner states that:

(a) Currently Wolf Run Mining, LLC, uses the 3M Airstream helmet to provide additional protection for its miners against exposure to respirable coal mine dust. There are clear long-term health benefits from using such technology. One of the benefits of PAPRs is that they provide a constant flow of air inside the headtop or helmet. This constant airflow helps to provide both respiratory protection and comfort in hot working environments.

(b) 3M has elected to discontinue the Airstream helmet, replacing it with a Versaflo TR–800 intrinsically safe PAPR unit, which benefits from additional features and reduced weight. Because of its reduced weight, it provides significant ergonomic benefits.

(c) For more than 40 years the 3M Airstream Headgear-Mounted PAPR has been used by many mine operators to help protect their workers. During those years there have been technological advancements in products and services for industrial applications. Recently 3M has indicated that they have been facing multiple key component supply disruptions for the Airstream product line that created issues with providing acceptable supply service levels. Because of those issues, 3M discontinued the Airstream in June 2020, and that discontinuation was global.

(d) 3M announced that February 2020 was the final time to place an order for systems and components and that June 2020 was the final date to purchase Airstream components.

(e) Currently there are no replacement 3M PAPRs that meet applicable MSHA standards for permissibility. Electronic equipment used in underground mines in potentially explosive atmospheres are required to be approved by MSHA in accordance with 30 CFR. 3M and other manufacturers do offer alternative products for many other environments and applications.

(f) Following the discontinuation, mines that currently use the Airstream do not have an MSHA-approved alternative PAPR to provide to miners.

(g) Application of the standard results in a diminution of safety at the mine.

(h) The 3M Versaflo TR–800 motor/blower and battery qualify as intrinsically safe in the U.S., Canada, and any other country accepting IECEx (International Electrotechnical Commission System for Certification to Standards Relating to Equipment for Use in Explosive Atmospheres) reports. The 3M Versaflo TR–800 has a blower that is UL-certified with an intrinsically safe (IS) rating of Division 1: IS Class I, II, III; Division 1 (includes Division 2) Groups C, D, E, F, G; T4, under the most current standard (UL 60079, 6th Edition, 2013). It is ATEX-certified with an IS rating of ''ia.'' (ATEX refers to European directives for controlling explosive 2 atmospheres.) It is rated and marked with Ex ia I Ma, Ex ia IIB T4 Ga, Ex ia IIIC 135 °C Da, $-20\ °C \leq Ta \leq +55\ °C$, under the current standard (IEC 60079).

(i) Wolf Run Mining, LLC, also requests a modification to permit the use of the CleanSpace EX powered respirator under the same conditions as it proposes with respect to the 3M Versaflo TR–800. It too has been determined to be intrinsically safe.

(j) The 3M Versaflo TR–800 is not MSHA approved as permissible, and 3M is not pursuing approval.

(k) The CleanSpace EX Power Unit is not MSHA approved as permissible, and CleanSpace is not pursuing approval.

(l) The standards for approval of these respirators are an acceptable alternative to MSHA's standards and provide an equivalent level of protection.

(m) The alternative method will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

The petitioner proposes the following alternative method:

(a) Affected mine employees shall be trained in the proper use and maintenance of the 3M Versaflo TR–800 and the CleanSpace EX PAPR in accordance with established manufacturer guidelines. This training shall alert the affected employee that neither the 3M Versaflo TR–800 nor the CleanSpace EX is approved under 30 CFR part 18 and shall be deenergized when 1.0 or more percent methane is detected. The training shall also include the proper method to deenergize these PAPRs. In addition to manufacturer guidelines, the petitioner shall require that mine employees be trained to inspect the units before use to determine if there is any damage to the units that would negatively impact intrinsic safety as well as all stipulations in the Proposed Decision and Order (PDO) granted by MSHA.

(b) The PAPRs, battery packs, and all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) Wolf Run Mining, LLC, shall maintain a separate logbook for the 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be kept with the equipment or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512–1 and the examination results recorded in the logbook. Since float coal dust is removed by the air filter prior to reaching the motor, the PAPR user shall conduct regular examinations of the filter prior to reaching the motor, the PAPR user shall conduct regular examinations of the filter and perform periodic testing for proper operation of the ''high filter load alarm'' on the 3M Versaflo TR–800 and the ''blocked filter'' alarm on the CleanSpace EX. Examination entries may be expunged after one year.

(d) All 3M Versaflo TR–800 and CleanSpace EX PAPRs to be used within 150 feet of pillar workings or longwall faces shall be physically examined prior to initial use, and each unit shall be assigned a unique identification number. Each unit shall be examined by the person who will be operating the equipment prior to taking the equipment underground to ensure the equipment is being used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition.

(e) The examination for the 3M Versaflo TR–800 shall include:

(1) Check the equipment for any physical damage and the integrity of the case;

(2) Remove the battery and inspect for corrosion;

(3) Inspect the contact points to ensure a secure connection to the battery;

(4) Reinsert the battery and power up and shut down to ensure proper connections;

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size. The CleanSpace EX does not have an accessible/removable battery. The battery and motor/blower assembly are both contained within the sealed power pack assembly and cannot be removed, reinserted, or fastened. The pre-use examination is limited to inspecting the equipment for indications of physical damage.

(f) Wolf Run Mining, LLC, shall ensure that all 3M Versaflo TR–800 and CleanSpace EX PAPRs are serviced according to the manufacturer's recommendations. Dates of service shall be recorded in the equipment's logbook and shall include a description of the work performed.

(g) The 3M Versaflo TR–800 and CleanSpace EX PAPRs that will be used within 150 feet of pillar workings or longwall faces, or in areas where methane may enter the air current, shall not be put into service until MSHA has initially inspected the equipment and determined that it is following all the terms and conditions of the PDO granted by MSHA.

(h) Prior to energizing the 3M Versaflo TR–800 or the CleanSpace EX within 150 feet of pillar workings or longwall faces, methane tests shall be made in accordance with 30 CFR 75.323(a).

(i) All hand-held methane detectors shall be MSHA-approved and maintained in permissible and proper operating condition as defined by 30 CFR 75.320. All methane detectors shall provide visual and audible warnings when methane is detected at or above 1.0 percent.

(j) A qualified person as defined in 30 CFR 75.151 shall continuously monitor for methane immediately before and during the use of the 3M Versaflo TR–800 or CleanSpace EX within 150 feet of pillar workings or longwall faces or in areas where methane may enter the air current.

(k) Neither the 3M Versaflo TR–800 nor the CleanSpace EX shall be used if methane is detected in concentrations at or above 1.0 percent. When 1.0 percent or more of methane is detected while the 3M Versaflo TR–800 or CleanSpace EX is being used, the equipment shall be deenergized immediately and the equipment withdrawn outby the last open crosscut.

(l) Wolf Run Mining, LLC, shall use only the 3M TR–830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133 in the 3M Versaflo TR–800. The petitioner shall use only the CleanSpace EX Power Unit which meets lithium battery safety standard UL 1642 or IEC 62133 in the CleanSpace EX.

(m) The battery packs shall be ''changed out'' in intake air outby the last open crosscut. Before each shift when the 3M Versaflo TR–800 or CleanSpace EX is to be used, all batteries and power units for the equipment shall be charged sufficiently so that they are not expected to be replaced on that shift.

(n) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Always correctly use and maintain the lithium-ion battery packs. Neither the 3M TR–830 Battery Pack nor the CleanSpace EX Power Unit may be disassembled or modified by anyone other than persons permitted by the manufacturer of the equipment.

(2) The 3M TR–830 Battery Pack shall only be charged in an area free of combustible material, readily monitored, and located on the surface of the mine. The 3M TR–830 Battery Pack is to be charged by either:

(i) 3M Battery Charger Kit TR–641N, which includes one 3M Charger Cradle TR–640 and one 3M Power Supply TR–941N, or

(ii) 3M 4-Station Battery Charger Kit TR–644N, which includes four 3M Charger Cradles TR–640 and one 3M 4-Station Battery Charger Base/Power Supply TR–944N.

(iii) The CleanSpace EX Power Unit is to be charged only by the CleanSpace Battery Charger EX, Product Code PAF–0066.

(iv) The batteries shall not be allowed to get wet. This does not preclude incidental exposure of sealed battery packs.

(v) The batteries shall not be used, charged, or stored in locations where the manufacturer's recommended temperature limits are exceeded. The batteries shall not be placed in direct

sunlight or used or stored near a source of heat.

(o) Personnel engaged in the use of the 3M Versaflo TR–800 and CleanSpace EX PAPRs shall be properly trained to recognize the hazards and limitations associated with the use of the equipment in areas where methane could be present. Additionally, personnel shall be trained regarding proper procedures for donning Self-Contained Self Rescuers (SCSRs) during a mine emergency while wearing the 3M Versaflo TR–800 or CleanSpace EX. The mine operator shall submit proposed revisions to update the Mine Emergency Evacuation and Firefighting Program of Instruction under 30 CFR 75.1502 to address this issue.

(p) Within 60 days after the PDO granted by MSHA becomes final, Wolf Run Mining, LLC, shall submit proposed revisions for its approved 30 CFR part 48 training plans to the Mine Safety and Health Enforcement District Manager. These proposed revisions shall specify initial and refresher training regarding the terms and conditions stated in the PDO granted by MSHA. When training is conducted on the terms and conditions in the PDO granted by MSHA, an MSHA Certificate of Training (Form 5000–23) shall be completed. Comments shall be included on the Certificate of Training indicating that the training received was for use of the 3M Versaflo TR–800 or CleanSpace EX.

(q) All personnel who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX shall receive training in accordance with 30 CFR 48.7 on the requirements of the PDO granted by MSHA within 60 days of the date the PDO granted by MSHA becomes final. Such training shall be completed before any 3M Versaflo TR–800 or CleanSpace EX can be used within 150 feet of pillar workings or longwall faces. The operator shall keep a record of such training and provide such record to MSHA upon request.

(r) Wolf Run Mining, LLC, shall provide annual retraining to all personnel who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX in accordance with 30 CFR 48.8. The operator shall train new miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.5 and shall train experienced miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.6. The operator shall keep a record of such training and provide such record to MSHA upon request.

(s) Wolf Run Mining, LLC, shall post the PDO granted by MSHA in unobstructed locations on the bulletin boards and/or in other conspicuous places where notices to miners are ordinarily posted for a period of not less than 60 consecutive days.

(t) The miners at Wolf Run Mining, LLC, Leer South Mine are not represented by a labor organization and it has been posted on the bulletin board on March 12, 2025.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–06724 Filed 4–17–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Wolf Run Mining, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before May 19, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0047 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2025–0047.
2. *Fax:* 202–693–9441.
3. *Email: petitioncomments@dol.gov.*
4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or
2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–026–C.

Petitioner: Wolf Run Mining, LLC, 21550 Barbour County Highway, Philippi, WV 26416.

Mine: Leer South Mine, MSHA ID No. 46–04168, located in Barbour County, West Virginia.

Regulation Affected: 30 CFR 75.507–1(a), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.507–1(a) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is requesting to use the 3M Versaflo TR–800 Intrinsically Safe Powered Air Purifying Respirator (PAPR) and the CleanSpace EX PAPR.

The petitioner states that:

(a) Currently Wolf Run Mining, LLC, uses the 3M Airstream helmet to provide additional protection for its miners against exposure to respirable coal mine dust. There are clear long-term health benefits from using such technology. One of the benefits of PAPRs is that they provide a constant flow of air inside the headtop or helmet. This constant airflow helps to provide both respiratory protection and comfort in hot working environments.

(b) 3M elected to discontinue the Airstream helmet, replacing it with a Versaflo TR–800 intrinsically safe PAPR unit, which benefits from additional features and reduced weight. Because of its reduced weight, it provides significant ergonomic benefits.

(c) For more than 40 years the 3M Airstream Headgear-Mounted PAPR has been used by many mine operators to help protect their workers. During those years there have been technological advancements in products and services for industrial applications. Recently 3M has indicated that they have been facing multiple key component supply disruptions for the Airstream product line that created issues with providing acceptable supply service levels. Because of those issues, 3M discontinued the Airstream in June 2020, and that discontinuation was global.

(d) 3M announced that February 2020 was the final time to place an order for systems and components and that June 2020 was the final date to purchase Airstream components.

(e) Currently there are no replacement 3M PAPRs that meet applicable MSHA standards for permissibility. Electronic equipment used in underground mines in potentially explosive atmospheres are required to be approved by MSHA in accordance with 30 CFR. 3M and other manufacturers do offer alternative products for many other environments and applications.

(f) Following the discontinuation, mines that currently use the Airstream do not have an MSHA-approved alternative PAPR to provide to miners.

(g) Application of the standard results in a diminution of safety at the mine.

(h) The 3M Versaflo TR–800 motor/blower and battery qualify as intrinsically safe in the U.S., Canada, and any other country accepting IECEx (International Electrotechnical Commission System for Certification to Standards Relating to Equipment for Use in Explosive Atmospheres) reports. The 3M Versaflo TR–800 has a blower that is UL-certified with an intrinsically safe (IS) rating of Division 1: IS Class I, II, III; Division 1 (includes Division 2) Groups C, D, E, F, G; T4, under the most current standard (UL 60079, 6th Edition, 2013). It is ATEX-certified with an IS rating of ''ia.'' (ATEX refers to European directives for controlling explosive 2 atmospheres.) It is rated and marked with Ex ia I Ma, Ex ia IIB T4 Ga, Ex ia IIIC 135 °C Da, $-20\ °C \leq Ta \leq +55\ °C$, under the current standard (IEC 60079).

(i) Wolf Run Mining, LLC, also requests a modification to permit the use of the CleanSpace EX powered respirator under the same conditions as it proposes with respect to the 3M Versaflo TR–800. It too has been determined to be intrinsically safe.

(j) The 3M Versaflo TR–800 is not MSHA approved as permissible, and 3M is not pursuing approval.

(k) The CleanSpace EX Power Unit is not MSHA approved as permissible, and CleanSpace is not pursuing approval.

(l) The standards for approval of these respirators are an acceptable alternative to MSHA's standards and provide an equivalent level of protection.

(m) The alternative method will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

The petitioner proposes the following alternative method:

(a) Affected mine employees shall be trained in the proper use and maintenance of the 3M Versaflo TR–800 and the CleanSpace EX PAPRs in accordance with established manufacturer guidelines. This training shall alert the affected employee that neither the 3M Versaflo TR–800 nor the CleanSpace EX is approved under 30 CFR part 18 and shall be deenergized when 1.0 or more percent methane is detected. The training shall also include the proper method to deenergize these PAPRs. In addition to manufacturer guidelines, the petitioner shall require that mine employees be trained to inspect the units before use to determine if there is any damage to the units that would negatively impact intrinsic safety as well as all stipulations in the Proposed Decision and Order (PDO) granted by MSHA.

(b) The PAPRs, battery packs, and all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) Wolf Run Mining, LLC, shall maintain a separate logbook for the 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be kept with the equipment or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512–1 and the examination results recorded in the logbook. Since float coal dust is removed by the air filter prior to reaching the motor, the PAPR user shall conduct regular examinations of the filter prior to reaching the motor, the PAPR user shall conduct regular examinations of the filter and perform periodic testing for proper operation of the ''high filter load alarm'' on the 3M Versaflo TR–800 and the ''blocked filter'' alarm on the CleanSpace EX PAPR. Examination entries may be expunged after one year.

(d) All 3M Versaflo TR–800 and CleanSpace EX PAPRs to be used in return air outby the last open crosscut shall be physically examined prior to initial use, and each unit shall be assigned a unique identification number. Each unit shall be examined by the person who will be operating the equipment prior to taking the equipment underground to ensure the equipment is being used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition.

(e) The examination for the 3M Versaflo TR–800 shall include:

(1) Check the equipment for any physical damage and the integrity of the case;

(2) Remove the battery and inspect for corrosion;

(3) Inspect the contact points to ensure a secure connection to the battery;

(4) Reinsert the battery and power up and shut down to ensure proper connections;

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size. The CleanSpace EX does not have an accessible/removable battery. The battery and motor/blower assembly are both contained within the sealed power pack assembly and cannot be removed, reinserted, or fastened. The pre-use examination is limited to inspecting the equipment for indications of physical damage.

(f) Wolf Run Mining, LLC, shall ensure that all 3M Versaflo TR–800 and CleanSpace EX PAPRs are serviced according to the manufacturer's recommendations. Dates of service shall be recorded in the equipment's logbook and shall include a description of the work performed.

(g) The 3M Versaflo TR–800 and CleanSpace EX PAPRs that will be used in the return air outby the last open crosscut, or in areas where methane may enter the air current, shall not be put into service until MSHA has initially inspected the equipment and determined that it is in compliance with all the terms and conditions of the PDO granted by MSHA.

(h) Prior to energizing the 3M Versaflo TR–800 or the CleanSpace EX in the return air outby the last open crosscut, methane tests shall be made in accordance with 30 CFR 75.323(a).

(i) All hand-held methane detectors shall be MSHA-approved and maintained in permissible and proper operating condition as defined by 30 CFR 75.320. All methane detectors shall provide visual and audible warnings when methane is detected at or above 1.0 percent.

(j) A qualified person as defined in 30 CFR 75.151 shall continuously monitor for methane immediately before and during the use of the 3M Versaflo TR–800 or CleanSpace EX in the return air outby the last open crosscut or in areas where methane may enter the air current.

(k) Neither the 3M Versaflo TR–800 nor the CleanSpace EX shall be used if methane is detected in concentrations at or above 1.0 percent. When 1.0 percent or more of methane is detected while the 3M Versaflo TR–800 or CleanSpace EX is being used, the equipment shall be deenergized immediately and the equipment withdrawn outby the last open crosscut.

(l) Wolf Run Mining, LLC, shall use only the 3M TR–830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133 in the 3M Versaflo TR–800. The petitioner shall use only the CleanSpace EX Power Unit which meets lithium battery safety standard UL 1642 or IEC 62133 in the CleanSpace EX.

(m) The battery packs shall be ''changed out'' in intake air outby the last open crosscut. Before each shift when the 3M Versaflo TR–800 or CleanSpace EX is to be used, all batteries and power units for the equipment shall be charged sufficiently so that they are not expected to be replaced on that shift.

(n) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Always correctly use and maintain the lithium-ion battery packs. Neither the 3M TR–830 Battery Pack nor the CleanSpace EX Power Unit may be disassembled or modified by anyone other than persons permitted by the manufacturer of the equipment.

(2) The 3M TR–830 Battery Pack shall only be charged in an area free of combustible material, readily monitored, and located on the surface of the mine. The 3M TR–830 Battery Pack is to be charged by either:

(i) 3M Battery Charger Kit TR–641N, which includes one 3M Charger Cradle TR–640 and one 3M Power Supply TR–941N, or

(ii) 3M 4-Station Battery Charger Kit TR–644N, which includes four 3M Charger Cradles TR–640 and one 3M 4-Station Battery Charger Base/Power Supply TR–944N.

(iii) The CleanSpace EX Power Unit is to be charged only by the CleanSpace Battery Charger EX, Product Code PAF–0066.

(iv) The batteries shall not be allowed to get wet. This does not preclude incidental exposure of sealed battery packs.

(v) The batteries shall not be used, charged, or stored in locations where the manufacturer's recommended temperature limits are exceeded. The batteries shall not be placed in direct sunlight or used or stored near a source of heat.

(o) Personnel engaged in the use of the 3M Versaflo TR–800 and CleanSpace EX PAPRs shall be properly trained to recognize the hazards and limitations associated with the use of the equipment in areas where methane could be present. Additionally, personnel shall be trained regarding proper procedures for donning Self-Contained Self Rescuers (SCSRs) during a mine emergency while wearing the 3M Versaflo TR–800 or CleanSpace EX. The mine operator shall submit proposed revisions to update the Mine Emergency Evacuation and Firefighting Program of Instruction under 30 CFR 75.1502 to address this issue.

(p) Within 60 days after the PDO granted by MSHA becomes final, Wolf Run Mining, LLC, shall submit proposed revisions for its approved 30 CFR part 48 training plans to the Mine Safety and Health Enforcement District Manager. These proposed revisions shall specify initial and refresher training regarding the terms and conditions stated in the PDO granted by MSHA. When training is conducted on the terms and conditions in the PDO granted by MSHA, an MSHA Certificate of Training (Form 5000–23) shall be completed. Comments shall be included on the Certificate of Training indicating that the training received was for use of the 3M Versaflo TR–800 or CleanSpace EX.

(q) All personnel who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX shall receive training in accordance with 30 CFR 48.7 on the requirements of the PDO granted by MSHA within 60 days of the date the PDO granted by MSHA becomes final. Such training shall be completed before any 3M Versaflo TR–800 or CleanSpace EX can be used in return air outby the last open crosscut. The operator shall keep a record of such training and provide such record to MSHA upon request.

(r) Wolf Run Mining, LLC, shall provide annual retraining to all personnel who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX in accordance with 30 CFR 48.8. The operator shall train new miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.5 and shall train experienced miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.6. The operator shall keep a record of such training and provide such record to MSHA upon request.

(s) Wolf Run Mining, LLC, shall post the PDO granted by MSHA in unobstructed locations on the bulletin boards and/or in other conspicuous places where notices to miners are ordinarily posted for a period of not less than 60 consecutive days.

(t) The miners at Wolf Run Mining, LLC, Leer South Mine are not represented by a labor organization and it has been posted on the bulletin board on March 12, 2025.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–06723 Filed 4–17–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Mingo Logan Coal, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before May 19, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0049 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov*. Follow the instructions for submitting comments for MSHA–2025–0049.

2. *Fax:* 202–693–9441.

3. *Email: petitioncomments@dol.gov*.

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room

C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–028–C

Petitioner: Mingo Logan Coal, LLC, P.O. Box E, Sharples, WV 25183.

Mine: Mountaineer II Mine, MSHA ID No. 46–09029, located in Logan County, West Virginia.

Regulation Affected: 30 CFR 75.500(d), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.500(d) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is requesting to use the 3M Versaflo TR–800 Intrinsically Safe Powered Air Purifying Respirator (PAPR) and the CleanSpace EX PAPR taken into or used inby the last open crosscut.

The petitioner states that:

(a) Mountaineer II Mine has previously used the 3M Airstream helmet to provide additional protection for its miners against exposure to respirable coal mine dust. There are clear long-term health benefits from using such technology. One of the benefits of PAPRs is that they provide a constant flow of air inside the headtop or helmet. This constant airflow helps to provide both respiratory protection and comfort in hot working environments.

(b) 3M elected to discontinue the 3M Airstream helmet, replacing it with the 3M Versaflo TR–800, which benefits from additional features and reduced weight. Because of its reduced weight, it provides significant ergonomic benefits.

(c) For more than 40 years the 3M Airstream Headgear-Mounted PAPR System has been used by many mine operators to help protect their workers. During those years there have been technological advancements in products and services for industrial applications. 3M indicated that they faced multiple key component supply disruptions for the Airstream product line that created issues with providing acceptable supply service levels. Because of those issues, 3M discontinued the Airstream in June 2020, and that discontinuation was global.

(d) 3M announced that February 2020 was the final time to place an order for systems and components and that June 2020 was the final date to purchase Airstream components.

(e) Currently there are no replacement 3M PAPRs that meet applicable MSHA standards for permissibility. Electronic equipment used in underground mines in potentially explosive atmospheres are required to be approved by MSHA in accordance with 30 CFR. 3M and other manufacturers offer alternative products for many other environments and applications.

(f) Following the discontinuation, mines that currently use the Airstream do not have an MSHA-approved alternative PAPR to provide to miners.

(g) Application of the standard results in a diminution of safety at the mine.

(h) The 3M Versaflo TR–800 motor/blower and battery qualify as intrinsically safe in the U.S., Canada, and any other country accepting IECEx (International Electrotechnical Commission System for Certification to Standards Relating to Equipment for Use in Explosive Atmospheres) reports. The 3M Versaflo TR–800 has a blower that is UL-certified with an intrinsically safe (IS) rating of Division 1: IS Class I, II, III; Division 1 (includes Division 2) Groups C, D, E, F, G; T4, under the most current standard (UL 60079, 6th Edition, 2013). It is ATEX-certified with an IS rating of ''ia.'' (ATEX refers to European directives for controlling explosive 2 atmospheres.) It is rated and marked with Ex ia I Ma, Ex ia IIB T4 Ga, Ex ia IIIC 135 °C Da, –20 °C ≤ Ta ≤ +55 °C, under the current standard (IEC 60079).

(i) Mountaineer II Mine seeks modification to also permit the use of the CleanSpace EX powered respirator under the same conditions as it proposes with respect to the 3M Versaflo TR–800. It too has been determined to be intrinsically safe.

(j) The 3M Versaflo TR–800 is not MSHA approved as permissible, and 3M is not pursuing approval.

(k) The CleanSpace EX Power Unit is not MSHA approved as permissible, and CleanSpace is not pursuing approval.

(l) The standards for approval of these respirators are an acceptable alternative to MSHA's standards and provide an equivalent level of protection.

(m) The alternative method will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

The petitioner proposes the following alternative method:

(a) Affected mine employees shall be trained in the proper use and maintenance of the 3M Versaflo TR–800 and the CleanSpace EX in accordance with established manufacturer guidelines. This training shall alert the affected employee that neither the 3M Versaflo TR–800 nor the CleanSpace EX is approved under 30 CFR part 18 and shall be deenergized when 1.0 or more percent methane is detected. The training shall also include the proper method to deenergize these PAPRs. In addition to manufacturer guidelines, the petitioner shall require that mine employees be trained to inspect the units before use to determine if there is any damage to the units that would negatively impact intrinsic safety as well as all stipulations in the Proposed Decision and Order (PDO) granted by MSHA.

(b) The PAPRs, battery packs, and all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) Mountaineer II Mine shall maintain a separate logbook for the 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be kept with the equipment or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined

in 30 CFR 75.512–1 and the examination results recorded in the logbook. Since float coal dust is removed by the air filter prior to reaching the motor, the PAPR user shall conduct regular examinations of the filter and perform periodic testing for proper operation of the ''high filter load alarm'' on the 3M Versaflo TR–800 and the ''blocked filter'' alarm on the CleanSpace EX. Examination entries may be expunged after one year.

(d) All 3M Versaflo TR–800 and CleanSpace EX PAPRs taken into or used inby the last open crosscut shall be physically examined prior to initial use, and each unit shall be assigned a unique identification number. Each unit shall be examined by the person who will be operating the equipment prior to taking the equipment underground to ensure the equipment is being used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition.

(e) The examination for the 3M Versaflo TR–800 shall include:

(1) Check the equipment for any physical damage and the integrity of the case;

(2) Remove the battery and inspect for corrosion;

(3) Inspect the contact points to ensure a secure connection to the battery;

(4) Reinsert the battery and power up and shut down to ensure proper connections;

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size.

(f) The CleanSpace EX does not have an accessible/removable battery. The battery and motor/blower assembly are both contained within the sealed four power pack assembly and cannot be removed, reinserted, or fastened. The pre-use examination is limited to inspecting the equipment for indications of physical damage.

(g) Mountaineer II Mine shall ensure that all 3M Versaflo TR–800 and CleanSpace EX PAPRs are serviced according to the manufacturer's recommendations. Dates of service shall be recorded in the equipment's logbook and shall include a description of the work performed.

(h) The 3M Versaflo TR–800 and CleanSpace EX PAPRs taken into or used inby the last open crosscut, or in areas where methane may enter the air current, shall not be put into service until MSHA has initially inspected the equipment and determined that it is following all the terms and conditions of the PDO granted by MSHA.

(i) Prior to energizing the 3M Versaflo TR–800 or the CleanSpace EX taken into or used inby the last open crosscut, methane tests shall be made in accordance with 30 CFR 75.323(a).

(j) All hand-held methane detectors shall be MSHA-approved and maintained in permissible and proper operating condition as defined by 30 CFR 75.320. All methane detectors shall provide visual and audible warnings when methane is detected at or above 1.0 percent.

(k) A qualified person as defined in 30 CFR 75.151 shall continuously monitor for methane immediately before and during the use of the 3M Versaflo TR–800 or CleanSpace EX taken into or used inby the last open crosscut or in areas where methane may enter the air current.

(l) Neither the 3M Versaflo TR–800 nor the CleanSpace EX shall be used if methane is detected in concentrations at or above 1.0 percent. When 1.0 percent or more of methane is detected while the 3M Versaflo TR–800 or CleanSpace EX is being used, the equipment shall be deenergized immediately and the equipment withdrawn outby the last open crosscut.

(m) Mountaineer II Mine shall use only the 3M TR–830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133 in the 3M Versaflo TR–800. The petitioner shall use only the CleanSpace EX Power 5 Unit which meets lithium battery safety standard UL 1642 or IEC 62133 in the CleanSpace EX.

(n) The battery packs shall be ''changed out'' in intake air outby the last open crosscut. Before each shift when the 3M Versaflo TR–800 or CleanSpace EX is to be used, all batteries and power units for the equipment shall be charged sufficiently so that they are not expected to be replaced on that shift.

(o) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Always correctly use and maintain the lithium-ion battery packs. Neither the 3M TR–830 Battery Pack nor the CleanSpace EX Power Unit may be disassembled or modified by anyone other than persons permitted by the manufacturer of the equipment.

(2) The 3M TR–830 Battery Pack shall only be charged in an area free of combustible material, readily monitored, and located on the surface of the mine. The 3M TR–830 Battery Pack is to be charged by either:

(i) 3M Battery Charger Kit TR–641N, which includes one 3M Charger Cradle TR–640 and one 3M Power Supply TR–941N, or

(ii) 3M 4-Station Battery Charger Kit TR–644N, which includes four 3M Charger Cradles TR–640 and one 3M 4-Station Battery Charger Base/Power Supply TR–944N.

(iii) The CleanSpace EX Power Unit is to be charged only by the CleanSpace Battery Charger EX, Product Code PAF–0066.

(iv) The batteries shall not be allowed to get wet. This does not preclude incidental exposure of sealed battery packs.

(v) The batteries shall not be used, charged, or stored in locations where the manufacturer's recommended temperature limits are exceeded. The batteries shall not be placed in direct sunlight or used or stored near a source of heat.

(p) Personnel engaged in the use of the 3M Versaflo TR–800 and CleanSpace EX PAPRs shall be properly trained to recognize the hazards and limitations associated with the use of the equipment in areas where methane could be present. Additionally, personnel shall be trained regarding proper procedures for donning Self-Contained Self Rescuers (SCSRs) during a mine emergency while wearing the 3M Versaflo TR–800 or CleanSpace EX. The mine operator shall submit proposed revisions to update the Mine Emergency Evacuation and Firefighting Program of Instruction under 30 CFR 75.1502 to address this issue.

(q) Within 60 days after the PDO granted by MSHA becomes final, Mountaineer II Mine shall submit proposed revisions for its approved 30 CFR part 48 training plans to the Mine Safety and Health Enforcement District Manager. These proposed revisions shall specify initial and refresher training regarding the terms and conditions stated in the PDO granted by MSHA. When training is conducted on the terms and conditions in the PDO granted by MSHA, an MSHA Certificate of Training (Form 5000–23) shall be completed. Comments shall be included on the Certificate of Training indicating that the training received was for use of the 3M Versaflo TR–800 or CleanSpace EX.

(r) All personnel who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX shall receive training in accordance with 30 CFR 48.7 on the requirements of the PDO granted by MSHA within 60 days of the date the PDO granted by MSHA becomes final. Such training shall be completed before any 3M Versaflo TR–

800 or CleanSpace EX is taken into or used inby the last open crosscut. The operator shall keep a record of such training and provide such record to MSHA upon request.

(s) Mountaineer II Mine shall provide annual retraining to all personnel who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX in accordance with 30 CFR 48.8. The operator shall train new miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.5 and shall train experienced miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.6. The operator shall keep a record of such training and provide such record to MSHA upon request.

(t) Mountaineer II Mine shall post the PDO granted by MSHA in unobstructed locations on the bulletin boards and/or in other conspicuous places where notices to miners are ordinarily posted for a period of not less than 60 consecutive days.

(u) The miners at Mingo Logan Coal, LLC, Mountaineer II Mine are not represented by a labor organization but the petition has been posted at the mine on March 07, 2025.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–06726 Filed 4–17–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by ACNR Holdings, Inc.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before May 19, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0044 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2025–0044.

2. *Fax:* 202–693–9441.

3. *Email: petitioncomments@dol.gov.*

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, §§ 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–034–C.

Petitioner: ACNR Holdings, Inc., 46226 National Road, St. Clairsville, OH 43950.

Mines: Ohio County Mine, MSHA ID No. 46–01436, located in Marshall County, West Virginia; Marshall County Mine, MSHA ID No. 46–01437, located in Marshall County, West Virginia; Marion County Mine, MSHA ID No. 46–01433, located in Marion County, West Virginia; Harrison County Mine, MSHA ID No. 46–01318, located in Wetzel County, West Virginia.

Regulation Affected: 30 CFR 75.507–1(a), Permissible electric equipment.

Modification Request: The petitioner requests a modification of the application of 30 CFR 75.507–1(a) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is requesting to utilize the 3M Versaflo TR–800 Powered Air Purifying Respirator (PAPR) to be used in return air outby the last open crosscut.

The petitioner states that:

(a) The 3M Versaflo TR–800 Powered Respirator is an intrinsically safe Powered Air Purifying Respirator (PAPR) which is certified by UL under the ANSI/UL 60079–11 standard to be used in hazardous locations because it meets the intrinsic safety protection level and is acceptable in other jurisdictions to use in mines with the potential for methane accumulation.

(b) ACNR Holdings, Inc. currently has approved petitions for modification pertaining to 30 CFR 75.500(d), 75.507–1(a) and 75.1002(a) to utilize the CleanSpace EX in areas where permissible equipment is used.

(c) ACNR Holdings, Inc. previously used the 3M airstream helmets to provide miners respirable dust protection on the longwall faces.

(d) 3M has discontinued the Airstream helmet and there are no other MSHA approved PAPRs available.

The petitioner proposes the following alternative method:

(a) The equipment shall be examined at least weekly by a qualified person according to 30 CFR 75.512–2 and examination results shall be recorded weekly and may be expunged after one year.

(b) A qualified person under 30 CFR 75.151 shall monitor for methane as is required by the standard in the affected area of the mine.

(c) If methane is detected in concentrations of 1.0 percent or more, procedures in accordance with 30 CFR 75.323 shall be followed.

(d) The examinations for the Versaflo TR–800 PAPRs shall include:

(1) Check the equipment for any physical damage and the integrity of the case;

(2) Remove the battery and examine for corrosion;

(3) Inspect the contact points to ensure a secure connection to the battery;

(4) Reinsert the battery and power up and shut down to ensure proper connections;

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened; and

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swollen.

(e) The 3M Versaflo TR–800 PAPR shall only use the 3M TR–830 battery pack or manufacturer equivalent.

(f) Before each shift when the Versaflo TR–800 is to be used, all batteries and power units for the equipment shall be charged sufficiently for the expected usage on that shift. If spare battery packs for the Versaflo TR–800 PAPR are provided, all battery ''change outs'' shall occur in intake air outby the last open crosscut.

(g) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) The TR–830 Battery Pack shall not be disassembled or modified by anyone other than permitted by the manufacturer of the equipment.

(2) The TR–830 Battery Pack shall be charged only on the surface of the mine and only using a manufacturer's recommended battery charger shown below or manufacturer equivalent.

(i) 3M Battery Charger TR–641N.

(ii) 3M 4-Station battery charger TR–644N.

(3) The Versaflo TR–800 PAPR, including the internal battery, shall be used, charged, or stored in locations where the manufacturer's recommended temperature limits are not exceeded.

(4) The TR–830 battery pack shall not be used at the end of its life cycle (*i.e.,* when there is a performance decrease of greater than 20% in battery-operated equipment). The battery pack shall be disposed of properly.

(h) Miners will receive training regarding how to safely use, care for, inspect the PAPR, and the Proposed Decision and Order (PDO) before using equipment in the relevant part of the mine. A record of the training shall be kept and available upon request.

The miners at Ohio County Mine, Marshall County Mine, Marion County Mine, and Harrison County Mine are represented by a representative of miners. A copy of the petition for modification was presented to the representatives of miners for Ohio County Mine and Marion County Mine on February 10, 2025. A copy of the petition for modification was presented to the representatives of miners for Marshall County Mine and Harrison County Mine on February 13, 2025.

In support of the proposed alternative method, the petitioner has also submitted the manufacturer spec sheets for the 3M Versaflo TR–800 PAPR.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–06733 Filed 4–17–25; 8:45 am]

BILLING CODE 4520–43–P

NATIONAL CREDIT UNION ADMINISTRATION

Sunshine Act Meetings; Cancellation

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 90 FR 15722.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10 a.m., Thursday, April 17, 2025.

CHANGES IN THE MEETING: The Open Meeting scheduled for 10 a.m., Thursday, April 17, 2025 has been cancelled.

CONTACT PERSON FOR MORE INFORMATION: Melane Conyers-Ausbrooks, Secretary of the Board, Telephone: 703–518–6304.

Melane Conyers-Ausbrooks,

Secretary of the Board.

[FR Doc. 2025–06845 Filed 4–16–25; 4:15 pm]

BILLING CODE 7535–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 11006618; NRC–2025–0066]

Curtiss-Wright Corporation; Export License Application

AGENCY: Nuclear Regulatory Commission.

ACTION: Opportunity to provide comments, request a hearing, and petition for leave to intervene.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is considering issuing an export license (XR179), requested by Curtiss-Wright Corporation (CW) by application dated February 20, 2025. CW seeks the NRC's approval to export four reactor coolant pumps, two replacement reactor coolant pumps, and minor reactor components to the People's Republic of China. The NRC is providing notice of the opportunity to comment, request a hearing, and petition to intervene on CW's application.

DATES: Submit comments by May 19, 2025. A request for a hearing or petition for leave to intervene must be filed by May 19, 2025.

ADDRESSES: You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the *Federal Rulemaking Website:*

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2025–0066. 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.

- *Email comments to: Hearing.Docket@nrc.gov.* If you do not receive an automatic email reply confirming receipt, then contact us at 301–415–1677.
- *Fax comments to:* Secretary, U.S. Nuclear Regulatory Commission at 301–415–1101.
- *Mail comments to:* Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Rulemakings and Adjudications Staff.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Andrea Jones, Office of International Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 404–997–4443, email: *Andrea.Jones2@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to NRC–2025–0066 or Docket No. 1100618 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2025–0066.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov.* The export license application is available in ADAMS under Accession No. ML25062A009.

• *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, Monday through Friday, except Federal holidays.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (*https://www.regulations.gov*). Please include NRC–2025–0066 or Docket No. 11006618 in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *https://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Discussion

On February 20, 2025, CW submitted an application to export four reactor coolant pumps, two replacement reactor coolant pumps, and minor reactor components listed in title 10 of the *Code of Federal Regulations* (10 CFR), Appendix A, paragraphs (5)–(11), to be used at the Sanmen Nuclear Power Plant, Unit 4, currently being constructed in the People's Republic of China.

In accordance with 10 CFR 110.70(b), the NRC is providing notice of the receipt of the application; providing the opportunity to submit written comments concerning the application; and providing the opportunity to request a hearing or petition for leave to intervene, for a period of 30 days after publication of this notice in the **Federal Register**. A hearing request or petition for leave to intervene must include the information specified in 10 CFR 110.82(b). Any request for hearing or petition for leave to intervene shall be served by the requestor or petitioner in accordance with 10 CFR 110.89(a), either by delivery, by mail, or filed with the NRC electronically in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007, as amended at 77 FR 46562; August 3, 2012). Detailed guidance on electronic submissions is located in the ''Guidance for Electronic Submissions to the NRC'' (ADAMS Accession No. ML13031A056) and on the NRC's public website at *https://www.nrc.gov/site-help/e-submittals.html.*

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *Hearing.Docket@nrc.gov,* or by telephone at 301–415–1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

The information concerning this application for an export license is as follows.

NRC EXPORT LICENSE APPLICATION

Application Information	
Name of Applicant	Curtiss-Wright Corporation.
Date of Application	February 20, 2025.
Date Received	February 20, 2025.
Application No	XR179.
Docket No	11006618.
ADAMS Accession No	ML25062A009.
Description of Equipment and Components.	Four reactor coolant pumps, two replacement reactor coolant pumps, and minor reactor components covered under Appendix A of 10 CFR Part 110, paragraphs (5)–(11).
End Use	Installation, Operation, and Maintenance at the Sanmen Nuclear Power Plant, Unit 4.
Country of Destination	People's Republic of China.

Dated: April 14, 2025.

For the Nuclear Regulatory Commission.

David Skeen,

Director, Office of International Programs.

[FR Doc. 2025–06702 Filed 4–17–25; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2025–1307 and K2025–1308]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* April 21, 2025.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *https://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

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I. Introduction
II. Public Proceeding(s)
III. Summary Proceeding(s)

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 (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

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). The Public Representative does not represent any individual person, entity or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established. 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).:* MC2025–1307 and K2025–1308; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1361 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* April 11, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Madison Lichtenstein; *Comments Due:* April 21, 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.

[FR Doc. 2025–06659 Filed 4–17–25; 8:45 am]

BILLING CODE 7710–FW–P

[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).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102856; File No. SR–CboeBZX–2025–031]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To Amend the Rules Governing the Listing and Trading of Shares of the VanEck Bitcoin Trust and the VanEck Ethereum Trust To Permit In-Kind Creations and Redemptions

April 14, 2025.

On February 19, 2025, Cboe BZX Exchange, Inc. (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend the rules governing the listing and trading of shares of the VanEck Bitcoin Trust and the VanEck Ethereum Trust to permit in-kind creations and redemptions. The proposed rule change was published for comment in the **Federal Register** on March 5, 2025.[3]

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is April 19, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates June 3, 2025, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–CboeBZX–2025–031).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–06661 Filed 4–17–25; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102500 (Feb. 27, 2025), 90 FR 11336. The Commission has received no comments on the proposed rule change.

[4] 15 U.S.C. 78s(b)(2).

[5] 15 U.S.C. 78s(b)(2).

[6] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102859; File No. SR–NYSETEX–2025–02]

Self-Regulatory Organizations; NYSE Texas, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Adopt New York Stock Exchange Rule 4530

April 14, 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 April 3, 2025, 2025, the NYSE Texas, Inc. (''NYSE Texas'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to adopt New York Stock Exchange (''NYSE'') Rule 4530 (Reporting Requirements) without substantive change and make certain conforming changes. 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.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

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 adopt the text of NYSE Rule 4530 (Reporting Requirements) without substantive change and make certain conforming changes. NYSE Rule 4530 was in turn based on Financial Industry Regulatory Authority, Inc. (''FINRA'') Rule 4530.

Background and Proposed Rule Change

NYSE Rule 4530 requires member organizations to promptly report to the Exchange specified events, such as statutory disqualifications and quarterly statistical and summary information regarding written customer complaints, and to file with the Exchange copies of certain criminal actions, civil complaints and arbitration claims. The Exchange uses this information for regulatory purposes to identify and initiate investigations of firms, offices and associated persons that may pose potential regulatory or other risks.

The NYSE adopted the text of FINRA Rule 4530 in 2011 to replace comparable provisions in its legacy reporting Rule 351.[4] In 2024, the NYSE incorporated certain amendments previously made by FINRA into NYSE Rule 4530.[5] The NYSE version of FINRA Rule 4530 is substantially the same except for conforming changes reflecting the NYSE's membership and an extra Supplementary Material adding a definition of ''person associated with a member organization,'' which the Exchange would retain with conforming changes to reflect its membership. The Exchange's affiliate NYSE American LLC also has adopted FINRA Rule 4530.

The Exchange proposes to adopt the text of NYSE Rule 4530 as NYSE Texas Rule 11.4530, with certain technical changes. For consistency with Exchange rules and to reflect the Exchange's current membership, the Exchange proposes to change all references to ''member organization'' or ''member organizations'' to ''Participant Firm'' or ''Participant Firms.'' The text of proposed Rule 11.4530 is otherwise identical to NYSE Rule 4530.

The Exchange does not have a similarly comprehensive reporting rule. Article 6, Rule 8 requires Participants to promptly report any (1) disciplinary action, including the basis therefor, taken by any national securities exchange or association, clearing corporation, commodity futures market or government regulatory or law enforcement department or agency against the Participant or its associated persons, and (2) disciplinary action taken by the Participant against any of its associated persons involving suspension, termination, the withholding of commissions or imposition of fines in excess of $2,500, or any other significant limitation on activities. Given the overlap between the two rules and the more comprehensive requirements of proposed Rule 11.4530, the Exchange proposes to delete Article 6, Rule 8 and mark it ''Reserved.''

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act,[6] in general, and furthers the objectives of Section 6(b)(5),[7] in particular, because it is designed to promote just and equitable principles of trade and remove impediments to and perfect the mechanism of a free and open market and a national market system. Specifically, the Exchange believes that the proposed rule change supports the objectives of the Act by providing greater harmonization between Exchange rules and the rules of its affiliates and FINRA of similar purpose, resulting in less burdensome and more efficient regulatory compliance. In particular, Participant Firms that are also NYSE or FINRA members are already subject to Rule 4530 requirements and are currently reporting the information required by that rule to the NYSE or FINRA but not to the Exchange. Harmonizing these rules by adopting NYSE Rule 4530 would promote just and equitable principles of trade by requiring the same reporting regime for affiliated exchanges. To the extent the Exchange has proposed changes that differ from the NYSE version of the proposed rule,

[4] *See* Securities Exchange Act Release No. 100168 (May 17, 2024), 89 FR 45712 (May 23, 2024) (SR–NYSE–2024–28). FINRA Rule 4530, adopted in 2010, was modeled after NYSE Rule 351(a)–(d) and NASD Rule 3070. *See* Securities Exchange Act Release No. 63260 (November 5, 2010), 75 FR 69508 (November 12, 2010) (SR–FINRA–2010–034). *See also* Securities Exchange Act Release No. 64560 (May 27, 2011), 76 FR 32246 (June 3, 2011) (SR–FINRA–2011–024).

[5] *See* Securities Exchange Act Release No. 64785 (June 30, 2011), 76 FR 39946 (July 7, 2011) (SR–NYSE–2011–27). *See generally* Securities Exchange Act Release No. 68701 (January 18, 2013), 78 FR 5532 (January 25, 2013) (SR–FINRA–2013–006) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to FINRA Rule 4530 (Reporting Requirements)); Securities Exchange Act Release No. 74953 (May 13, 2015), 80 FR 28740 (May 19, 2015) (SR–FINRA–2015–011) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to the Reporting Requirements of FINRA Rule 4530(a)(1)(H)).

[6] 15 U.S.C. 78f(b).

[7] 15 U.S.C. 78f(b)(5).

such changes relate to the Exchange's membership structure and do not change the substance of the proposed rules.

Further, the Exchange believes that deleting Article 6, Rule 8, whose subject matter overlaps with the proposed rule, would increase the clarity and transparency of the Exchange's rules and remove impediments to and perfect the mechanism of a free and open market by ensuring that persons subject to the Exchange's jurisdiction, regulators, and the investing public could more easily navigate and understand the Exchange rules. The Exchange believes that the proposed change would not be inconsistent with the public interest and the protection of investors because investors will not be harmed and in fact would benefit from increased transparency and clarity, thereby reducing potential confusion.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is not intended to address competitive issues but rather to achieve greater consistency between the Exchange's rules and the rules of its affiliate and FINRA concerning regulatory reporting.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[8] and Rule 19b–4(f)(6) thereunder.[9] Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6)(iii) thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[10] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[11] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest.

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)[12] 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–NYSETEX–2025–02 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–NYSETEX–2025–02. 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–NYSETEX–2025–02 and should be submitted on or before May 9, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–06663 Filed 4–17–25; 8:45 am]

BILLING CODE 8011–01–P

[8] 15 U.S.C. 78s(b)(3)(A)(iii).

[9] 17 CFR 240.19b–4(f)(6).

[10] 17 CFR 240.19b–4(f)(6).

[11] 17 CFR 240.19b–4(f)(6)(iii).

[12] 15 U.S.C. 78s(b)(2)(B).

[13] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102857; File No. SR–CboeBZX–2025–033]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To Amend the Rules Governing the Listing and Trading of Shares of the WisdomTree Bitcoin Fund To Permit In-Kind Creations and Redemptions

April 14, 2025.

On February 20, 2025, Cboe BZX Exchange, Inc. (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend the rules governing the listing and trading of shares of the WisdomTree Bitcoin Fund to permit in-kind creations and redemptions. The proposed rule change was published for

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

comment in the **Federal Register** on March 5, 2025.[3]

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is April 19, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates June 3, 2025, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–CboeBZX–2025–033).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–06662 Filed 4–17–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102855; File No. SR–NYSEArca–2025–13]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To Amend the Grayscale Ethereum Trust ETF and Grayscale Ethereum Mini Trust ETF To Permit Staking of the Ether Held by the Trusts

April 14, 2025.

On February 14, 2025, NYSE Arca, Inc. (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend the rules governing the listing and trading of shares of the Grayscale Ethereum Trust ETF and Grayscale Ethereum Mini Trust ETF to permit staking. The proposed rule change was published for comment in the **Federal Register** on March 3, 2025.[3]

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is April 17, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates June 1, 2025, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–NYSEArca–2025–13).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–06660 Filed 4–17–25; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102485 (Feb. 25, 2025), 90 FR 11081. The Commission has received no comments on the proposed rule change.

[4] 15 U.S.C. 78s(b)(2).

[5] 15 U.S.C. 78s(b)(2).

[6] 17 CFR 200.30–3(a)(31).

[3] *See* Securities Exchange Act Release No. 102499 (Feb. 27, 2025), 90 FR 11340. The Commission has received no comments on the proposed rule change.

[4] 15 U.S.C. 78s(b)(2).

[5] 15 U.S.C. 78s(b)(2).

[6] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0561]

Proposed Collection; Comment Request; Extension: Rule 12d3–1

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (the ''Commission'') is soliciting comments on the collections of information summarized below. The Commission plans to submit these existing collections of information to the Office of Management and Budget (''OMB'') for extension and approval.

Rule 12d3–1 (17 CFR 270.12d3–1) under the Investment Company Act of 1940 (15 U.S.C. 80a–1 *et seq.*) (''Investment Company Act'') permits a fund to invest up to five percent of its assets in securities of an issuer deriving more than fifteen percent of its gross revenues from securities-related businesses (subject to certain limitations), notwithstanding the general prohibition in Section 12(d)(3) of the Investment Company Act of a registered investment company (''fund'') and companies controlled by the fund purchasing securities issued by a registered investment adviser, broker, dealer, or underwriter (''securities-related businesses'').

A fund may, however, rely on an exemption in rule 12d3–1 to acquire securities issued by its subadvisers in circumstances in which the subadviser would have little ability to take advantage of the fund, because it is not in a position to direct the fund's securities purchases. This exemption in rule 12d3–1 is available if: (i) the subadviser is not, and is not an affiliated person of, an investment adviser that provides advice with respect to the portion of the fund that is acquiring the securities; and (ii) the advisory contracts of the subadviser, and any subadviser that is advising the purchasing portion of the fund, prohibit them from consulting with each other concerning securities transactions of the fund, and limit their responsibility in providing advice to providing advice with respect to discrete portions of the fund's portfolio.[1]

Rule 12d3–1 requires funds to amend their subadvisory contracts before they

[1] *See* 17 CFR 270.270.12d3–1(c)(3).

can rely on rule 12d3–1's exemption to ensure that the subadviser that engages in the transaction does not influence the fund's investment decision to engage in the transaction.

Based on an analysis of fund filings, Commission staff estimates that approximately 49 funds enter into such new subadvisory agreements each year, and that it will require approximately 3 attorney hours to draft and execute additional clauses in new subadvisory contracts in order for funds and subadvisers to be able to rely on the exemptions in rule 12d3–1. Because these additional clauses are identical to the clauses that a fund would need to insert in their subadvisory contracts to rely on rules 10f–3 (17 CFR 270.10f–3), 17a–10 (17 CFR 270.17a–10), and 17e–1 (17 CFR 270.17e–1), and because we believe that funds that use one such rule generally use all of these rules, we apportion this 3 hour time burden equally to all four rules. Therefore, we estimate that the burden allocated to rule 12d3–1 for this contract change would be 0.75 hours. Assuming that all 49 funds that enter into new subadvisory contracts each year make the modification to their contract required by the rule, we estimate that the rule's contract modification requirement will result in 37 burden hours annually.

Complying with this collection of information requirement is necessary to rely on rule 12d3–1. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Written comments are invited on: (a) whether this collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden imposed by the collection of information; (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 respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication by June 17, 2025.

Please direct your written comment to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg, 100 F Street NE, Washington, DC 20549 or send an email to: *PaperworkReductionAct@sec.gov.*

Dated: April 15, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–06747 Filed 4–17–25; 8:45 am]

BILLING CODE 8011–01–P

SOCIAL SECURITY ADMINISTRATION

[Docket No: SSA–2025–0014]

Agency Information Collection Activities: New Emergency 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 new, emergency information collection.

SSA is asking OMB for approval of this information collection nine days after the date of publication of this **Federal Register** Notice, independent of public comment, due to its emergency nature. However, we still welcome comment 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 collection techniques or other forms of information technology. We will consider any comments when we ultimately extend this information collection beyond the standard six-month emergency approval. 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–2025–0014] in your submitted response.

SSA is submitting the information collection below to OMB for clearance. If you wish to submit comments, we recommend you do so no later than May 9, 2025. However, please be aware that due to the emergency nature of this collection, SSA will be seeking OMB clearance in advance of this date. Individuals may obtain copies of this OMB clearance package by writing to *OR.Reports.Clearance@ssa.gov.*

mySocial Security—Security Authentication PIN—20 CFR 401.45—0960–NEW.

To mitigate fraud concerns, in April 2025, SSA will increase the level of identity proofing needed for customers to make payment method changes during phone interactions. While necessary to protect the public and the integrity of SSA's programs, this limits the accessibility of the phone as a service channel for claims filed over the phone that will require identity proofing, such as post-entitlement/post-eligibility direct deposit changes, and certain claims which SSA flags as anomalous. To bridge this gap, SSA developed a hybrid identity proofing process called the Security Authentication PIN (SAP) that will provide identity-proofing parity with our online modality, as well as in-person verification. Utilizing the SAP process will provide the necessary identity verification to allow payment method changes to these flagged claims and existing records via phone or in person, while ensuring fraud protection through verification of the identity of the individual prior to accessing or revising their account.

Background

Our current telephone process requires respondents to use knowledge-based questions to verify their identity matching SSA's records. Depending upon the situation, the requested information or action, and the judgement of potential misrepresentation of the caller, the SSA technician may ask additional approved questions to verify the customer's identity. While this process is sufficient fraud protection and authentication under current NIST specifications for access to non-sensitive information, it still poses a fraud risk for respondents who wish to complete tasks for which our automated telephone system, or internet platforms would request higher levels of identity proofing and authentication.

Description of New Emergency Information Collection Tool for the Security Authentication PIN (SAP)

SSA is implementing the new hybrid Security Authentication PIN (SAP) to digitally verify the identity of a telephone or in person customer when requesting changes to their account or record. This supports the agency's changes to its identity proofing policy for new initial claims taken over the

phone or filed online and flagged as anomalous and for post-entitlement/post-eligibility actions for direct deposit enrollments, updates or cancellations.

To ease the burden on customers, SSA created a vanity URL that will navigate customers directly to the Security Settings page within their online mySocial Security account, allowing them to quickly and easily generate the SAP after accessing their account. This feature will reduce the burden on the customer to navigate within their online account to the Security Settings pages where they may generate the SAP. The code generates immediately once the customer selects the ''Generate PIN'' button.

For respondents who call for new initial claims taken over the phone or filed online and flagged as anomalous, as well as for post-entitlement/post-eligibility actions, or for direct deposit enrollments, updates or cancellations, the technician will first require the respondent to provide his or her Social Security Number (SSN). The technician will then look up the SSN to see if the caller has an associated mySocial Security account. If the technician finds an associated account in the system for that SSN, the technician will provide a direct vanity link to the caller which will require the caller to log into their mySocial Security account to generate a SAP through the provided link. The technician will then ask the respondent to verbally recount the SAP. If the SAP matches in the system, the technician will then continue with the call and help the respondent with completing the claim, updating bank information, or changing other pertinent payment method requests. If, however, the technician does not find an associated mySocial Security account in the system, the technician will instruct the customer to create an account and call back once they have completed that task. Once the caller has a mySocial Security account, they will be able to generate the SAP and continue with the call.

Need for Information Collection; Collection Methodology; How Information Will Be Used

To allow for continued security for respondent's personal information, and to ensure SSA is able to accurately verify the callers' identities prior to accessing any SSA number holders' sensitive information, we are implementing this hybrid SAP process for telephone access to the direct deposit services. In this way, we continue to offer maximum flexibility and options to the public while ensuring the security of the public's social security number and benefits payments. We expect this new identity proofing will be a powerful fraud prevention tool.

Alternatives to Completing the Information Collection

Members of the public who are unable or unwilling to utilize the SAP process will still have the option of visiting their local field office to verify their identity in person.

Need for Emergency Paperwork Reduction Act Approval

To allow for continued security for respondent's personal information, and to ensure SSA is able to accurately verify the callers' identities prior to accessing any SSA number holders' sensitive information, we are implementing this hybrid SAP process for telephone access to the direct deposit services. In this way, we continue to offer maximum flexibility and options to the public while ensuring the security of the public's social security number and benefits payments. We expect this new identity proofing will be a powerful fraud prevention tool. The respondents are individuals who wish to do business with SSA over the telephone or in person for the purposes of post-entitlement/post-eligibility actions for direct deposit enrollments, updates or cancellations, or to discuss flagged initial claims for all Title II non-disability benefits (Retirement, Survivors, Auxiliary Spouses, Lump Sum Death Payments (LSDP), and Children benefits applications).

Type of Request: New (emergency) 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 combined wait time for teleservice center or field office (minutes) **	Total annual opportunity cost (dollars) ***
Member of public requesting assistance via SAP Process	3,874,000	1	+ 8	516,533	* $32.66	22	*** $63,262,420

+ **Note:** This figure does not include the knowledge-based questions; however, we will use this figure in place of the knowledge-based question figure currently listed under OMB No. 0960–0789 for telephone respondents.

* We based this figure on the average U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data (Occupational Employment and Wage Statistics).

** We based this figure on the average FY 2025 combined wait times for teleservice centers and 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 online tool; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the tool.

There is no actual charge to respondents to complete the online tool.

Dated: April 16, 2025.

Tasha Harley,

Acting Reports Clearance Officer, Social Security Administration.

[FR Doc. 2025–06773 Filed 4–16–25; 11:15 am]

BILLING CODE 4191–02–P

DEPARTMENT OF STATE

[Public Notice: 12699]

Notice of Public Meeting: International Information and Communications Policy Division Stakeholder Briefing

ACTION: Notice of public meeting.

SUMMARY: The State Department will hold a public meeting at 1 p.m.–2:30 p.m. (ET) on WebEx with the Bureau of Cyberspace and Digital Policy's International Information and Communications Policy (CDP/ICP) division. The purpose of the meeting is to brief stakeholders on CDP/ICP's past and upcoming international engagements. These include engagement at the International Telecommunication Union (ITU), the Organization for Economic Cooperation and Development (OECD), the Asia Pacific Economic Cooperation (APEC) Forum Telecommunications and Information Working Group, the Group of Seven (G7) Industry, Digital & Technology Working Group, the Group of Twenty

(G20) Digital Economy Working Group, other multilateral and bilateral processes and dialogues on international standards development for emerging technologies, as well as digital policy and information and communications technology policy issues.

DATES: The meeting will be on Wednesday, May 14, 2025.

FOR FURTHER INFORMATION CONTACT: Please contact Ryan Berger, Foreign Affairs Officer, CDP/ICP, at *BergerRM@state.gov* or 771–204–0169.

SUPPLEMENTARY INFORMATION: Additional information about the Bureau of Cyberspace and Digital Policy is accessible at *https://www.state.gov/bureaus-offices/deputy-secretary-of-state/bureau-of-cyberspace-and-digital-policy/.*

We encourage anyone wanting to attend this virtual meeting to register using the following link by 5 p.m. on Monday, May 12: *https://statedept.webex.com/weblink/register/rcf38440e5075aa2e2c6c1279a653387a.* Requests for reasonable accommodation made after May 7 will be considered but might not be able to be accommodated. The public may have an opportunity to provide comments at this meeting.

Agenda

Wednesday, May 14, 2025, at 1 p.m. (ET)

Opening Remarks
Briefings on CDP/ICP's past and upcoming activities
Public Comment
Adjournment

Stephan A. Lang,

U.S. Coordinator and Deputy Assistant Secretary, International Information and Communications Policy, Bureau of Cyberspace and Digital Policy, Department of State.

[FR Doc. 2025–06668 Filed 4–17–25; 8:45 am]

BILLING CODE 4710–10–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36829]

San Joaquin Valley Railroad Co.—Lease and Operation Exemption Including Interchange Commitment—Union Pacific Railroad Company

San Joaquin Valley Railroad Co. (SJVR), a Class III railroad, filed a verified notice of exemption under 49 CFR 1150.41 to continue to lease from Union Pacific Railroad Company (UPRR) and operate 101.5 miles of rail lines, specifically: (1) the Westside Branch (Lower Los Banos) from Oxalis, Cal., milepost 159.9 to milepost 181.9, at or near Ingle, Cal.; (2) the Westside Branch (Lower Los Banos) from Ingle, milepost 181.9 to Fresno, Cal., at milepost 207.0 and including the Riverdale Branch from Ingle, milepost 181.8 to the end of the track at or near milepost 206.2 at Burrell, Cal.; (3) the Buttonwillow Branch from Kern Jct., Cal., milepost 316.3 to Gosford, Cal., milepost 322.6; and (4) the Buttonwillow Branch from Gosford, milepost 322.6 to the end of the track at or near Buttonwillow, Cal., milepost 346.3 (the Lines).

According to SJVR, it has entered into a lease amendment (Lease Amendment) with UPRR to replace a renewed lease entered into between SJVR and UPRR in 2020 (the Replacement Lease). *See San Joaquin Valley R.R.—Lease & Operation Exemption Including Interchange Commitment—Union Pac. R.R.,* FD 36466 (STB served Jan. 22, 2021). The Replacement Lease superseded a 1994 lease (the Original Lease) between UPRR's predecessor company, Southern Pacific Transportation Company, and SJVR, as an assignee of Port Railroads, Inc. (Port Railroads).[1] SJVR states that it is currently the operator of the Lines under the Replacement Lease and that, prior to entering into the Replacement Lease, SJVR operated the Lines under the Original Lease as assignee of Port Railroads. SJVR states that it entered into the Lease Amendment with UPRR on January 9, 2025, to further extend the term of the Replacement Lease and allow SJVR to continue operating the Lines for an additional five years.

SJVR certifies that the Lease Amendment contains an interchange commitment.[2] Accordingly, SJVR has provided additional information regarding the interchange commitment, as required by 49 CFR1150.43(h).

SJVR certifies that its projected revenues as a result of the transaction will not exceed those that would qualify it as a Class III carrier and that its revenues currently exceed $5 million. Pursuant to 49 CFR 1150.42(e), if a carrier's projected annual revenues will exceed $5 million, it must, at least 60 days before the exemption becomes effective, post a notice of its intent to undertake the proposed transaction at the workplace of the employees on the affected lines, serve a copy of the notice on the national offices of the labor unions with employees on the affected lines, and certify to the Board that it has done so. However, SJVR's verified notice includes a request for waiver of the 60-day advance labor notice requirements. SJVR's waiver request will be addressed in a separate decision. The Board will establish the effective date of the exemption in its separate decision on the waiver request.

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than April 25, 2025.

All pleadings, referring to Docket No. FD 36829, must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street, SW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on SJVR's representative, Justin J. Marks, Clark Hill PLC, 1001 Pennsylvania Ave. NW, Suite 1300 South, Washington, DC 20004.

According to SJVR, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at *www.stb.gov.*

Decided: April 14, 2025.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Kenyatta Clay,

Clearance Clerk.

[FR Doc. 2025–06629 Filed 4–17–25; 8:45 am]

BILLING CODE 4915–01–P

[1] *See Port R.Rs.—Lease & Operation Exemption—S. Pac. Transp. Co.,* FD 32457 (ICC served Mar. 14, 1994) (authorizing lease of approximately 107.438 miles of line); *San Joaquin Valley R.R.—Corp. Family Transaction Exemption—Port R.Rs.,* FD 32906 (STB served May 3, 1996). According to the verified notice, the milepost designations differ slightly from the Original Lease, reflecting updated mileposts on the Lines.

[2] A copy of the Lease Amendment with the interchange commitment was submitted under seal. *See* 49 CFR 1150.43(h)(1).

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No.: FAA–2013–0506; Summary Notice No. 2025–23]

Petition for Exemption; Summary of Petition Received; Delaware Aviation Museum

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of Federal

Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, the FAA's exemption process. Neither publication of this notice nor the inclusion nor omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number and must be received on or before May 8, 2025.

ADDRESSES: Send comments identified by docket number FAA–2013–0506 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://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, 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 20590–0001, 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: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *http://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *http://www.dot.gov/privacy.*

Docket: Background documents or comments received may be read at *http://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 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Kara White, 202–267–3793 Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC.

Dan Ngo,

Manager, Part 11 Petitions Branch, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA–2013–0506.

Petitioner: Delaware Aviation Museum.

Section(s) of 14 CFR Affected: §§ 61.55(h)(2) and 91.531(c).

Description of Relief Sought: Relief from 61.55(h)(2) and 91.531(c) to allow additional trainees to be carried on board certain warbird aircraft requiring a current and qualified second-in-command for the carriage of passengers even when the flight is operated for training purposes for the person who is serving as second in command to meet the requirements of 61.55(b).

[FR Doc. 2025–06692 Filed 4–17–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No.: FAA–2024–2616; Summary Notice No. -2025–24]

Petition for Exemption; Summary of Petition Received; ElectraFly

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of Federal Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, the FAA's exemption process. Neither publication of this notice nor the inclusion nor omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number and must be received on or before May 8, 2025.

ADDRESSES: Send comments identified by docket number FAA–2024–2616 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://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, 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 20590–0001, 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: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *http://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *http://www.dot.gov/privacy.*

Docket: Background documents or comments received may be read at *http://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 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Liam Andrews, (202) 267–8181, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC.

Dan Ngo,

Manager, Part 11 Petitions Branch, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA–2024–2616.

Petitioner: ElectraFly.

Section(s) of 14 CFR Affected: §§ 61.3(a)(1)(i), 61.3(c)(1), 61.23(a)(2), 91.7(a), 91.121, 91.151(b), 91.209(a)(1), 91.403(b), 91.405(a), 91.407(a)(1), 91.409(a)(1), 91.409(a)(2), 91.417(a), and 91.417(b).

Description of Relief Sought: ElectraFly requests relief to conduct unmanned aircraft systems (UAS) operations for avalanche mitigation in remote, mountainous regions. ElectraFly proposes to use UAS equipped with precision explosives delivery systems to enable controlled and efficient avalanche triggering without exposing personnel to hazardous environments.

[FR Doc. 2025–06697 Filed 4–17–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No.: FAA–2002–11939; Summary Notice No. 2025–22]

Petition for Exemption; Summary of Petition Received; Civil Air Patrol

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of Federal Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, the FAA's exemption process. Neither publication of this notice nor the inclusion nor omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number and must be received on or before May 8, 2025.

ADDRESSES: Send comments identified by docket number FAA–2002–11939 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://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, 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 20590–0001, 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: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *http://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *http://www.dot.gov/privacy.*

Docket: Background documents or comments received may be read at *http://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 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Kara White, 202–267–3793, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC.

Dan Ngo,

Manager, Part 11 Petitions Branch, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA–2002–11939.
Petitioner: Civil Air Patrol.
Section(s) of 14 CFR Affected: § 119.1.
Description of Relief Sought: Civil Air Patrol (CAP) is requesting relief to operate in a third class of missions—C missions under CAP 72–2 to serve communities, states, and the nation. Additionally, relief would allow for CAP to accept tasking directly from a government and non-profit organization as a C mission. CAP C missions consist of missions directed and funded by the CAP and may support functions such as mission pilot evaluations, support to state, county and local agencies, and flight academies for cadets.

[FR Doc. 2025–06691 Filed 4–17–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2021–0052]

Hours of Service (HOS) of Drivers; American Pyrotechnics Association (APA)

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of application for exemptions; request for comments.

SUMMARY: FMCSA requests public comment on the APA's application for exemptions from certain hours-of-service (HOS) regulations. Previous similar exemptions expired on July 8, 2024. The exemptions would allow drivers to exclude off-duty and sleeper berth time of any length from the calculation of the 14-hour limit and to use paper records of duty status (RODS) in lieu of an electronic logging device (ELD) during the designated period of June 28 through July 8 (Independence Day period). The requests are for the transportation of pyrotechnics during the Independence Day period of every year from 2025 through 2029.

DATES: Comments must be received on or before May 19, 2025.

ADDRESSES: You may submit comments identified by Docket Number FMCSA–2021–0052 by any of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov.* See the Public Participation and Request for Comments section below for further information.
- *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* 1200 New Jersey SE, West Building, Ground Floor, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. Each submission must include the Agency name and the docket number (FMCSA–2021–0052) for this notice. Note that DOT posts all comments received without change to *www.regulations.gov,* including any personal information included in a comment. Please see the Privacy Act heading below.

Docket: To view any documents mentioned as being available in the docket, go to *https://www.regulations.gov/docket/FMCSA-2021-0052* document and choose the document to review. To view comments, click this notice, then click ''Browse Comments.'' If you do not have access to the internet, you may view the docket online by visiting Dockets Operations on the ground floor of the West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m. Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

Privacy Act: In accordance with 49 U.S.C. 31315(b), DOT solicits comments from the public to better inform its exemption process. DOT posts these comments, 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 under the ''Department Wide System of Records Notices'' link at *https://www.transportation.gov/individuals/privacy/privacy-act-system-records-*

notices. The comments are posted without edit and are searchable by the name of the submitter.

FOR FURTHER INFORMATION CONTACT: Ms. Pearlie Robinson, Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards, FMCSA; 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–4225; *pearlie.robinson@dot.gov.* If you have questions on viewing or submitting material to the docket, contact Dockets Operations at (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation and Request for Comments

FMCSA encourages you to participate by submitting comments and related materials.

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2021–0052), indicate the specific section of this document to which the comment applies, and provide a reason for suggestions or recommendations. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so the Agency can contact you if it has questions regarding your submission.

To submit your comment online, go to *https://www.regulations.gov/docket/FMCSA-2021-0052/document,* click on this notice, click ''Comment,'' and type your comment into the text box on the following screen.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing.

FMCSA will consider all comments and material received during the comment period. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable.

B. Confidential Business Information (CBI)

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to the notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to the notice, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission that constitutes CBI as ''PROPIN'' to indicate it contains proprietary information. FMCSA will treat such marked submissions as confidential under the Freedom of Information Act, and they will not be placed in the public docket of the notice. Submissions containing CBI should be sent to Brian Dahlin, Chief, Regulatory Evaluation Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; *brian.g.dahlin@dot.gov.* At this time, you need not send a duplicate hardcopy of your electronic CBI submissions to FMCSA headquarters. Any comments FMCSA receives not specifically designated as CBI will be placed in the public docket for this notice.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from Federal Motor Carrier Safety Regulations (FMCSRs). FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved absent such exemption pursuant to the standard set forth in 49 U.S.C 31315(b)(1). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)).

III. Applicant's Request

APA requests renewal of its HOS exemptions from the 14-hour rule in 49 CFR 395.3(a)(2) and the ELD rule in 49 CFR 395.8(a)(1)(i) for 42 companies that previously held exemptions issued on December 28, 2022 [87 FR 79935] or waivers issued on June 24, 2024, that expired on July 8, 2024. In addition, APA requests that two companies that previously did not hold exemptions be included in the request. The companies being considered for the HOS exemptions are listed under Exhibits A and B in the docket for this notice.

The exemptions would allow drivers to exclude off-duty and sleeper berth time of any length from the calculation of the 14-hour limit and to use paper records of duty status in lieu of an electronic logging device (ELD) during the designated Independence Day periods. APA asserts that compliance with the 14-hour rule is extraordinarily challenging for members of the fireworks industry during the Independence Day period. Most fireworks display shows are transported by pyrotechnicians with hazardous material safety permits in small rented or leased commercial motor vehicles which do not have sleeper berths. The pyrotechnician drives the display equipment and fireworks to the site, supervises the crew in setting up the display, waits for the display time, fires the display, and returns the equipment and remaining fireworks to a licensed storage facility.

To meet the demand for fireworks without the exemptions, APA states that its members would need to hire a second driver for most trips, which would substantially increase the cost of the fireworks shows. APA states that its members have demonstrated over two decades that the exemption will achieve an equivalent level of safety. APA also reports that its members have agreed to provide additional training to their drivers operating under the exemption on the importance of proper rest periods during the workday. APA notes that actual driving time is a small portion of the maximum 11 hours of driving time allowed under 49 CFR 395.3(a)(3). APA states that the exemption allows its members to ensure that their drivers are qualified pyrotechnicians who have extensive training and experience to manage the fireworks safely.

APA member companies have held waivers or exemptions during Independence Day periods each year since 2005. Copies of the initial request for exemptions, subsequent renewal requests, and all public comments received may be reviewed at *www.regulations.gov* under docket numbers FMCSA–2005–21104, FMCSA–2007–28043, FMCSA–2018–0140, and FMCSA–2021–0052.

A copy of the APA's application for exemptions and attachments are available for review in the docket for this notice.

IV. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on APA's application for exemptions from 49 CFR 395.3(a)(2) and 395.8(a)(1)(i). All comments received before the close of business on the comment closing date indicated at the beginning of this notice will be considered and will be available for examination in the docket at the location listed under the Addresses section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

Larry W. Minor,

Associate Administrator for Policy.

Appendix to Notice of Applications for Renewal of APA Exemptions From the 14-Hour and ELD HOS Rules for Independence Day Periods June 28, Through July 8, During 2025 Through 2029, for 44 Motor Carriers

	Motor carrier	Street address	City, state, zip code	DOT No.
1	American Fireworks Display, LLC	105 County Route 7	McDonough, NY 13801	2115608
2	AM Pyrotechnics, LLC	2429 East 535th Rd	Buffalo, MO 65622	1034961
3	Arthur Rozzi Pyrotechnics	6607 Red Hawk Ct	Maineville, OH 45039	2008107
4	Artisan Pyrotechnics, Inc	82 Grace Road	Wiggins, MS 39577	1898096
5	Celebration Fireworks, Inc	7911 7th Street	Slatington, PA 18080	1527687
6	CP Transport, LLC	6377 Hwy. 62 NE	Lanesville, IN 47136	3076205
7	Extreme Logistics, LLC	26926 Hardy Run	Boerne, TX 78015	1971328
8	Falcon Fireworks	3411 Courthouse Road	Guyton, GA 31312	1037954
9	Fireworks & Stage FX America	12650 Hwy 67S. Suite B	Lakeside, CA 92040	908304
10	Fireworks by Grucci, Inc	20 Pinehurst Drive	Bellport, NY 11713	324490
11	Aluminum King Mfg., Ltd. dba Flashing Thunder Fireworks.	700 E Van Buren Street	Mitchell, IA 50461	420413
12	Great Lakes Fireworks	24805 Marine	Eastpointe, MI 48021	1011216
13	Hamburg Fireworks Display, Inc	2240 Horns Mill SE	Lancaster, OH	395079
14	*Hawaii Explosives & Pyrotechnics, Inc.	P.O. Box 1244	Keaau, HI 96749	1375918
15	Herbie's Famous Fireworks	1406 Cherokee Falls Rd	Blacksburg, SC 29702	0112743
16	J&J Computing dba Fireworks Extravaganza.	174 Route 17 North	Rochelle Park, NJ 07662	2064141
17	J&M Displays, Inc	18064 170th Ave	Yarmouth, IA 52660	377461
18	*JPI Pyrotechnics LLC	10 Bartlett St	Allenstown, NH 03275	2783896
19	Johnny Rockets Fireworks Display Company.	3240 Love Rock	Steger, IL 60475	1263181
20	Las Vegas Display Fireworks, Inc	4325 West Reno Ave	Las Vegas, NV 89118	3060878
21	Legion Fireworks Co., Inc	10 Legion Lane	Wappingers Falls, NY 12590	554391
22	Magic in the Sky, LLC	27002 Campbellton Road	San Antonio, TX 78264	2134163
23	Miand Inc. dba Planet Productions (Mad Bomber).	PO Box 294, 3999 Hupp Road R31	Kingsbury, IN 46345	777176
24	Pyro Productions Inc	2083 Helms Road	Rehobeth, AL 36301	3723192
25	Pyro Shows, East Coast	4652 Catawba River Road	Catawba, SC 29704	3709087
26	Pyro Shows of Alabama, Inc	3325 Poplar Lane	Adamsville, AL 35005	2859710
27	Pyro Shows of Texas, Inc	6601 9 Mile Azle Rd	Fort Worth, TX 76135	2432196
28	Pyro Spectaculars, Inc.	3196 N Locust Ave	Rialto, CA 92376	029329
29	Pyro Spectaculars North, Inc	5301 Lang Avenue	McClellan, CA 95652	1671438
30	Pyrotecnico Fireworks Inc	299 Wilson Rd	New Castle, PA 16105	526749
31	Rainbow Fireworks, Inc	76 Plum Ave	Inman, KS 67546	1139643
32	RES Specialty Pyrotechnics dba RES Pyro.	21595 286th St	Belle Plaine, MN 56011	523981
33	RKM Fireworks Company	27383 May St	Edwardsburg, MI 49112	1273436
34	Rozzi's Famous Fireworks, Inc	118 Karl Brown Way	Loveland, OH 45140	0483686
35	Santore's World Famous Fireworks, LLC.	846 Stillwater Bridge Road	Schaghticoke, NY 12154	2574135
36	Southern Sky Fireworks, LLC	6181 Denham Rd	Sycamore, GA 31790–2603	3168056
37	Spielbauer Fireworks Co, Inc	1976 Lane Road	Green Bay, WI 54311	046479
38	Special FX Wizard, Inc	Box 266	Mastick Beach, NY 11951	3442905
39	Starfire Corporation	682 Cole Road	Carrolltown, PA 15722	554645
40	Vermont Fireworks Co., dba Northstar Fireworks Co., Inc.	2235 Vermont Route 14 South	East Montpelier, VT 05651	310632
41	Western Display Fireworks, Ltd	10946 S. New Era Rd	Canby, OR 97013	498941
42	Wolverine Fireworks Display, Inc	205 W Seidlers	Kawkawlin, MI	376857
43	Young Explosives Corp	2165 New Michigan Rd	Canandaigua, NY 14618	450304
44	Zambelli Fireworks MFG, Co., Inc	120 Marshall Drive	Warrendale, PA 15086	033167

[FR Doc. 2025–06685 Filed 4–17–25; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Comment Request; Market Risk

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning the renewal of its information collection titled, ''Market Risk.''

DATES: Comments must be received by June 17, 2025.

ADDRESSES: Commenters are encouraged to submit comments by email, if possible. You may submit comments by any of the following methods:

- *Email: prainfo@occ.treas.gov.*
- *Mail:* Chief Counsel's Office, Attention: Comment Processing, Office of the Comptroller of the Currency, Attention: 1557–0247, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Fax:* (571) 293–4835.

Instructions: You must include ''OCC'' as the agency name and ''1557–0247'' in your comment. In general, the OCC will publish comments on *www.reginfo.gov* without change, including any business or personal information provided, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Following the close of this notice's 60-day comment period, the OCC will publish a second notice with a 30-day comment period. You may review comments and other related materials that pertain to this information collection beginning on the date of publication of the second notice for this collection by the method set forth in the next bullet.

- *Viewing Comments Electronically:* Go to *www.reginfo.gov.* Hover over the ''Information Collection Review'' tab and click on ''Information Collection Review'' from the drop-down menu. From the ''Currently under Review'' drop-down menu, select ''Department of Treasury'' and then click ''submit.'' This information collection can be located by searching OMB control number ''1557–0247'' or ''Market Risk.'' Upon finding the appropriate information collection, click on the related ''ICR Reference Number.'' On the next screen, select ''View Supporting Statement and Other Documents'' and then click on the link to any comment listed at the bottom of the screen.
- For assistance in navigating *www.reginfo.gov,* please contact the Regulatory Information Service Center at (202) 482–7340.

FOR FURTHER INFORMATION CONTACT: Shaquita Merritt, Clearance Officer, (202) 649–5490, Chief Counsel's Office, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of title 44 generally requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the OCC is publishing notice of the renewal of this collection.

Title: Market Risk.

OMB Control No.: 1557–0247.

Type of Review: Regular.

Affected Public: Individuals; Businesses or other for-profit.

Description: The OCC's market risk capital rule (12 CFR part 3, subpart F) applies to national banks and Federal savings associations with significant exposure to market risk, which include those national banks and Federal savings associations with aggregate trading assets and trading liabilities (as reported in the national bank's or Federal savings association's most recent Call Report) equal to 10 percent or more of quarter-end total assets or $1 billion or more. The rule captures positions for which the market risk capital rule is appropriate; reduces procyclicality in market risk capital requirements; enhances the risk sensitivity of the OCC's capital requirements by measuring risks that are not adequately captured under the requirements for credit risk; and increases transparency through enhanced disclosures.

The information collection requirements are located at 12 CFR 3.203 through 3.212. The rule enhances risk sensitivity and includes requirements for the public disclosure of certain qualitative and quantitative information about the market risk of national banks and Federal savings associations. The collection of information is necessary to ensure capital adequacy appropriate for the level of market risk.

Section 3.203 sets forth the requirements for applying the market risk framework. Section 3.203(a)(1) requires national banks and Federal savings associations to have clearly defined policies and procedures for determining which trading assets and trading liabilities are trading positions and specifies the factors a national bank or Federal savings association must consider in drafting those policies and procedures. Section 3.203(a)(2) requires national banks and Federal savings associations to have clearly defined trading and hedging strategies for trading positions that are approved by senior management and specifies what those strategies must articulate. Section 3.203(b)(1) requires national banks and Federal savings associations to have clearly defined policies and procedures for actively managing all covered positions and specifies the minimum requirements for those policies and procedures. Section 3.203(c)(1) requires national banks and Federal savings associations to obtain prior written approval of the OCC before using any internal model to calculate their risk-based capital requirements under the rule. Sections 3.203(c)(4) through 3.203(c)(10) require the review, at least annually, of internal models and specify certain requirements for those models. Section 3.203(d)(4) requires the internal audit group of a national bank or Federal savings association to report, at least annually, to the board of directors

on the effectiveness of controls supporting the market risk measurement systems.

Section 3.204(b) requires national banks and Federal savings associations to conduct quarterly backtesting. Section 3.205(a)(5) requires institutions to demonstrate to the OCC the appropriateness of any proxies used to capture risks within value-at-risk models. Section 3.205(c) requires institutions to develop, retain, and make available to the OCC value-at-risk and profit and loss information on sub-portfolios for two years. Section 3.206(b)(3) requires national banks and Federal savings associations to have policies and procedures that describe how they determine the period of significant financial stress used to calculate the institution's stressed value-at-risk models and to obtain prior OCC approval for any material changes to these policies and procedures.

Section 3.207(b)(1) details requirements applicable to a national bank or Federal savings association when the national bank or Federal savings association uses internal models to measure the specific risk of certain covered positions. Section 3.208 requires national banks and Federal savings associations to obtain prior OCC approval for incremental risk modeling of portfolios of equity positions and describes the requirements for incremental risk modeling. Section 3.209 requires prior OCC approval for the use of a comprehensive risk measure and describes applicable requirements. Section 3.209(c)(2) requires national banks and Federal savings associations to retain and make available to the OCC the results of supervisory stress testing. Section 3.210(f) requires national banks and Federal savings associations to document an internal analysis of the risk characteristics of each securitization position in order to demonstrate to the satisfaction of the OCC an understanding of the position. Section 3.212 requires quarterly quantitative disclosures, annual qualitative disclosures, and a formal disclosure policy approved by the board of directors that addresses the approach for determining the market risk disclosures it makes.

Estimated Burden per Respondent: 1,964.

Estimated Frequency of Response: On occasion.

Estimated Number of Respondents: 17.

Estimated Total Annual Burden: 33,388 hours.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the burden of the collection of information;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Patrick T. Tierney,

Assistant Director, Office of the Comptroller of the Currency.

[FR Doc. 2025–06658 Filed 4–17–25; 8:45 am]

BILLING CODE 4810–33–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Collection Activities; Requesting Comments on Form 8717 and Form 8717–A

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning Form 8717, User Fee for Employee Plan Determination Letter Request, and Form 8717–A, User Fee for Employee Plan Opinion Letter Request.

DATES: Written comments should be received on or before June 17, 2025 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *omb.unit@irs.gov.* Include OMB Control Number 1545–1772 in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this collection should be directed to Jason Schoonmaker, (801) 620–2128, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at *jason.m.schoonmaker@irs.gov.*

SUPPLEMENTARY INFORMATION: The IRS is currently seeking comments concerning the following information collection tools, reporting, and record-keeping requirements:

Title: User Fee for Employee Plan Determination or Opinion Letter Request.

OMB Control Number: 1545–1772.

Form Number: Form 8717 and Form 8717–A.

Abstract: Internal Revenue Code section 7528 requires the payment of user fees for requests to the IRS for ruling letters, opinion letters, and determination letters. Forms 8717 and 8717–A are used by employee plan providers and sponsors to pay the appropriate fee or a supplemental fee if the payment was not submitted with the initial request.

Current Actions: There is no change to the existing collection; however, the total burden has been reduced due to better estimates.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations, and not-for-profit institutions.

Estimated Number of Responses: 1,200.

Estimated Time per Respondent: 2 hours, 38 minutes.

Estimated Total Annual Burden Hours: 3,150.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the

information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: April 14, 2025.

Jason M. Schoonmaker,

Tax Analyst.

[FR Doc. 2025–06687 Filed 4–17–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Proposed Collection; Comment Request; Multiple Community Development Financial Institutions (CDFI) Fund Information Collection Requests

AGENCY: Departmental Offices, Department of the Treasury.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other federal agencies to comment on the proposed information collections listed below, in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments should be received on or before May 19, 2025 to be assured of consideration.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

Copies of the submissions may be obtained from Melody Braswell by emailing *PRA@treasury.gov,* calling (202) 622–1035, or viewing the entire information collection request at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

1. Title: Capital Magnet Fund Application.

OMB Number: 1559–0036.

Type of Review: Reinstatement with change of a previously approved collection.

Abstract: The Capital Magnet Fund (CMF) was established through the Housing and Economic Recovery Act of 2008 (HERA) (Pub. L. 110–289), as a competitive Federal financial assistance program administered by the CDFI Fund. Through CMF, the CDFI Fund provides Federal financial assistance to Certified Community Development Financial Institutions (CDFIs) and qualified Nonprofit Organizations that have the development or management of Affordable Housing, as defined in 12 CFR 1807, as one of their principal purposes. Capitalized terms not defined in this Notice (other than titles) have the meaning set forth in the CMF Interim Rule (12 CFR 1807). CMF Awards must be used to attract private financing for and increase investment in: (i) the Development, Preservation, Rehabilitation, and Purchase of Affordable Housing for primarily Extremely Low-, Very Low-, and Low-Income Families; and (ii) Economic Development Activities which, in conjunction with Affordable Housing Activities, will implement a Concerted Strategy to stabilize or revitalize a Low-Income Area or an Underserved Rural Area.

CMF Award Recipients are selected through a competitive process involving a careful review of their Application for program funding. The Application requires the submission of quantitative data and narrative responses for three parts: (1) Business and Leveraging Strategy, (2) Community Impact, and (3) Organizational Capacity. The Award selection process is defined in the Notice of Funding Availability (NOFA) for each funding round.

Estimated Number of Respondents: 136.

Estimated Annual Time per Respondent: 120 hours.

Estimated Annual Burden Hours: 16,320 hours.

2. Title: Small Dollar Loan Program Application.

OMB Number: 1559–0051.

Abstract: The Small Dollar Loan Program (SDL Program) was authorized by Title XII—Improving Access to Mainstream Financial Institutions Act of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (Pub. L. 111–203), which amended the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4719). Through the SDL Program, the CDFI Fund provides Federal Financial Assistance in the form of grants for loan loss reserves and technical assistance to enable award recipients to establish and/or expand small dollar loan programs. Small dollar loan programs supported by the SDL Program are intended to address the issues of consumer access to mainstream financial institutions and provide alternatives to high-cost small dollar loans. The SDL Program is also intended to enable award recipients to help unbanked and underbanked populations build credit, access affordable capital, and allow greater access into the mainstream financial system.

Through the SDL Program, the CDFI Fund provides:

- *Grants for Loan Loss Reserves (LLR):* The awards will enable a Certified Community Development Financial Institution (CDFI) to establish a loan loss reserve fund to defray the costs of establishing or expanding a small dollar loan program.
- *Grants for Technical Assistance (TA):* The awards will support technology, staff support, and other eligible activities to enable a Certified CDFI to establish and maintain a small dollar loan program.

SDL Program Award Recipients are selected through a competitive process involving a careful review of all Applications for program funding. The Application requires the submission of numeric data and narrative responses in three parts: 1. Market Need; 2. Business Strategy and Impact; and 3. Organizational Capacity, including financial and compliance-related data. The Award selection process is defined in the Notice of Funds Availability (NOFA) for each funding round.

SDL Program Award Recipients enter into Assistance Agreements with the CDFI Fund that set forth required terms and conditions of the Award, including reporting and data collection requirements. The Assistance Agreement requires the submission of annual performance reports. The CDFI Fund reviews the information collected in the performance reports to ensure the Recipient's compliance with its Performance Goals and contractual obligations, as well as monitor the overall performance of the program.

This request for public comment relates to the SDL Program form under OMB control number 1559–0051, which includes the Application. Capitalized terms not defined in this Notice (other than titles) have the meaning set forth in the fiscal year (FY) 2024 SDL Program NOFA.

Type of Review: Revision of a currently approved collection.

Affected Public: Businesses or other for-profit institutions, non-profit entities, and State, local and Tribal

entities participating in CDFI Fund programs.

Estimated Number of Respondents: 92 (Application).

Estimated Annual Time per Respondent: 85 hours (Application).

Estimated Annual Burden Hours: 7,820 hours (Application).

Authority: 44 U.S.C. 3501 *et seq.*

Melody Braswell,

Treasury PRA Clearance Officer.

[FR Doc. 2025–06750 Filed 4–17–25; 8:45 am]

BILLING CODE 4810–70–P

DEPARTMENT OF THE TREASURY

2025 Terrorism Risk Insurance Program Data Call

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Data collection.

SUMMARY: Pursuant to the Terrorism Risk Insurance Act of 2002, as amended (TRIA), insurers that participate in the Terrorism Risk Insurance Program (TRIP or the Program) are directed to submit information for the 2025 TRIP Data Call, which covers the reporting period from January 1, 2024 to December 31, 2024. Participating insurers are required to register and report information in a series of forms approved by the Office of Management and Budget (OMB). All insurers writing commercial property and casualty insurance in lines subject to TRIP, subject to certain exceptions identified in this notice, must respond to this data call no later than May 15, 2025.

DATES: Participating insurers must register and submit data no later than May 15, 2025.

ADDRESSES: Participating insurers will register through a website that has been established for this data call. After registration, insurers will receive data collection forms through a secure file transfer portal, and they will submit the requested data through the same secure portal. Participating insurers can register for the 2025 TRIP Data Call at *https://tripsection111data.com.* Additional information about the data call, including sample data collection forms and instructions, can be found on the TRIP website at *https://home.treasury.gov/policy-issues/financial-markets-financial-institutions-and-fiscal-service/federal-insurance-office/terrorism-risk-insurance-program/annual-data-collection.*

FOR FURTHER INFORMATION CONTACT: Richard Ifft, Lead Management and Senior Insurance Policy Analyst, Terrorism Risk Insurance Program, Federal Insurance Office, Room 1410, Department of the Treasury, 1500 Pennsylvania Avenue NW, Washington, DC 20220, (202) 622–2922; or Mallory Marchant, Policy Advisor, Federal Insurance Office, at (202) 622–4793. Persons who have difficulty hearing or speaking may access these numbers via TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

SUPPLEMENTARY INFORMATION:

I. Background

TRIA [1] created the Program within the U.S. Department of the Treasury (Treasury) to address disruptions in the market for terrorism risk insurance, to help ensure the continued availability and affordability of commercial property and casualty insurance for terrorism risk, and to allow for the private market to stabilize and build insurance capacity to absorb any future losses for terrorism events. The Program has been reauthorized on a number of occasions, and was most recently extended until December 31, 2027.[2] TRIA requires the Secretary of the Treasury (Secretary) to collect certain insurance data and information from insurers on an annual basis regarding their participation in the Program.[3] TRIA also requires the Secretary to prepare a biennial study on the competitiveness of small insurers in the terrorism risk insurance marketplace (Small Insurer Study).[4] The next Small Insurer Study must be submitted to Congress by June 30, 2025. The Federal Insurance Office (FIO) is authorized to assist the Secretary in the administration of the Program,[5] including conducting the annual data call and preparing reports and studies required under TRIA.

FIO will be using the same data collection form for Small Insurers that was used during the 2024 TRIP Data Call. For Alien Surplus Lines Insurers, Captive Insurers, and Non-Small Insurers, FIO has eliminated a number of lines from the Geographic Exposures (US) Worksheet (which Small Insurers do not complete), which will reduce the burden for those insurers. FIO solicited public comment concerning these forms after their use during the 2024 TRIP Data Call, and before the reduction in certain reporting elements,[6] and received no substantive comments in response. The forms were then submitted for approval to the Office of Management and Budget (OMB), with the reduction in requested data elements on the Geographic Exposures (US) Worksheet, pursuant to the requirements of the Paperwork Reduction Act. Only one comment was received in connection with that notice, which addressed the TRIP Data Call but did not offer any comments concerning the substance of the forms.[7] The data collection forms have now been approved for use by OMB under Control Number 1505–0257 for a period ending April 30, 2028.[8]

II. Elements of 2025 TRIP Data Call

For purposes of the 2025 TRIP Data Call, FIO, state insurance regulators, and the National Association of Insurance Commissioners (NAIC) will again use the consolidated data call mechanism first developed for use in the 2018 TRIP Data Call. This approach relies on four joint reporting templates, to be completed by Small Insurers, Non-Small Insurers, Captive Insurers, and Alien Surplus Lines Insurers, each as defined below. The use of joint reporting templates is designed to satisfy the objectives of both Treasury and state insurance regulators, while also reducing the burden on participating insurers. State insurance regulators or the NAIC will provide separate

[1] Public Law 107–297, 116 Stat. 2322, codified at 15 U.S.C. 6701, note. Because the provisions of TRIA (as amended) appear in a note, instead of particular sections, of the United States Code, the provisions of TRIA are identified by the sections of the law.

[2] Terrorism Risk Insurance Program Reauthorization Act of 2019, Public Law 116–94, 133 Stat. 2534.

[3] TRIA, section 104(h)(1). Treasury regulations also address the annual data collection requirement. *See* 31 CFR 50.51, 50.54.

[4] TRIA, section 108(h).

[5] 31 U.S.C. 313(c)(1)(D).

[6] Agency Information Collection Activities, Proposed Collection, and Comment Request; Terrorism Risk Insurance Program-Data Collection Forms, 89 FR 93,405 (Nov. 26, 2024).

[7] The comment states that Treasury is not collecting sufficient data on captive insurers in its TRIP Data Calls because ''only a small number of captive insurance companies participating in the program respond to Treasury's compulsory data calls . . . .'' *See* Comment of Centers for Better Insurance (March 8, 2025), *https://www.reginfo.gov/public/do/PRAViewDocument?ref_nbr=202502-1505-004.* Treasury has addressed the number of reporting captive insurers in previous reports. *See, e.g.,* Federal Insurance Office, ''Report on the Effectiveness of the Terrorism Risk Insurance Program'' (2024), 66–72, *https://home.treasury.gov/system/files/311/2024 ProgramEffectivenessReport FINAL6.28.2024508.pdf* (2024 TRIP Report). Not all captive insurers are required to report in the TRIP Data Calls for a variety of reasons; large captive managers report that only about 15 percent of all captives they manage are required to report in the TRIP Data Calls. *See* 2024 TRIP Report at 66, n.170 (reflecting that only 240 of 1600 captives were required to report). That percentage is consistent with the number of captives that do regularly report to Treasury, and Treasury will continue to engage with state regulators and the captive insurance industry in this area .

[8] Office of Information and Regulatory Affairs, Office of Management & Budget, OMB Control No. 1505–0257, *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202502-1505-004.*

notification regarding the reporting of information into the state reporting portal, including any reporting requirements to state insurance regulators that are distinct from the Treasury requirements. Insurers subject to the consolidated data call that are part of a group will report on a group basis, while those that are not part of a group will report on an individual company basis.

A. Reporting of Workers' Compensation Information

The TRIP Data Call requests certain information relating to workers' compensation insurance. For the 2025 TRIP Data Call, Treasury will again work with the National Council on Compensation Insurance (NCCI), the California Workers' Compensation Insurance Rating Bureau (California WCIRB), and the New York Compensation Insurance Rating Board (NYCIRB) to provide workers' compensation data relating to premium and payroll information on behalf of participating insurers, either directly or through other workers' compensation rating bureaus. The data aggregator used by Treasury will provide such insurers with reporting templates that do not require them to report this workers' compensation data. Reporting insurers that write only workers' compensation policies are still required to register for the 2025 TRIP Data Call and provide general company information and data related to private reinsurance. The data received from NCCI, the California WCIRB, and the NYCIRB will be merged with the information provided by the insurers.

B. Reporting Templates

Treasury has not incorporated any material changes to the Small Insurer reporting templates used in the 2024 TRIP Data Call.[9] For Alien Surplus Lines Insurers, Captive Insurers, and Non-Small Insurers, FIO has eliminated a number of lines from the Geographic Exposures (US) Worksheet (which Small Insurers do not complete), which should reduce the burden for those insurers. The same reporting exceptions apply this year as applied in the 2024 TRIP Data Call, as specified further below in the discussions for each category of insurer.

Various worksheets used in the 2025 TRIP Data Call seek certain information relating to workers' compensation insurance. NCCI, the California WCIRB, and the NYCIRB will complete the workers' compensation elements of these worksheets on behalf of reporting insurers. Further information concerning the reporting templates for each category of insurer, and the individual worksheets contained within each, can be found in the instructions for the reporting templates for each category of insurer. The individual reporting templates and worksheets will also be addressed in the training webinars discussed below.

For the 2025 TRIP Data Call, an insurer will qualify as a Small Insurer if it had both a 2023 policyholder surplus of less than $1 billion and 2023 direct earned premiums in TRIP-eligible lines of insurance of less than $1 billion.[10] Of this group, Small Insurers with TRIP-eligible direct earned premiums of less than $10 million in 2024 will be exempt from the 2025 TRIP Data Call.[11] Neither Captive Insurers nor Alien Surplus Lines Insurers are eligible for this reporting exemption. Insurers defined as Small Insurers for the 2025 TRIP Data Call will report the same information to Treasury and to state insurance regulators (in each case on a group basis), except as state insurance regulators may separately direct for purposes of the state data call.

The Non-Small Insurer template will be completed by insurance groups (or individual insurers not affiliated with a group) that are not subject to reporting on the Captive Insurer or Alien Surplus Lines Insurer reporting templates, and had either a 2023 policyholder surplus of greater than $1 billion or 2023 direct earned premiums in TRIP-eligible lines of insurance equal to or greater than $1 billion. Insurers defined as Non-Small Insurers for the 2025 TRIP Data Call will report the same information to Treasury and to state insurance regulators (in each case on a group basis), except as state insurance regulators may separately direct for purposes of the state data call.

Captive Insurers are defined in 31 CFR 50.4(g) as insurers licensed under the captive insurance laws or regulations of any state. Captive Insurers that wrote policies in TRIP-eligible lines of insurance during the reporting period (January 1, 2024 to December 31, 2024) are required to register and submit data to Treasury, unless they did not provide their insureds with any terrorism risk insurance subject to the Program.

Alien Surplus Lines Insurers are defined in 31 CFR 50.4(o)(1)(i)(B) as insurers not licensed or admitted to engage in the business of providing primary or excess insurance in any state, but that are eligible surplus line insurers listed on the NAIC Quarterly Listing of Alien Insurers. Alien Surplus Lines Insurers that are part of a larger group classified as a Non-Small Insurer or a Small Insurer should report to Treasury as part of the group, using the appropriate template. Therefore, the Alien Surplus Lines Insurer template should be used only by an Alien Surplus Lines Insurer that is not part of a larger group subject to the 2025 TRIP Data Call.

C. Supplemental Reference Documents

Treasury will continue to make available on the TRIP data collection website[12] documents providing a complete ZIP Code listing for areas subject to reporting on the Geographic Exposures (Nationwide) Worksheet, as well as several hypothetical policy reporting scenarios.

D. Training Webinars

As in prior years, Treasury will hold four separate training sessions corresponding to the four reporting templates that will be used by insurers (Small Insurers, Non-Small Insurers, Captive Insurers, and Alien Surplus Lines Insurers). The webinars will be held on April 22 and April 23, 2025 to assist reporting insurers in responding to the 2025 TRIP Data Call, with each webinar focusing on a specific reporting template. Specific times and details concerning participation in the webinars will be made available on the TRIP data collection website, and recordings of each webinar will be made available on the website following each training session.

[9] The 2025 TRIP Data Call will include a new modeled loss scenario identified in the Reinsurance Worksheet that will be used in connection with the modeled loss questions (which have not changed from those posed in prior data collections). The modeled loss questions must be completed by Non-Small Insurers, Alien Surplus Lines Insurers, and Captive Insurers. As in prior years, Small Insurers will complete a separate Reinsurance Worksheet that does not contain modeled loss questions.

[10] Small Insurers are defined in 31 CFR 50.4(z) as insurers (or an affiliated group of insurers) whose policyholder surplus for the immediately preceding year is less than five times the Program Trigger for the current year, and whose direct earned premiums in TRIP-eligible lines for the preceding year are also less than five times the Program Trigger for the current year. Accordingly, for the 2025 TRIP Data Call (covering the 2024 calendar year), an insurer qualifies as a Small Insurer if its 2023 policyholder surplus and 2023 direct earned premiums are less than five times the 2024 Program Trigger of $200 million.

[11] Individual insurers with less than $10 million in direct earned premiums in TRIP-eligible lines that are part of a larger group must still report as part of the group as a whole if the group's direct earned premiums in these lines are over $10 million.

[12] See *https://home.treasury.gov/policy-issues/financial-markets-financial-institutions-and-fiscal-service/federal-insurance-office/terrorism-risk-insurance-program/annual-data-collection.*

III. 2025 TRIP Data Call

Treasury, through an insurance statistical aggregator, will accept group or insurer registration forms through *https://tripsection111data.com.* Registration is mandatory for all insurers participating in the 2025 TRIP Data Call. Upon registration, the aggregator will transmit individualized data collection forms (in Excel format) to the reporting group or insurer via a secure file transfer portal. The reporting group or insurer may transmit a complete data submission via the same portal using either the provided Excel forms or a .csv file.[13]

Copies of the instructions and data collection forms are available on Treasury's website in a read-only format. Reporting insurers will obtain the fillable reporting forms directly from the data aggregator only after registering for the data collection process.

Reporting insurers are required to register and submit complete data to Treasury no later than May 15, 2025. Because of the statutory reporting deadline for Treasury's 2025 Small Insurer Study to Congress, no extensions will be granted. Reporting insurers can ask the data aggregator questions about registration, form completion, and submission at *tripsection111data@iso.com.* Reporting insurers may also submit questions to the Treasury contacts listed above. Questions regarding submission of data to state insurance regulators should be directed to the appropriate state insurance regulator or the NAIC.

All data submitted to the aggregator is subject to the confidentiality and data protection provisions of TRIA and the Program Rules, as well as to section 552 of title 5, United States Code, including any exceptions thereunder. In accordance with the Paperwork Reduction Act (44 U.S.C. 3501–3521), the information collected through the web portal has been approved by OMB under Control Number 1505–0257. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number.

Dated: April 15, 2025.

Steven E. Seitz,

Director, Federal Insurance Office.

[FR Doc. 2025–06704 Filed 4–17–25; 8:45 am]

BILLING CODE 4810–AK–P

[13] Specifications for submission of data using a .csv file will be provided to the insurer by the aggregator.

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0406]

Agency Information Collection Activity Under OMB Review: Verification of VA Benefits

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration, Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden, and it includes the actual data collection instrument.

DATES: Comments and recommendations for the proposed information collection should be sent by May 19, 2025.

ADDRESSES: To submit comments and recommendations for the proposed information collection, please type the following link into your browser: *www.reginfo.gov/public/do/PRAMain,* select ''Currently under Review—Open for Public Comments'', then search the list for the information collection by Title or ''OMB Control No. 2900–0406.''

FOR FURTHER INFORMATION CONTACT: VA PRA information: Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov*.

SUPPLEMENTARY INFORMATION:

Title: Verification of VA Benefits (VA Form 26–8937).

OMB Control Number: 2900–0406 *https://www.reginfo.gov/public/do/PRASearch.*

Type of Review: Revision of a currently approved collection.

Abstract: VA Form 26–8937 is designed to assist lenders and VA in the completion of debt checks in a uniform manner. The form restricts information requested to only that needed for the debt check and also eliminates unlimited versions of lender-designed forms. This form is also occasionally used to inform the lender prior to loan closing if a Veteran is eligible for an exemption from the funding fee.

Lenders ensure the completion of the upper portion of VA Form 26–8937, including the veteran's authorization for release of the information, and forward it to the appropriate VA Office. VA personnel perform the debt check, complete the balance of the form, and return it to the lender, who considers any repayment terms in evaluating the veteran's creditworthiness. Following the closing of any loan, the lender submits the form with the loan report and related documents for post-closing review. The form is reviewed by a loan examiner to ensure that debt check requirements have been observed in each case.

The decrease in the use of the form is due to system enhancements which now allow VA to provide the lenders more reliable and timely updates (Veteran's funding fee exemption status, the amount of a Veteran's VA service-connected disability award, or the loan level requirement for VA pre-close prior approval) on the veteran's Certificate of Eligibility, which in turn has reduced the need for the lenders to submit the verification form. The form is still required from the lender for VA pending pre-discharge claims or when system issues prevent automatic COE updates.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at insert citation date: 90 FR 4852, January 16, 2025.

Affected Public: Individuals or Households.

Estimated Annual Burden: 250 hours.

Estimated Average Burden per Respondent: 5 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 3,000.

(Authority: 44 U.S.C. 3501 *et seq.*)

Dorothy Glasgow,

Acting, VA PRA Clearance Officer, Office of Enterprise and Integration, Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2025–06696 Filed 4–17–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0629]

Agency Information Collection Activity Under OMB Review: Application for Extended Care Services

AGENCY: Veterans Health Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the

Veterans Health Administration (VHA), Department of Veterans Affairs (VA), will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden, and it includes the actual data collection instrument.

DATES: Comments and recommendations for the proposed information collection should be sent by May 19, 2025.

ADDRESSES: To submit comments and recommendations for the proposed information collection, please type the following link into your browser: *www.reginfo.gov/public/do/PRAMain,* select ''Currently under Review—Open for Public Comments'', then search the list for the information collection by Title or ''OMB Control No. 2900–0629.''

FOR FURTHER INFORMATION CONTACT: VA PRA information: Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov.*

SUPPLEMENTARY INFORMATION:

Title: Application for Extended Care Services (VA Form 10–10EC).

OMB Control Number: 2900–0629 *https://www.reginfo.gov/public/do/PRASearch.*

Type of Review: Revision of a currently approved collection.

Abstract: Title 38 U.S.C. chapter 17 authorizes VA to provide hospital care, medical services, domiciliary care, and nursing home care to eligible Veterans. Title 38 U.S.C. 1705 requires VA to design, establish, and operate a system of annual patient enrollment in accordance with a series of stipulated priorities. A consequence of this is that many groups of Veterans who are in a lower priority group (WWI Veterans, Veterans with disabilities rated as 0% service-connected seeking treatment for other than their service-connected conditions, Veterans exposed to a toxic substance, radiation, or environmental hazard and nonservice-connected Veterans) may request that they be allowed to be income tested in order to gain a higher priority. Title 38 U.S.C. 1722 establishes eligibility assessment procedures for cost-free VA medical care, based on income levels, which will determine whether nonservice-connected and 0% service-connected non-compensable Veterans are able to defray the necessary expenses of care for nonservice-connected conditions. Title 38 U.S.C. 1722A establishes the eligibility assessment procedures, based on income levels, for determining Veterans' eligibility for cost-free medications. Title 38 U.S.C. 1710B defines the procedures for establishing eligibility for cost-free Extended Care benefits. Title 38 U.S.C 1729 authorizes VA to recover from Veterans' health insurance carriers the cost of care furnished for their nonservice-connected conditions.

VA Form 10–10EC, Application for Extended Care Services, is used to collect financial information necessary to determine a Veteran's copayment obligation for extended care services, also known as long term care (LTC). The 10–10EC design has been revised to clarify the instructions and make it easier to understand and complete the form. However, there are no changes to the anticipated annual number of responses or burden hours for this information collection.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at 89 FR 105177, December 26, 2024.

Affected Public: Individuals or Households.

Estimated Annual Burden: 3,000 hours.

Estimated Average Burden per Respondent: 90 minutes.

Frequency of Response: Once annually.

Estimated Number of Respondents: 2,000.

(Authority: 44 U.S.C. 3501 *et seq.*)

Dorothy Glasgow,

Acting, VA PRA Clearance Officer, Office of Enterprise and Integration, Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2025–06740 Filed 4–17–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0867]

Agency Information Collection Activity: Health Eligibility Center (HEC) Income Verification (IV) Forms

AGENCY: Veterans Health Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Health Administration (VHA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Comments must be received on or before June 17, 2025.

ADDRESSES: Comments must be submitted through *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT:

Program-Specific information: Rebecca Mimnall, 202–695–9434, *vhacopra@va.gov.*

VA PRA information: Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VHA invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of VHA's functions, including whether the information will have practical utility; (2) the accuracy of VHA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Health Eligibility Center (HEC) Income Verification (IV) Forms (VA Forms 10–301, 10–302, 10–303 and 10–304).

OMB Control Number: 2900–0867. https://www.reginfo.gov/public/do/PRASearch (Once at this link, you can enter the OMB Control Number to find the historical versions of this Information Collection).

Type of Review: Revision of a currently approved collection.

Abstract: VHA Directive 1909 provides policy for the VA Health Eligibility Center (HEC) Income Verification (IV) Program under authority of 38 United States Code (U.S.C.) 1722; 38 U.S.C. 5317. Title 38 U.S.C. 1722 established eligibility assessment procedures, based on income levels, for determining whether nonservice-connected (NSC) Veterans and non-compensable zero percent service-connected (SC) Veterans, who

have no other special eligibility, are eligible to receive VA health care at no cost. Title 26 U.S.C. 6103 (l)(7) of the Internal Revenue Code and 38 U.S.C. 5317 establish authority for VA to verify Veterans' gross household income information against records maintained by the Internal Revenue Service (IRS) and Social Security Administration (SSA) when that information indicates the Veteran is eligible for cost-free VA health care.

This information collection is necessary for HEC's Income Verification Division (IVD) to verify the income of Veterans and spouses. It consists of VA Forms 10–301, 10–302, 10–303 and 10–304. HEC IVD sends Veterans, and their spouses, individual letters and forms to confirm income information reported by IRS and SSA. HEC does not change the Veteran's copay status until information supplied by IRS and SSA has been independently verified, either by the Veteran or through appropriate due process procedures. This collection has been revised by removing VA Form 10–302A because all relevant information can be reported on VA Form 10–302. There is a reduction in the burden hours due to the removal of VA Form 10–302A from the collection.

Affected Public: Individuals and households.

Estimated Annual Burden: Total hours = 48,338 hours.

10–301—27,948 hours.
10–302—5,679 hours.
10–303—42 hours.
10–304—14,669 hours.

Estimated Average Burden per Respondent:

10–301—30 minutes.
10–302—20 minutes.
10–303—15 minutes.
10–304—20 minutes.

Frequency of Response: Once annually.

Estimated Number of Respondents: Total Respondents = 117,109.

10–301—55,896.
10–302—17,038.
10–303—167.
10–304—44,008.

Authority: 44 U.S.C. 3501 *et seq.*

Dorothy Glasgow,

Acting, VA PRA Clearance Officer, Office of Enterprise and Integration/Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2025–06657 Filed 4–17–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0910]

Agency Information Collection Activity: Statement of a Person Claiming Loan Fee Refund Due a Deceased Veteran, Service Member, or Surviving Spouse

AGENCY: Veterans Benefits Administration, Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Benefits Administration, Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before June 17, 2025.

ADDRESSES: Comments must be submitted through *www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT:

Program-Specific information: Nancy Kessinger, 202–632–8924, Nancy *Kessinger@va.gov*.

VA PRA information: Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov*.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Statement of a Person Claiming Loan Fee Refund Due a Deceased Veteran, Service Member, or Surviving Spouse.

OMB Control Number: 2900–0910. https://www.reginfo.gov/public/do/PRASearch (Once at this link, you can enter the OMB Control Number to find the historical versions of this Information Collection).

Type of Review: Extension without change of a currently approved collection.

Abstract: The information in VA Form 26–10280 and VA FORM 26–10280a will be used by VA to determine whether a refund owed to a Veteran may be remitted to another individual, including the Veteran's spouse, the executor or administrator of the Veteran's estate, or another individual with a relationship to the Veteran. The information collected is necessary for VA to ensure that it is releasing the refund to an appropriate individual who will disburse the refund according to the laws of the state where the Veteran was a legal resident (*e.g.,* estate laws).

Affected Public: Individuals and households.

Estimated Annual Burden: 250 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 1,000.

Authority: 44 U.S.C. 3501 *et seq.*

Dorothy Glasgow,

Acting, VA PRA Clearance Officer, Office of Enterprise and Integration/Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2025–06717 Filed 4–17–25; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

Vol. 90 Friday,

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Part II

Department of Commerce

National Oceanic and Atmospheric Administration

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Construction of the Alaska Liquefied Natural Gas Project in Prudhoe Bay, Alaska; Notice

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE705]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Construction of the Alaska Liquefied Natural Gas Project in Prudhoe Bay, 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 Gasline Development Corporation (AGDC) for authorization to take marine mammals incidental to construction of the Alaska Liquefied Natural Gas (AK LNG) Project in Prudhoe Bay, 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 Request for Public Comments 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 19, 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.Jacobus@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-other-energy-activities-renewable.* 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: Kristy Jacobus, 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 cited 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. NMFS participated as a cooperating agency on the 2020 Alaska LNG Project Environmental Impact Statement (EIS), which was finalized on March 6, 2020, and is available at *https://www.ferc.gov/industries-data/natural-gas/environment/final-environmental-impact-statement-feis.*

When acting as a cooperating agency, as is the case with this project, NMFS may satisfy its independent NEPA obligations by either preparing a separate NEPA analysis for its issuance of an incidental take authorization or, if appropriate, by adopting the NEPA analysis prepared by the lead agency. NMFS independently reviewed and evaluated the 2020 Alaska LNG Project EIS and determined that was adequate and sufficient to meet our responsibilities under NEPA for the issuance of the 2020 Prudhoe Bay IHA (86 FR 10658, February 22, 2021). NMFS therefore adopted the 2020 Alaska LNG Project EIS on February 16, 2021.

Summary of Request

On June 21, 2024, NMFS received a request from AGDC for an IHA to take marine mammals incidental to construction activities in Prudhoe Bay, Alaska. The application was deemed adequate and complete on February 11, 2025. AGDC's request is for take of six species of marine mammals by Level B harassment and ringed seal, spotted seal, and bearded seal, by Level A harassment. Neither AGDC nor NMFS expect serious injury or mortality to result from this activity and, therefore, an IHA is appropriate.

NMFS previously issued an IHA to AGDC for the same activities (86 FR 10658; February 22, 2021). However, no work was conducted under that IHA.

This proposed IHA would authorize incidental take during one year of the larger AK LNG project. The larger project involves a pipeline that will span approximately 807 miles (mi) (1,299 kilometers (km)) from a gas treatment facility on Alaska's North Slope, which holds 35 trillion cubic feet (991 billion cubic meters) of proven gas reserves, to a liquefaction and export facility in southcentral Alaska.

Description of Specified Activity

Overview

AGDC plans to construct an integrated liquefied natural gas (LNG) project with

interdependent facilities to liquefy supplies of natural gas from Alaska, in particular from the Point Thomson Unit and Prudhoe Bay Unit production fields on the Alaska North Slope (North Slope), for export in foreign commerce and for in-state deliveries of natural gas. AGDC plans to construct an AK LNG Gas Treatment Plant (GTP), which they would construct with large, pre-fabricated modules that can only be transported to the North Slope with barges (sealifts).

AGDC is proposing to modify the existing West Dock causeway and associated dock heads in Prudhoe Bay, Alaska in order to facilitate offloading modular construction components and transporting them to the GTP construction site. Vibratory and impact pile driving associated with the work at West Dock would introduce underwater sound that may result in take by Level A and Level B harassment of marine mammals in Prudhoe Bay, Alaska. AGDC proposes to conduct pile driving up to 24 hours per day on approximately 123 days from July through October during the open water (*i.e.,* ice-free) season.

Dates and Duration

The proposed IHA would be effective for one year beginning June 1, 2027 or June 1, 2028, depending on the project schedule indicated by the applicant. Work that may result in the take of marine mammals is expected to occur during the open water season, between July and October, and would be conducted up to 24 hours per day, six days a week.

Several communities on the North Slope of Alaska engage in subsistence hunting activities at varying times and in varying locations. These subsistence hunts are further described below in the Effects of Specified Activities on Subsistence Uses of Marine Mammals section. The proposed construction activities would occur closest to the marine subsistence use area used by the Native Village of Nuiqsut. Their whaling season typically occurs August 25th to September 15th, although the exact dates may change. AGDC will cease pile driving during the Nuiqsut whaling season.

AGDC conservatively calculated that in-water construction would last 164 days. However, they expect that different pile types would be installed on the same day, which should reduce the overall number of construction days to approximately 123 days of in-water work considering the open water period, and the break in construction during the whaling season. If AGDC is not able to complete the work during the open water season construction period as planned, they will complete the work during a contingency period from late February to April.

Specific Geographic Region

The specified activity (*i.e.,* AK LNG construction activities) will occur at West Dock in Prudhoe Bay, Alaska, on Alaska's North Slope (see figure 1). West Dock is a multipurpose facility, commonly used to offload marine cargo to support Prudhoe Bay oilfield development. West Dock extends out from the shoreline 2.7 mi (4.3 km) and is within shallow waters less than 14.2 feet (ft, 4.3 meters (m)) deep.

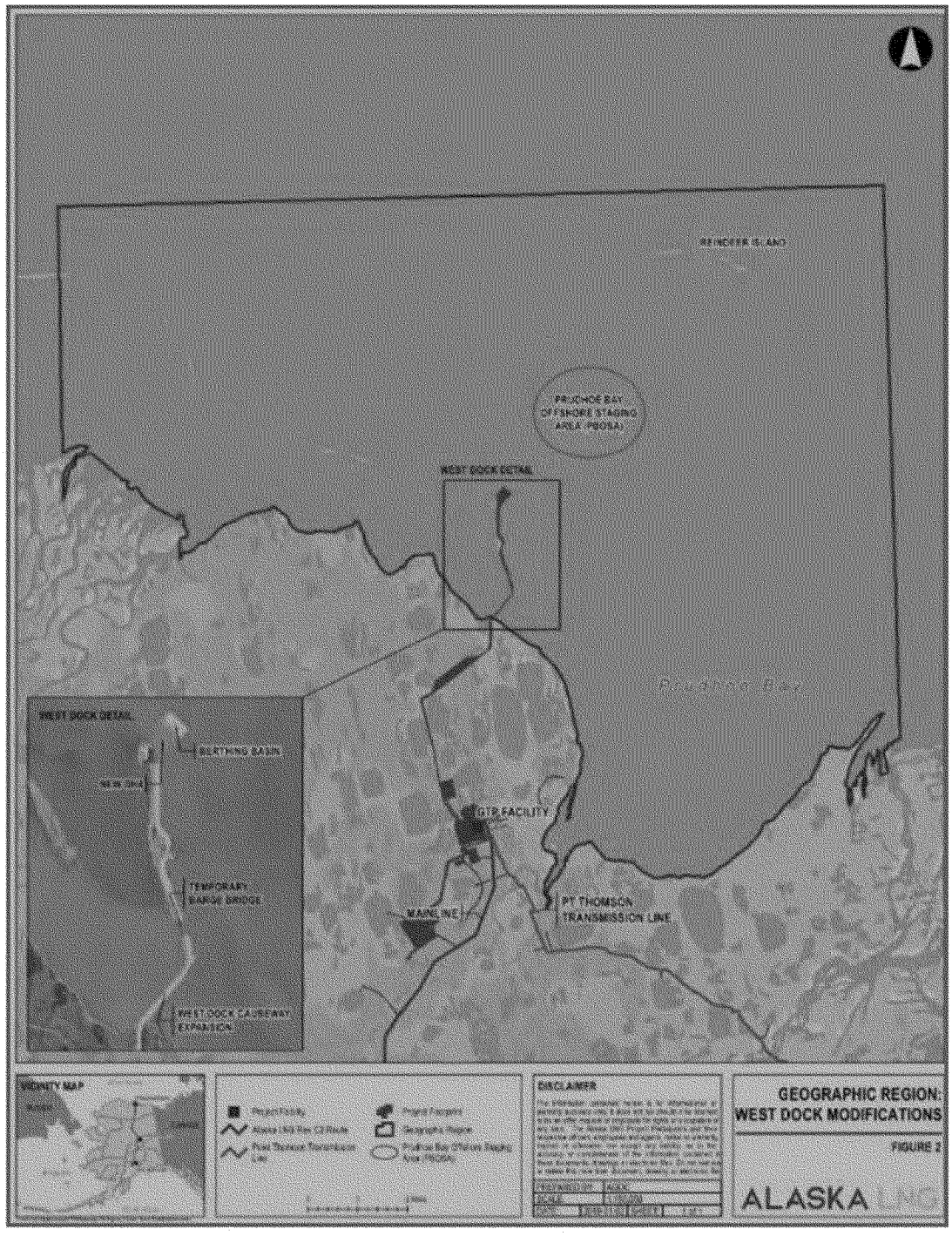

Figure 1. Map of Project Location

Detailed Description of the Specified Activity

Below, we discuss the proposed activities in Prudhoe Bay, a portion of the larger AK LNG project (which extends from the North Slope to Cook Inlet). For information on other AK LNG project components, please refer to Volume I, Chapter 2 of the Alaska LNG Project Final EIS.

AGDC is proposing to further develop the West Dock facility in Prudhoe Bay, AK. West Dock is a multipurpose facility, commonly used to offload marine cargo to support Prudhoe Bay oilfield development. The West Dock causeway, which extends approximately 2.5 mi (4 km) into Prudhoe Bay from the shoreline, is a solid-fill gravel causeway structure. There are two existing loading docks along the causeway, referred to as Dock Head 2 (DH2) and Dock Head 3 (DH3), and a seawater treatment plant (STP) at the seaward terminus of the structure. A 650-ft (198-m) breach with a single lane bridge was installed in the causeway between DH2 and DH3 during 1995 and 1996 due to concerns that the solid causeway was affecting coastal circulation and marine resources.

Development of the dock facility would require constructing a new dock head referred to as Dock Head 4 (DH4), widening the gravel causeway between the proposed DH4 site and the onshore road system, and installation of a

temporary barge bridge parallel to the existing bridge over the aforementioned breach to accommodate transport of the modules over the breach. The following describes these activities in detail.

DH4 Work Area and Bulkhead—AGDC will construct a new dock head (DH4). DH4 would be a gravity-based structure, with a combi-wall (sheet piles connected by H-piles) bulkhead or dock face back-filled with gravel. The gravel dock head would provide a working area of approximately 31 acres (0.13 km^2) and would have five cargo berths. Gravel would be hauled in by truck and deposited in place by shore-based heavy equipment. Hauling and placement of gravel for construction of DH4 would occur from June–September. Gravel requirements are quantified in table 3 of AGDC's application.

Construction of DH4 would require the installation of over 1,080 linear ft (329 m) of combi-wall forming a bulkhead at the dock face, and will require vibratory and impact pile driving. Noise generated by pile driving is expected to result in the take of marine mammals. Other margins of the dock head would be sloped and armored with sand bags. Table 1 indicates the planned numbers and types of piles proposed for installation, and the proposed installation method for DH4 work, including the work area and bulkhead.

TABLE 1–PILES PLANNED FOR INSTALLATION AT DH4

Pile type/size	Installation method	Number of piles
11.5-inch (29 cm[a]) Steel H-Pile	Impact	212
48-inch (122 cm) Steel Pipe Pile	Impact	12
25-inch (64 cm) Steel Sheet Pile	Vibratory	422
14-inch (36 cm) Steel H-Pile (temporary)	Vibratory	48

[a] cm = centimeter.

AGDC plans to construct DH4 from June–October (open water season). Hauling and placing of the gravel will take place first. AGDC plans to install the combi-wall mid-September–October (after the whaling season and before ice). In the unlikely event AGDC is not able to complete the DH4 construction during the open water season, they plan to complete construction during a contingency period from February to April, working off the ice. AGDC stated that it is highly motivated to complete work during the open-water season, as work during the ice-covered winter/spring contingency period would require additional equipment and include other constraints. NMFS expects that if AGDC works during the contingency period, it would be because of lost construction days on which they were unable to work during their planned open water work season.

DH4 Mooring Dolphins—AGDC plans to install twelve mooring dolphins in the cargo berths at the proposed DH4 to hold the ballasted barges in place. Figure 5 of AGDC's application shows the locations of the proposed mooring dolphins. AGDC plans to install four temporary spuds (14-inch (36 cm) steel H-piles) for support prior to the construction of each mooring dolphin using a vibratory hammer. AGDC would extract these piles immediately after completion of the dolphin. Noise generated by pile driving is expected to result in the take of marine mammals. Table 1 lists the proposed pile types, numbers, and driving methods for DH4 work, including the mooring dolphins.

AGDC plans to install the mooring dolphins from September–October (after the Nuiqsut whaling season and before ice cover). If AGDC is not able to complete mooring dolphin construction during this time, they plan to complete construction during a contingency period from late February to April of the following year.

Barge Bridge Abutments—AGDC plans to construct a temporary barge bridge, and NMFS does not expect take as a result of its construction (see description of Barge Bridge installation below). AGDC plans to construct approach abutments (gravel filled open-cell sheet pile bulkheads) along the east side of the existing causeway on both ends of the barge bridge, and take is expected as a result of this construction. AGDC would place gravel bags for erosion control in locations where there is no bulkhead. The bulkheads would be approximately 420 ft (128 m) long (along the causeway) and 120 ft (36.6 m) across.

Much of the abutment sheet pile is for the tail walls that run from the bulkhead into the gravel fill and terminate at an anchor pile (H-pile). Noise generated by pile driving is expected to result in the take of marine mammals. A large portion of this tail wall piling and many of the tail wall anchor piles would be driven into dry ground and are not included in the analysis for assessing in-water noise impacts on marine mammals. Table 2 lists the numbers and types of pilings planned for in-water installation for the barge bridge abutments.

TABLE 2—PILES PLANNED FOR IN-WATER INSTALLATION AT THE NORTH AND SOUTH BARGE BRIDGE ABUTMENT BULKHEADS

	Pile type and installation method	Number of piles
South Abutment	19.69-inch (50.01 cm) Steel Sheet Pile (Vibratory)	695
	14-inch (36 cm) Steel H-Pile (Impact)	4
North Abutment	19.69-inch (50.01 cm) Steel Sheet Pile (Vibratory)	609
	14-inch (36 cm) Steel H-Pile (Impact)	4

AGDC plans to install the sheet piles from land or barges on open water, and potentially from the ice if the contingency period is necessary.

Construction of the barge bridge abutments is scheduled for July–August with a break in pile driving during the Nuiqsut whaling season (approximately August 25–September 15) if activities overlap. If AGDC is unable to complete construction during the open water period, they plan to complete the work

during the contingency period from February to April.

Barge Bridge Mooring Dolphins—AGDC plans to install four mooring dolphins at the barge bridge site to protect the current bridge from the barges and hold the ballasted barges in place. Each mooring dolphin consists of one 48-inch diameter (122 cm), 100 ft (30.5 m) long steel pipe pile that AGDC will drive with an impact hammer to a minimum of 65 ft (19.8 m) into the seabed. As described above for the DH4 mooring dolphins, AGDC plans to install four temporary spuds (14.5-inch (37 cm) steel H-piles) with a vibratory hammer for support prior to the construction of each barge bridge mooring dolphin. AGDC would extract these temporary spuds immediately after completion of the dolphin. Noise generated by pile driving is expected to result in the take of marine mammals. Table 3 summarizes installation method and number of piles.

AGDC plans to construct the barge bridge abutments, including the mooring dolphins, in July and August, with a break in pile driving during the Nuiqsut whaling season (approximately August 25–September 15). If AGDC is not able to complete the work during that period, they will complete the dolphin installation during the contingency period from February to April.

Table 4 summarizes the total number of piles by hammer type for all project components.

TABLE 3—PILES PLANNED FOR MOORING DOLPHIN INSTALLATION AT THE BARGE BRIDGE ABUTMENTS

Pile type	Installation method	Number of piles
48-inch (122 cm) Steel Pipe Pile	Impact	4
14-inch (36 cm) Steel H-Pile (Temporary)	Vibratory	[a] 16

[a] Each of these piles will be installed and later removed after installation of mooring dolphin.

TABLE 4—TOTAL NUMBER OF PILES AMONG ALL PRUDHOE BAY PROJECT COMPONENTS

Pile size and type	Hammer type	Number of piles
11.5-inch (29.2 cm) H-Pile	Impact	212
14.5-inch (35.8 cm) H-Pile	Impact	8
	Vibratory	64
48-inch (122 cm) Pipe Pile	Impact	16
Sheet Piles (19.69-inch (50.01 cm) and 25-inch (63.5 cm))	Vibratory	1726

AGDC will only operate one hammer at a time during all pile driving.

The below described activities are not expected to result in the take of marine mammals.

Causeway Widening—AGDC will build a parallel causeway approximately 100–125 ft (31–38 m) wide and 5,000 ft long (1,524 m) on the east side of the existing causeway from DH 3 to DH 4. AGDC will upgrade the other two existing segments of West Dock causeway to a width of approximately 100–125 ft from the current width of 40–80 ft (12–24 m). AGDC will conduct the widening on the east side of the causeway because there is a pipeline along the west side. The widening would occur along approximately 4,500 ft (1,372 m) from DH3 to DH2, and 3,800 ft (1,158 m) from DH2 to land. This causeway widening work would be conducted during the summer (July–August). Gravel would be hauled in by truck and deposited in place by shore-based heavy equipment. Expected gravel requirements are indicated in table 2 of AGDC's application. Gravel fill deposition would produce a continuous sound of a relatively short duration, does not require seafloor penetration, and would affect a very small portion of habitat for marine mammals and their prey. Placement would occur in a controlled manner so as not to compromise the newly installed piles. Gravel deposition is not expected to result in marine mammal harassment and it is not discussed further. Further, a portion of the gravel deposition will occur behind sheet piles, which will act as an acoustic barrier which further supports the conclusion that take from gravel deposition is unlikely to occur.

Berthing Basin—The proposed location of the DH4 bulkhead is approximately 1,000 ft (305 m) beyond the end of the existing causeway at the STP. This location was selected as it provides an existing nominal water depth of −12 ft (−4 m) mean lower low water (MLLW) across the length of the bulkhead, allowing for berthing of cargo barges at their intended transit draft of 10 ft (3 m) without the exchange of ballast water.

AGDC plans to conduct screeding over the seafloor within the berthing area to a depth of −12 ft (−4 m) MLLW. Screeding would redistribute the seabed materials to provide a flat and even surface on which the module cargo barges can be grounded. The berthing area encompasses approximately 13.7 acres (0.06 km^2). In the screeding process, a tug and/or barge pushes or drags a beam or blade across the seafloor, removing high spots and filling local depressions. The screeding operation is not intended to increase or decrease overall seabed elevation so there would be no excavated materials requiring disposal.

AGDC would conduct screeding in the summer immediately prior to arrival of each sealift and as soon as sea ice conditions allow mobilization of the screeding barge. Based on historical ice data, AGDC anticipates screeding during July for a period of up to 14 days. AGDC would conduct a multi-beam hydrographic survey to identify high and low spots in the seabed prior to each season with equipment emitting sound at frequencies above 200 kilohertz (kHz). Therefore, we do not expect these surveys to take marine mammals, as marine mammals are unlikely to hear the surveys, much less respond to them, and we do not discuss it further in this notice. Additionally, we do not expect screeding to result in take of marine mammals, given that it is a continuous noise source comparable to other general construction activities. Further, this proposed IHA requires AGDC to shut down at 215 m during screeding operations, consistent with the 2020 Alaska LNG Biological

Opinion. AGDC has not requested, and NMFS does not propose to authorize take incidental to the proposed screeding.

Barge Bridge—The existing bridge over the aforementioned 650 ft (198 m) breach in the causeway is too narrow for module transport and incapable of supporting the weight of the project modules. Therefore, AGDC plans to construct a temporary barge bridge to accommodate transport of the modules over the breach and to the onshore road system. The first two barges to offload materials would be used to form the temporary bridge, paralleling the existing weight-limited bridge, and spanning the breach. AGDC would move these barges into place against the mooring dolphins with tugs where they would be ballasted and fastened to the causeway abutments and each other. The two ballasted barges would be placed bow-to-bow when resting on the seafloor. The barge rakes would angle upward and touch at their adjoining point, leaving an approximately 52.5-ft (16-m) gap at the seafloor between the barges. The stern of each barge would angle sharply upward at each end of the bridge, leaving an additional 10-ft (3.1-m) gap at the seafloor at each end.

Ramps would be installed to accommodate smooth transit of the self-propelled module transporters (SPMTs) over the bridge. Modules would be transported by SPMTs down the causeway and over the temporary bridge to a staging pad at the base of West Dock. From there, they would be moved southward over approximately 6 mi (9.7 km) of new and existing roads to the GTP construction site.

AGDC expects construction of the temporary barge bridge will last 3 days. The temporary bridge would be held in place by the mooring dolphins. AGDC expects the temporary bridge to be in place for 21 to 39 days, depending on weather conditions and logistics. At the conclusion of each year's sealift, AGDC would de-ballast the barges and remove them from the breach. Upon the subsequent summer season and the next sealift, AGDC would position the barges back in the breach and re-ballast them onto the barge pad for module transport operations. NMFS does not expect placement or removal of the barge bridges to result in take of marine mammals, and we do not discuss it further.

AGDC plans to leave West Dock modifications in place after modules are offloaded, as their removal would result in greater disturbance to the surrounding environment. AGDC also plans to leave the piling and infrastructure forming the offshoot and ramp to the temporary barge bridge in place, as removing it may result in erosion or weakening of the existing causeway. AGDC would cut the mooring pilings below the sediment surface, remove them, and cover the area with surrounding sediment.

Sealifts—AGDC has proposed six sealifts, consisting of two preliminary sealifts (NEG1 and NEG2) transporting materials (smaller modules, equipment, and supplies) and four primary sealifts (Sealifts 1–4) carrying the GTP modules. AGDC identified the timing, numbers of vessels, and numbers of modules associated with each of these six sealifts in their application (See Tables 8 and 9 of AGDC's application).

The barges will transport the modules from the manufacturing site (likely in Asia) with first call being Dutch Harbor to clear customs. The barges would then proceed to a designated Marine Transit Staging Area (MTSA), with Port Clarence being the preferred location for the MTSA at this time. The tug and barge will wait in a secure anchorage there until sea ice conditions have improved to 3/10 ice cover or better. The tow spread would be accompanied by a light aircraft which would repeatedly fly along the tow route to give a detailed report on sea and ice conditions. When such conditions are favorable, the tug and barge would proceed to the Prudhoe Bay Offshore Staging Area (PBOSA) located south (shoreward) of Reindeer Island and approximately 5 mi (8 km) north of DH4 to await berthing at DH4.

The sealift barges would be moved from the PBOSA to DH4 with the shallow draft assist tugs. Offloading operations at DH4 would occur 24 hours a day during periods of favorable metocean and weather conditions. Current North Slope sealift practices limit operations to wind speed below 20 knots. The barges would be butted up against the dock face and then ballasted down until they rest on the prepared barge bearing pad. Ramps would be placed to connect the barge deck with the dock so that the SPMTs are able to roll under the modules, lift them, then roll out and transport them to the onshore module staging area.

The barges would be demobilized from the PBOSA by ocean-going tugs using standard marine shipping routes. The barges would transit individually through the Beaufort and Chukchi seas rather than in groups, as occurred during their arrival into Prudhoe Bay. They would be demobilized from Prudhoe Bay on or about mid-September. NMFS does not expect take to occur associated with regular vessel transit, and therefore the use of sealifts is not discussed further.

Sealifts and barge bridge installation and removal would occur each of six consecutive years to accommodate the modules required for the project. AGDC would construct the approach abutments and mooring dolphins (as described above) in the first season, and would prepare the seabed before installation of the barge bridge for the first sealift. The barge bridge would be installed annually each sealift year at the beginning of the open-water season, and would be removed each fall prior to freeze-up. Seabed Preparation at the Barge Bridge- AGDC will construct a level and stable barge pad to support the ballasted barge at the proper horizontal and vertical location for successful transit of modules across the breach. The pad would be designed to support the fully loaded weight of the barge and the heaviest modules.

Pad construction would begin in February and would include an initial through-ice bathymetric survey within the breach. AGDC would conduct the through-ice survey by drilling or augering holes through the ice and measuring the bottom elevations by a survey rod tied to the local Global Positioning System—Real Time Kinematic (GPS–RTK) system to provide the needed level of accuracy of horizontal positions and vertical elevations. A grid of survey holes would be established over the 710 ft (216 m) by 160 ft (48.8 m) dimensions (2.6 acres; 0.01 km^2) of the breach barge pad to allow for determination of the bottom bathymetry such that a plan can be developed accordingly to prepare the barge pad surface. Cetaceans are not predicted to be present in the area during these activities (Quakenbush et al., 2018, Citta et al., 2017) and while ringed seals likely will be present, few, if any, spotted or bearded seals are likely to be present during that time (Bengston et al., 2005; Lowry et al., 1998; Simpkins et al., 2003). Therefore, take of cetaceans from drilling/augering is not expected, and take of spotted or bearded seals is so low as to be discountable. Given that drilling/augering is expected to occur in February, prior to ringed seals establishing lairs, we would not expect ringed seals to build their lairs close enough to the project so as to be disturbed by the drilling/augering during the activity. Although there is potential that a seal might build its lair in an alternate location due to drilling/augering, this disturbance is accounted for in the takes by Level B harassment, which have considered all likely take by behavioral disturbance, including that

which could influence lair location. Therefore, NMFS did not conduct any further analysis of Level B harassment of ringed seals during the drilling/augering.

Seabed preparation would consist of smoothing the seabed within the pad area as necessary to level the seabed across the pad at an elevation grade of approximately −7 ft (−2.1 m) MLLW. Some gravel fill may be required at scour holes. Rock filled marine mattresses or gabions approximately 1 ft (0.3 m) thick would then be placed across the graded pad to provide a stable and low maintenance surface at −6 ft (−1.8 m) MLLW on which the barges would be grounded. These mattresses are gravel-filled containers constructed of high-strength geogrid, with the geogrid panels laced together to form mattress-shaped baskets.

AGDC would conduct the seabed preparations through the ice during winter using excavation equipment and ice excavation methods. Equipment required for the grading work includes ice trenchers, excavators, front-end loaders, man-lifts, haul trucks, survey equipment, and other ancillary equipment necessary to support the operation. An equipment spread includes a trencher for cutting ice, an excavator for removing ice, a second excavator, and haul units. AGDC would initiate through-ice grading efforts by cutting through the ice with trenchers. Excavators would then proceed to remove the ice to expose the seafloor bottom. Once a section has been exposed to the seafloor, the bottom will be graded to −7 ft (−2.1 m) MLLW using the excavation equipment. AGDC would then install marine mattresses on the graded pad, likely requiring use of a crane. Grounded ice conditions are expected to occur at the breach on or before February 1 of each year at the latest. AGDC expects to conduct through-ice surveying and grading work immediately after, if not sooner. AGDC expects the total construction duration will be 45 to 60 days with construction complete by the end of March and demobilization from the breach area in early April. NMFS expects these activities to produce continuous noise similar to other standard construction noise and does not expect seabed preparation to result in take of marine mammals.

AGDC may conduct some screeding right before the barges are placed in summer in an effort to achieve a surface that is near flush with adjacent subsurface elevations. Any screeding at the barge bridge site would be expected to take 14 days or less. As discussed previously, NMFS does not expect screeding to result in marine mammal harassment, therefore, screeding is not discussed further in this document.

NMFS is carrying forward impact and vibratory pile driving and removal activities (piles indicated in table 4) for further analysis because these activities are likely to result in the take of marine mammals.

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*). Additional information may be found in the Aerial Survey of Arctic Marine Mammals (ASAMM) reports, which are available online at *https://www.fisheries.noaa.gov/alaska/marine-mammal-protection/aerial-surveys-arctic-marine-mammals,* with the exception of the 2020 and 2021 reports, which are available in the NMFS repository (*https://repository.library.noaa.gov/*).

Table 5 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 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. Pacific and Alaska SARs. All values presented in table 5 are the most recent available at the time of publication (including from the 2023 SARs) and are available online at: *https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments.*

TABLE 5—MARINE MAMMAL SPECIES [1] LIKELY IMPACTED BY THE SPECIFIED ACTIVITIES

Common name	Scientific name	Stock	ESA/MMPA status; strategic (Y/N) [2]	Stock abundance (CV, Nmin, most recent abundance survey) [3]	PBR	Annual M/SI [4]
Order Artiodactyla—Cetacea—Mysticeti (baleen whales)						
Family Eschrichtiidae:						
Gray Whale	*Eschrichtius robustus*	Eastern N Pacific	-, -, N	26,960 (0.05, 25,849, 2016).	801	131
Family Balaenidae:						
Bowhead whale ...	*Balaena mysticetus* ...	Western Arctic	E, D, Y	15,227 (0.165, 13,263, 2019).	133	57

TABLE 5—MARINE MAMMAL SPECIES [1] LIKELY IMPACTED BY THE SPECIFIED ACTIVITIES—Continued

Common name	Scientific name	Stock	ESA/MMPA status; strategic (Y/N) [2]	Stock abundance (CV, Nmin, most recent abundance survey) [3]	PBR	Annual M/SI [4]
Odontoceti (toothed whales, dolphins, and porpoises)						
Family Monodontidae (white whales):						
Beluga Whale	*Delphinapterus leucas*	Beaufort Sea	-, -, N	39,258 (0.229, N/A, 1992).	UND	104
Beluga Whale	*Delphinapterus leucas*	Eastern Chukchi	-, -, N	13,305 (0.51, 8,875, 2017).	178	56
Order Carnivora—Pinnipedia						
Family Phocidae (earless seals):						
Bearded Seal	*Erignathus barbatus*	Beringia	T, D, Y	UND (UND, UND, 2013) [5].	UND	6,709
Ringed Seal	*Pusa hispida*	Arctic	T, D, Y	UND (UND, UND, 2013) [6].	UND	6,459
Spotted Seal	*Phoca largha*	Bering	-, -, N	461,625 (N/A, 423,237, 2013).	25,394	5,254

[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] Endangered Species Act (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; Nmin is the minimum estimate of stock abundance.

[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, vessel 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] Reliable population estimate for the entire stock not available. PBR is based upon the negatively biased Nmin for bearded seals in the U.S. portion of the stock.

[6] A reliable population estimate for the entire stock is not available. Using a sub-sample of data collected from the U.S portion of the Bering Sea, an abundace estimate of 171,418 ringed seals has been calculated, but this estimate does not account for availability bias due to seals in the water or in the shorefast ice zone at the time of the survey. The actual number of ringed seals in the U.S. portion of the Bering Sea is likely much higher. Using the Nmin based upon this negatively biased population estimate, the PBR is calculated to be 4,755 seals, although this is also a negatively biased estimate.

As indicated above, all 6 species (with 7 managed stocks) in table 5 temporally and spatially co-occur with the activity to the degree that take is reasonably likely to occur. While a harbor porpoise (*Phocoena phocoena*) was sighted in the 2017 ASAMM survey (Clarke *et al.,* 2018) the spatial occurrence of harbor porpoise is such that take is not expected to occur, and they are not discussed further beyond the explanation provided here. Harbor porpoise are considered to be extremely rare in the Beaufort Sea, particularly in the project area (Megan Ferguson, pers. comm., November 2019).

In addition, the polar bear (*Ursus maritimus*) may be found in Prudhoe Bay. However, polar bears are managed by the U.S. Fish and Wildlife Service and are not considered further in this document.

Gray Whale

During the summer and fall, most whales in the Eastern North Pacific (ENP) stock feed in the Chukchi, northwestern Bering Sea, and extreme western Beaufort Sea (west of 155 degrees W) (Muto *et al.,* 2021, Clarke *et al.,* 2015b). In the fall, ENP gray whales migrate south to their wintering and calving grounds off the coast of Baja California, Mexico. While gray whales are occasionally seen in the Beaufort Sea, their occurrence there is considered extralimital, and they are rarely seen east of 155 degrees West (Clarke *et al.,* 2015b). We expect that gray whales could occur within the project area during the open water season, though occurrence is not likely. We would not expect gray whales to be present during AGDC's winter/spring contingency pile driving period.

Bowhead Whale

Bowhead whales belonging to the Western Arctic stock are distributed seasonally in ice-covered waters of the Arctic and near-Arctic, generally between 60 degrees and 75 degrees North latitude in the Western Arctic Basin (Young *et al.,* 2023). The majority of the Western Arctic stock migrates annually from wintering areas (December to March) in the central and northwestern Bering Sea, north through the Chukchi seas (December to April), through the Chukchi Sea and Beaufort Sea in the spring (April through May), to the eastern Beaufort Sea where they spend much of the late spring and summer (May through September). During late summer and fall (September through December), individuals from this stock migrate back to the Chukchi Sea and then to the Bering Sea (Young *et al.,* 2023, Citta *et al.,* 2021)

NMFS was petitioned in 2000 to consider designating the nearshore areas from Utqiaġvik east to the U.S.-Canada border as critical habitat for the Western Arctic stock. In 2002, NMFS determined that a critical habitat designation was not necessary as the population was increasing and approaching the pre-commercial whaling size, there were no known habitat issues slowing the population growth, and activities that occurred in the petitioned area were already being managed to minimize impacts to the population (67 FR 55767).

The annual migration of the Western Arctic stock to and from the summer feeding grounds in the Beaufort Sea has been monitored by the Bureau of Ocean Energy Management (BOEM) (and predecessor agencies), NMFS, and/or industry since 1982 (Treacy *et al.* 2006; Blackwell *et al.* 2007; Ireland *et al.* 2009; Reiser *et al.* 2011; Bisson *et al.* 2013; Clarke *et al.* 2014, 2020; Brower *et al.* 2022a, 2022b). Survey data indicate that the fall migration off northern Alaska occurs primarily over the continental shelf, generally 12–37 mi (19–60 km) offshore, in waters 66–197 ft (11–60 m deep (Moore *et al.* 1989; Moore and Reeves 1993; Monnett and

Treacy 2005; Treacy *et al.* 2006). Waters less than 15 ft. (4.5 m) deep are considered too shallow to support these whales, and in three decades of aerial surveys by BOEM (ASAMM), no bowhead whale has been recorded in waters less than 16.4 ft (5 m) deep (Clarke and Ferguson 2010).

Monitoring surveys have been conducted annually since 2001 at the Northstar offshore oil and gas facility located just offshore of West Dock. Over 95 percent of the bowheads observed during these fall surveys occurred more than 13.9 mi (22.3 km) offshore in 2001, 14.2 mi (22.9 km) in 2002, 8.4 mi (13.5 km) in 2003, and 10.1 mi (16.3 km) in 2004 (Blackwell *et al.* 2007). West Dock extends out from the shoreline 2.7 mi (4.3 km) and is within shallow waters less than 14.2 ft (4.3 m) deep. The proposed project activities would occur primarily along the West Dock causeway in an area developed for oil and gas with existing vessel traffic. While a small number of bowhead whales have been seen or heard offshore near Prudhoe Bay in late August (LGL and Greenridge 1996; Greene *et al.* 1999; Blackwell *et al.* 2007; Goetz *et al.* 2008), bowheads are not likely to occur in the immediate vicinity of the proposed activities.

Clarke *et al.* (2023) identify and score biologically important areas (BIAs) in the Arctic, including areas of importance for migration, reproduction, and feeding. However, none of these BIAs overlap with the Level B harassment zones of the project. For example, some of the feeding areas lie just north of the project area, the spring (April-May) migratory corridor BIAs for bowheads are far offshore from the Level B harassment zones for the project, and the fall (August-October) migratory corridor BIAs are further inshore and closer to the project site.

In summary, we expect that whales could occur within the project area during the open water season. We would not expect bowhead whales to be present during AGDC's winter/spring contingency pile driving period.

Beluga Whale

Individuals of both the Beaufort Sea stock and the Eastern Chukchi stock of beluga whale occur in the waters around the project area. Beluga whales from the two stocks migrate between the Bering and Beaufort Seas and are closely associated with open leads and polynyas. The Beaufort Sea stock departs the Bering Sea in early spring, migrating through the Chukchi Sea and into the Canadian Beaufort Sea where they spend the summer and most of the fall, returning to the Bering Sea in the late fall. The Eastern Chukchi stock remains in the Bering Sea slightly longer, departing in the late spring and early summer for the Chukchi Sea and western Beaufort Sea where they spend the summer before returning to the Bering Sea in the fall (Muto *et al.,* 2021).

O'Corry-Crowe *et al.* (2018) studied genetic marker sets in 1,647 beluga whales. The data set was from over 20 years and encompassed all of the whales' major coastal summering regions in the Pacific Ocean. The genetic marker analysis of the migrating whales revealed that while both the wintering and summering areas of the eastern Chukchi Sea and eastern Beaufort Sea subpopulations may overlap, the timing of spring migration differs such that the whales hunted at coastal sites in Chukotka, the Bering Strait (*i.e.,* Diomede), and northwest Alaska (*i.e.,* Point Hope) in the spring and off of Alaska's Beaufort Sea coast in summer were predominantly from the eastern Beaufort Sea population. Earlier genetic investigations and recent telemetry studies show that the spring migration of eastern Beaufort whales occurs earlier and through denser sea ice than eastern Chukchi Sea belugas. The discovery that a few individual whales found at some of these spring locations had a higher likelihood of having eastern Chukchi Sea ancestry or being of mixed-ancestry, indicates that the Bering Strait region is also an area where the stocks mix in spring. Citta *et al.* (2017) also observed that tagged eastern Beaufort Sea whales migrated north in the spring through the Bering Strait earlier than the eastern Chukchi belugas, so they had to pass through the latter's primary wintering area. Therefore, the Eastern Chukchi stock is unlikely to be present in the action area at any time in general, particularly during summer and fall, when most beluga takes would be anticipated for this project. However, we conservatively assume that beluga whale takes during AGDC's project could occur to either stock.

Most belugas recorded during aerial surveys conducted in the Alaskan Beaufort Sea in the last two decades were found over 40 mi (65 km) from shore (Miller *et al.* 1999; Funk *et al.* 2008; Christie *et al.* 2010; Clarke and Ferguson 2010; Brandon *et al.* 2011). ASAMM 2016 surveys reported belugas along the continental slope with few sightings nearshore in the western Beaufort Sea, and Clarke *et al.* (2017) reported that distribution was similar to that documented in previous years with light sea ice cover.

Surveys have recorded belugas close to shore and in the vicinity of the activity area. Green and Negri (2005) reported small beluga groups nearshore Cape Lonely (August 26) and in Smith Bay (September 4). Funk *et al.* (2008) reported a group just offshore of the barrier islands near Simpson Lagoon. Aerts *et al.* (2008) reported summer sightings of three groups of eight animals inside the barrier islands near Prudhoe Bay; and Lomac-MacNair (2014) recorded 15 beluga whales offshore of Prudhoe Bay between July and August. While it is possible for belugas to occur in the project area, nearshore sightings are unlikely.

Whales from both the Beaufort Sea and eastern Chukchi Sea stocks overwinter in the Bering Sea. Belugas of the eastern Chukchi may winter in offshore, although relatively shallow, waters of the western Bering Sea (Richard *et al.,* 2001), and the Beaufort Sea stock may winter in more nearshore waters of the northern Bering Sea (R. Suydam, pers. comm. 2012).

Clarke *et al.* (2023) designated feeding and migratory BIAs for Beaufort Sea beluga whales, however, none of these BIAs overlap the project area. The migratory corridors are far offshore from the project area, while the West Beaufort North Chukchi feeding BIA lies just to the north of the project area and extends from Cape Bathurt, Canada in the east to north of Wrangel Island, Russia in the west. In summary, we expect that beluga whales from either the Beaufort or Chukchi Sea stock may occur within the project area during the open water season. We would not expect belugas to be present during AGDC's winter/spring contingency pile driving period.

Bearded Seal

The Beringia stock of bearded seals occur seasonally in the shallow shelf waters of the Beaufort, Chukchi, and Bering Seas (Cameron *et al.,* 2010). Bearded seals are closely associated with ice and their migration coincides with the sea ice retreat and advancement. Some seals are found in the Beaufort Sea year-round; however, most prefer to winter in the Bering Sea and summer in areas with high ice coverage (70–90 percent) in the Chukchi and Beaufort seas (Simpkins *et al.,* 2003, Bengtson *et al.,* 2005).

Aerial surveys conducted in the Beaufort Sea indicated that bearded seals preferred water depths between 82–246 ft (25–75 m) and areas of open ice cover (Cameron *et al.* 2010). ASAMM commonly observes bearded seals offshore in the Beaufort Sea; however, no sightings have been observed in the West Dock activity area. Based on bearded seal water depth and ice coverage preferences, survey

observations in the Prudhoe Bay region, and the normal level of ongoing industrial activity in the project area, only very small numbers of bearded seals are expected near the project area.

Critical habitat for the Beringia DPS of the bearded seal was designated in May 2022 (87 FR 19180). Essential features for conservation designated by NMFS include (1) sea ice habitat suitable for whelping and nursing, which is defined as areas with waters 200 m or less in depth containing pack ice of at least 25 percent concentration and providing bearded seal access to those waters from the ice, (2) sea ice habitat suitable as a platform for molting, which is defined as areas with waters 200 m or less in depth containing pack ice of at least 15 percent concentration and providing bearded seals access to those waters from the ice., and (3) primary prey resources to support bearded seals: waters 200 m or less in depth containing benthic organisms, including epifaunal and infaunal invertebrates, and demersal fishes. This critical habitat is designated in specific areas of the Bering, Chukchi, and Beaufort Seas. The Beaufort Sea section of the critical habitat is relatively narrow band that lies to the north of the project area and does not overlap with the project area. Notwithstanding an earlier court decision vacating NMFS's critical habitat designation, the underlying information regarding the importance of the area and associated features to bearded seals and their habitat remains relevant to the discussion here.

In summary, bearded seals may occur in the project area during the open water season. Bearded seals could potentially occur in the project area during AGDC's winter/spring contingency period; however, we would expect very few, if any, bearded seals to be present during this time.

Ringed Seal

Ringed seals have a circumpolar distribution and are found in all seasonally ice-covered seas of the Northern Hemisphere (Muto *et al.,* 2021). Ringed seals rely on the sea ice for key life history functions and remain associated with the ice most of the year. They are well adapted to inhabiting both shorefast and pack ice, and diminishing sea ice and snow resulting from climate change is the primary concern for this population. The ice provides a platform for pupping and nursing in late winter and early spring, for molting in late spring to early summer, and for resting during other times of the year. When sea ice is at its maximal extent during the winter and early spring in Alaska waters, ringed seal numbers are high in the northern Bering Sea, and throughout the Chukchi and Beaufort Seas. The species is generally not abundant south of Norton Sound, but animals have occurred as far south as Bristol Bay in years of extensive ice coverage (Muto *et al.,* 2021).

Seasonal movements have not been thoroughly documented; however, most ringed seals that overwinter in the Bering and Chukchi seas are thought to migrate north as the ice retreats in the spring. During the summer, ringed seals feed in the pack ice of the northern Chukchi and Beaufort seas, and in nearshore ice remnants of the Beaufort Sea. As the ice advances with freeze-up in the fall, many seals move west and south and disperse throughout the Chukchi and Bering seas while some remain in the Beaufort Sea (Muto *et al.,* 2021).

Critical habitat for the ringed seal was designated in May 2022 and includes marine waters within one specific area in the Bering, Chukchi, and Beaufort Seas (87 FR 19232, April 1, 2022). Essential features established by NMFS for conservation of ringed seals are (1) snow-covered sea ice habitat suitable for the formation and maintenance of subnivean birth lairs used for sheltering pups during whelping and nursing, which is defined as waters 3 m (9.8 ft) or more in depth (relative to MLLW) containing areas of seasonal land-fast (shore-fast) ice or dense, stable pack ice, that have undergone deformation and contain snowdrifts of sufficient depth to form and maintain birth lairs (typically at least 54 cm (21.3 in) deep); (2) sea ice habitat suitable as a platform for basking and molting, which is defined as areas containing sea ice of 15 percent or more concentration in waters 3 m (9.8 ft) or more in depth (relative to MLLW); and (3) primary prey resources to support Arctic ringed seals, which are defined to be small, often schooling, fishes, in particular Arctic cod (*Boreogadus saida*), saffron cod (*Eleginus gracilis*), and rainbow smelt (*Osmerus dentex*); and small crustaceans, in particular, shrimps and amphipods. The project area overlaps a very small portion of this large critical habitat area. Notwithstanding an earlier court decision vacating NMFS's critical habitat designation, the underlying information regarding the importance of the area and associated features to ringed seals and their habitat remains relevant to the discussion here.

Historically, ringed seal occurrence in or near the activity area has been minimal, and large concentrations of seals are not expected near West Dock during project operations. However, ringed seals may occur in the project area during the open-water season or during AGDC's winter/spring contingency period.

Spotted Seal

The Bering stock of the spotted seal is found along the continental shelf of the Bering, Chukchi, and Beaufort Seas (Muto *et al.,* 2020). During the late fall through spring, when seals are hauled out on sea ice, whelping, nursing, breeding, and molting occurs. After the sea ice has melted, most spotted seals haul out on land in the summer and fall (Boveng *et al.,* 2009). Pupping occurs along the Bering Sea ice front during March and April, followed by mating and molting in May and June (Quakenbush, 1988). During the summer, the seals follow the retreating ice north into the Chukchi and Beaufort seas, and haul out on lagoon and river delta beaches during the open water period. The migration back to the Bering Sea wintering grounds begins with sea ice advancement, usually in October (Lowry *et al.,* 1998).

Spotted seals were recorded during barging activities in the summer and early fall of 2005 and 2007 between Prudhoe Bay and Cape Simpson (Green *et al.,* 2007, Green and Negri, 2006). Lomac-MacNair *et al.* (2015) observed spotted seals in Prudhoe Bay, including several in the immediate vicinity of West Dock, while monitoring July-August seismic activity. Therefore, we expect that spotted seals could be present in the project area during the summer months. However, spotted seals are not expected in the area during AGDC's contingency period.

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.,* Au and Hastings, 2008, Richardson *et al.,* 1995, Wartzok and Ketten, 1999). 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 in table 6.

TABLE 6—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, *Kogia,* river dolphins, Cephalorhynchid, *Lagenorhynchus cruciger* & *L. australis*).	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 the Specified Activity 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.

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 10–20 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 driving and removal and impact 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 one second), broadband, and consist of high peak sound pressure with rapid rise time and rapid decay (American National Standards Institute (ANSI), 1986, National Institute for Occupational Safety and Health (NIOSH), 1998, NMFS, 2024, ANSI, 2005). 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 raid rise/decay time that impulsive sounds do (ANSI, 1995, NIOSH, 1998, NMFS, 2024). 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, Southall *et al.,* 2007).

Two types of pile hammers would be used on this project: Impact and vibratory. 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 AGDC's proposed activity on marine mammals could involve both non-

acoustic and acoustic stressors. Potential non-acoustic stressors could include the physical presence of the equipment and personnel; however, any impacts to marine mammals are expected to primarily be acoustic in nature. Acoustic stressors include effects of heavy equipment operation during pile installation and removal.

Acoustic Impacts

The introduction of anthropogenic noise into the aquatic environment from pile driving and removal is the primary means by which marine mammals may be harassed from AGDC's specified activity. Animals exposed to natural or anthropogenic sound may experience physical and psychological effects, ranging in magnitude from none to severe (Southall *et al.,* 2007, 2019). Exposure to pile driving and removal noise has the potential to result in auditory threshold shifts (TS) and behavioral reactions (*e.g.,* avoidance, temporary cessation of foraging and vocalizing, changes in dive behavior). 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 and removal 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 (TS) 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). The amount of TS is customarily expressed in dB. TS can be permanent or temporary. As described by NMFS (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 an 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 TS approximates PTS onset (see Ahroon *et al.,* 1996, Kryter *et a*l., 1966, Miller, 1974, Ward *et al.,* 1958, Ward, 1960, Ward *et al.,* 1959, Henderson *et al.,* 2008). PTS levels for marine mammals are estimates, because there are limited empirical data measuring PTS in marine mammals (*e.g.,* Kastak *et al.,* 2008), 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)

NMFS defines TTS as 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 (see Southall *et al.,* 2007, 2019), 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 (Finneran *et al.,* 2000, 2002; Schlundt *et al.,* 2000,). As described in Finneran (2015), marine mammal studies have shown the amount of TTS increases with cumulative sound exposure level (SELcum) in an accelerating fashion: At low exposures with lower SELcum, the amount of TTS is typically small and the growth curves have shallow slopes. At exposures with higher SELcum, 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 auditory masking, 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 asiaeorientalis*) (Southall *et al.,* 2019). For pinnipeds in water, measurements of TTS are limited to harbor seals, elephant seals (*Mirounga angustirostris*), bearded seals (*Erignathus barbatus*) and California sea lions (*Zalophus californianus*) (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.,* 2020a, 2020b, Kastelein *et al.,* 2019a, 2019b). 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 (Finneran *et al.,* 2010, Kastelein *et al.,* 2015, Kastelein *et al.,* 2014, Mooney *et al.,* 2009). 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. However, such relationships are assumed to be similar to those in humans and other terrestrial mammals. PTS typically occurs at exposure levels at least several dB 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.

This project would install piles using vibratory and impact pile driving. There would likely be pauses in activities producing the sound during each day. Given these pauses and that many marine mammals are likely moving through the ensonified area and not remaining for extended periods of time, the potential for TS declines.

Behavioral Harassment

Exposure to noise from pile driving and removal also has the potential to behaviorally disturb marine mammals to a level that rises to the definition of harassment under the MMPA. Generally speaking, NMFS considers a behavioral disturbance that rises 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, Erbe *et al.,* 2019). Individuals (of different age, gender, reproductive status, *etc.*) among most populations will have variable hearing capabilities, and differing behavioral sensitivities to sounds that will be affected by prior conditioning, experience, and current activities of those individuals. Southall et al. (2007) and Southall et al. (2021) have developed and subsequently refined methods developed to categorize and assess the severity of acute behavioral responses, considering impacts to individuals that may consequently impact populations. Often, specific acoustic features of the sound and contextual variables (*i.e.,* proximity, duration, or recurrence of the sound or the current behavior that the marine mammal is engaged in or its prior experience), as well as entirely separate factors, such as the physical presence of a nearby vessel, may be more relevant to the animal's response than the received level alone. 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 (*e.g.,* Erbe *et al.,* 2019). 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 (Lusseau and Bejder, 2007, Weilgart, 2007, National Research Council, 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, Blair *et al.,* 2016). 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 nose. 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 re 1 µPa; SEL of a single strike: 127 dB re 1 $\mu Pa^2 - s$) (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). In response to construction noise from offshore wind farms, harbor porpoises and harbor seals have demonstrated avoidance on the scale of hours to weeks (Brandt et al., 2018; Russell et al., 2016). 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 Response

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.,* Moberg, 2000, Selye, 1950). 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 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 (Romano *et al.,* 2002b, Fair and Becker, 2000) 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 vessel traffic in the Bay of Fundy was associated with decreased stress in North Atlantic right whales. In addition, Lemos *et al.* (2022) observed a correlation between higher levels of fecal glucocorticoid metabolite concentrations (indicative of a stress response) and vessel traffic in gray whales. These and other studies lead to a reasonable expectation that some marine mammals will 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 (National Research Council, 2005), however distress is an unlikely result of these projects based on observations of marine mammals during previous, similar projects in the area.

Masking

Sound can disrupt behavior through masking, or interfering 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). Masking occurs when the receipt of a sound is interfered with by another coincident sound at similar frequencies and at similar or higher intensity, and may occur whether the sound is natural (*e.g.,* snapping shrimp, wind, waves, precipitation) or anthropogenic (*e.g.,* pile driving, shipping, sonar, seismic exploration) in origin. 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. Masking of natural sounds can result when human activities produce high levels of background sound at frequencies important to marine mammals. Conversely, if the background level of underwater sound is high (*e.g.* on a day with strong wind and high waves), an anthropogenic sound source would not be detectable as far away as would be possible under quieter conditions and would itself be masked.

Airborne Acoustic Effects

There are no known pinniped haulouts near the project location. Therefore, it is unlikely that pinnipeds would be taken by exposure to in-air noise during the open water season. While there is a chance that a pinniped could swim by the construction site with its head out of the water during on-land construction such as pile driving, and be taken by Level B harassment, the

likelihood of that occurring is so low as to be discountable. Additionally, there is a small chance that an individual animal could haul out in an area that is not a normal haulout site, but the chance of that occurring is also discountable. Further, if AGDC must work during their contingency period, they will begin pile driving prior to March 1 (see Proposed Mitigation Measures), so we would not expect ringed seals to build their lairs close enough to the project site to be taken by in-air sound during the contingency period, other than potentially by building their lair in an alternate location due to construction noise.

While the presence of non-acoustic stressors could affect pinnipeds, a pinniped in the water that is close enough to be disturbed by a non-acoustic (*i.e.,* visual) stressor is likely to have already been counted as taken due to in-water noise from activities occurring in the water. As noted above, while there is a chance that a pinniped could swim by the construction site with its head out of the water, or haul out in an area that is not a normal haulout site, and be taken by Level B harassment due to non-acoustic stressors, it is so unlikely as to be considered discountable. Therefore, while a pinniped could be taken due to disturbance from in-air or non-acoustic stressors during construction, we would expect very few of these takes, if any. Further, any such takes would be within the margin of error in the take estimate and their potential effects fully considered in the analysis.

In-air stressors and non-acoustic stressors, such as the physical presence of land-based equipment and personnel, are not expected to affect cetaceans, given that cetaceans are present only in the water at some distance from shore and the activity and remain under water the majority of the time, and therefore are not expected to be exposed to these stressors. While AGDC may use barges to stage land-based equipment during some activities, these barges would be stationary, and at the project site where the water is extremely shallow (less than 14.2 ft. (4.3 m) at West Dock); therefore, we do not expect bowhead whales to occur close enough to the barge or equipment to be disturbed by its presence. Given the rare occurrence of beluga whales within the barrier islands, as evidenced by Block 1a ASAMM survey data, we expect the potential for beluga whales to be disturbed by barges to be so low as to be discountable. (Block 1a encompasses the area between the shoreline and the barrier islands, including Prudhoe Bay. ASAMM reports include just one beluga whale was observed in survey Block 1a in 2018.) We also do not expect gray whales to occur close enough to the barge or equipment to be disturbed by its presence, as gray whales rarely occur within the barrier islands, as also evidenced by Block 1A ASAMM surveys.

Given the factors above, we do not believe that authorization of incidental take resulting from airborne sound is warranted, and airborne sound is not discussed further.

Marine Mammal Habitat Effects

AGDC's construction activities could have localized, temporary impacts on marine mammal habitat by increasing in-water sound pressure levels, disturbing benthic habitat, and increased turbidity. Construction activities are of short duration and would likely have temporary impacts on marine mammal habitat through increases in underwater sound. Increased noise levels may affect acoustic habitat (see masking discussion above) and adversely affect marine mammal prey in the vicinity of the project area (see discussion below). During vibratory pile driving, elevated levels of underwater noise would ensonify the area where both fish and mammals may occur and could affect foraging success. Additionally, marine mammals may avoid the area during construction; any displacement due to noise is expected to be temporary and is not expected to result in long-term effects to the individuals or populations.

Additionally, winter construction activities, including through-ice surveying and through-ice grading could potentially disturb ice habitat, as ice will be cut and removed to facilitate grading the seafloor. Work is expected to begin immediately after the ice becomes grounded, which typically occurs in the work area on or before February 1. These activities could affect available ringed seal habitat, however, ringed seal density is low in areas with water depths less than 10 ft (3 meters) (Moulton *et al.,* 2005), and the grounded ice conditions suitable for construction activities are not preferred habitat for ringed seals. Additionally, winter construction activities would begin prior to March 1, further reducing the potential for disturbance to ringed seal birth lairs.

In-Water Construction Effects on Potential Foraging Habitat

Potential prey (*i.e.,* fish) may avoid the immediate area due to the temporary loss of this foraging habitat during pile driving activities. The duration of fish avoidance of this area after pile driving stops is unknown, but we anticipate a rapid return to normal recruitment, distribution and behavior. Any behavioral avoidance by fish of the disturbed area would still leave large areas of fish and marine mammal foraging habitat in the nearby vicinity.

Additionally, a small amount of seafloor habitat will be disturbed as a result of pile driving, gravel deposition, screeding, and other seabed preparation. Benthic infauna abundance and diversity are very low in this area, likely due to the shallow water depth (<16 ft (5 m)), run-off from adjacent rivers, and ice related stress (Carey *et al.,* 1984). Freezing and thawing sea ice and river runoff during the summer melting season significantly affect the coastal water mass characteristics and decrease the salinity. River outflow and coastal erosion also transport significant amounts of suspended sediments. Sea ice pressure ridges scour and gouge the seafloor and move sediments, creating natural, seasonal disruptions of the seafloor. These factors result in a less than favorable habitat for benthic organisms in the activity area. Bottom disturbance is a natural and frequent occurrence in this nearshore region resulting in benthic communities with patchy distributions (Carey *et al.,* 1984). Given the low nearshore densities of benthic prey items, we do not expect screeding, pile driving, or related construction activities to have significant impacts on marine mammal foraging habitat. Additionally, installation of the new DH4 and barge bridge abutments will cover the associated seafloor; however, the total seafloor area affected from installing the structures is a very small area compared to the vast foraging area available to marine mammals in the Beaufort Sea, particularly given the limited prey expected to be in the West Dock area.

In addition to ensonification and seafloor disturbance, a temporary and localized increase in turbidity near the seafloor would occur immediately surrounding the area where piles are installed and removed, and where screeding and seabed preparation will take place. The screeding process redistributes seabed materials to create a flat even seafloor surface without the need for excavation or disposal of materials. Screeding would occur each summer immediately prior to the arrival of the first cargo barge, and would likely increase turbidity in the immediate area around West Dock. Turbidity and sedimentation rates are naturally high in this region due to ice scouring and gouging of the seafloor and significant amounts of suspended sediments from river outflow and coastal erosion.

Therefore, the additional turbidity resulting from screeding activities is not anticipated to have a significant impact. The sediments on the sea floor will also be disturbed during pile driving; however, like during screeding, sediment suspension will be brief and localized and is unlikely to measurably affect marine mammals or their prey in the area. In general, turbidity associated with pile installation is localized to about a 25-ft (7.6 m) radius around the pile (Everitt *et al.,* 1980). Cetaceans are not expected to be close enough to the project pile driving areas to experience effects of turbidity, and any pinnipeds are able to easily avoid localized areas of turbidity. Therefore, the impact from increased turbidity levels is expected to be discountable to marine mammals. Furthermore, pile driving and removal at the project site would not obstruct movements or migration of marine mammals. Impacts to potential foraging habitat are expected to be temporary and minimal based on the short duration of activities.

In-Water Construction Effects on Potential Prey

Numerous fish and invertebrate species occur in Prudhoe Bay and the Beaufort Sea and could be affected by the construction activities that would produce continuous (*i.e.,* vibratory pile driving) and impulsive (*i.e.,* impact pile driving) sounds. Fish react to sounds that are especially strong and/or intermittent low-frequency sounds. Short duration, sharp sounds can cause overt or subtle changes in fish behavior and local distribution. 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.,* Popper and Hastings, 2009, Scholik and Yan, 2001, Scholik and Yan, 2002). Sound pulses at received levels of 160 dB may cause subtle changes in fish behavior. SPLs of 180 dB may cause noticeable changes in behavior (Pearson *et al.,* 1992, Skalski *et al.,* 1992). SPLs of sufficient strength have been known to cause injury to fish and fish mortality.

The most likely impact to fish from pile driving activities at the project site would be temporary behavioral avoidance of the area. The duration of fish avoidance of this area after pile driving stops is unknown, but as noted above, a rapid return to normal recruitment, distribution and behavior is anticipated.

In addition to fish, prey sources such as marine invertebrates could potentially be impacted by noise stressors as a result of the proposed activities. However, most marine invertebrates' ability to sense sounds is limited. Invertebrates appear to be able to detect sounds (Pumphrey, 1950; Frings and Frings, 1967) and are most sensitive to low-frequency sounds (Packard *et al.,* 1990; Budelmann and Williamson, 1994; Lovell *et al.,* 2005; Mooney *et al.,* 2010). Data on response of invertebrates such as squid, another marine mammal prey species, to anthropogenic sound is more limited (de Soto, 2016; Sole *et al.,* 2017). Data suggest that cephalopods are capable of sensing the particle motion of sounds and detect low frequencies up to 1–1.5 kHz, depending on the species, and so are likely to detect airgun noise (Kaifu *et al.,* 2008; Hu *et al.,* 2009; Mooney *et al.,* 2010; Samson *et al.,* 2014). Sole *et al.* (2017) reported physiological injuries to cuttlefish in cages placed at-sea when exposed during a controlled exposure experiment to low-frequency sources (315 Hz, 139 to 142 dB *re 1*m Pa^2 and 400 Hz, 139 to 141 dB *re 1*m Pa^2). Fewtrell and McCauley (2012) reported squids maintained in cages displayed startle responses and behavioral changes when exposed to seismic airgun sonar (136–162 *re 1*m Pa^2·s). Jones *et al.* (2020) found that when squid (*Doryteuthis pealeii*) were exposed to impulse pile driving noise, body pattern changes, inking, jetting, and startle responses were observed and nearly all squid exhibited at least one response. However, these responses occurred primarily during the first eight impulses and diminished quickly, indicating potential rapid, short-term habituation.

Cephalopods have a specialized sensory organ inside the head called a statocyst that may help an animal determine its position in space (orientation) and maintain balance (Budelmann, 1992). Packard *et al.* (1990) showed that cephalopods were sensitive to particle motion, not sound pressure, and Mooney *et al.* (2010) demonstrated that squid statocysts act as an accelerometer through which particle motion of the sound field can be detected (Budelmann, 1992). Auditory injuries (lesions occurring on the statocyst sensory hair cells) have been reported upon controlled exposure to low-frequency sounds, suggesting that cephalopods are particularly sensitive to low-frequency sound (Andre *et al.,* 2011; Sole *et al.,* 2013). Behavioral responses, such as inking and jetting, have also been reported upon exposure to low-frequency sound (McCauley *et al.,* 2000; Samson *et al.,* 2014). Squids, like most fish species, are likely more sensitive to low frequency sounds and may not perceive mid- and high-frequency sonars.

With regard to potential impacts on zooplankton, McCauley *et al.* (2017) found that exposure to airgun noise resulted in significant depletion for more than half the taxa present and that there were two to three times more dead zooplankton after airgun exposure compared with controls for all taxa, within 1 km (0.6 mi) of the airguns. However, the results of this study are inconsistent with a large body of research that generally finds limited spatial and temporal impacts to zooplankton as a result of exposure to airgun noise (*e.g.,* Dalen and Knutsen, 1987; Payne, 2004; Stanley *et al.,* 2011). Most prior research on this topic, which has focused on relatively small spatial scales, has showed minimal effects (*e.g.,* Kostyuchenko, 1973; Booman *et al.,* 1996; Sætre and Ona, 1996; Pearson *et al.,* 1994; Bolle *et al.,* 2012).

Notably, a more recent study produced results inconsistent with those of McCauley *et al.* (2017). Researchers conducted a field and laboratory study to assess if exposure to airgun noise affects mortality, predator escape response, or gene expression of the copepod *Calanus finmarchicus* (Fields *et al.,* 2019). There were no sublethal effects on the escape performance or the sensory threshold needed to initiate an escape response at any of the distances from the airgun that were tested. Whereas McCauley *et al.* (2017) reported an SEL of 156 dB at a range of 509–658 m (1,670–2,159 ft), with zooplankton mortality observed at that range, Fields *et al.* (2019) reported an SEL of 186 dB at a range of 25 m (82 ft), with no reported mortality at that distance.

As noted above, due to the limited presence of benthic invertebrates in the West Dock area, we do not expect screeding and seafloor preparation activities to result in a significant loss of benthic prey availability, particularly in comparison to the vast foraging area available to marine mammals in the Beaufort Sea.

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 or invertebrate habitat, or populations of fish or invertebrate species. 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).

Proposed takes would primarily be by Level B harassment, as vibratory and impact pile driving has the potential to result in disruption of behavioral patterns for individual marine mammals. There is some potential for AUD INJ (Level A harassment) to result from impact pile driving, primarily for phocids, due to the size of the Level A harassment zones and the difficulty in being detected by observers. Auditory injury is unlikely to occur to cetaceans. 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 (referenced to 1 micropascal (re 1 µPa)) for continuous (*e.g.,* vibratory pile driving, drilling) and above RMS SPL 160 dB re 1 µPa for non-explosive impulsive (*e.g.,* seismic airguns) or intermittent (*e.g.,* scientific sonar) sources. 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.

AGDC's proposed construction activity includes the use of continuous (vibratory pile driving) and impulsive (impact pile driving) sources, and therefore the RMS SPL thresholds of 120 and/or 160 dB re 1 µPa 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). AGDC's proposed construction 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 table 7. 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 7—THRESHOLDS IDENTIFYING THE ONSET OF AUDITORY INJURY

Hearing group	AUD INJ onset acoustic thresholds * (received level)	
	Impulsive	Non-impulsive
Low-Frequency (LF) Cetaceans	*Cell 1:* $L_{pk,flat}$: 222 dB; $L_{E,LF,24h}$: 183 dB	*Cell 2:* $L_{E,LF,24h}$: 197 dB.
High-Frequency (HF) Cetaceans	*Cell 3:* $L_{pk,flat}$: 230 dB; $L_{E,HF,24h}$: 193 dB	*Cell 4:* $L_{E,HF,24h}$: 201 dB.
Very High-Frequency (VHF) Cetaceans	*Cell 5:* $L_{pk,flat}$: 202 dB; $L_{E,VHF,24h}$: 159 dB	*Cell 6:* $L_{E,VHF,24h}$: 181 dB.
Phocid Pinnipeds (PW) (Underwater)	*Cell 7:* $L_{pk,flat}$: 223 dB; $L_{E,PW,24h}$: 183 dB	*Cell 8:* $L_{E,PW,24h}$: 195 dB.
Otariid Pinnipeds (OW) (Underwater)	*Cell 9:* $L_{pk,flat}$: 230 dB; $L_{E,OW,24h}$: 185 dB	*Cell 10:* $L_{E,OW,24h}$: 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 ($L_{p,0\text{-}pk}$) has a reference value of 1 µPa, and weighted cumulative sound exposure level ($L_{E,p}$) has a reference value of 1 μPa^2s. In this table, criteria are abbreviated to be more reflective of International Organization for Standardization (ISO) 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

In this section 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 maximum (underwater) area ensonified above the thresholds for behavioral harassment referenced above is 67.7 km^2 (26.1 mi^2), and the calculated distance to the farthest behavioral isopleth is approximately 4.6 km (2.9 mi).

The project includes vibratory pile installation and removal and impact pile installation. 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 and activity are presented in table 8. Source levels for vibratory installation and removal of piles of the same diameter are assumed to be the same.

TABLE 8—SOUND SOURCE LEVELS FOR PILE DRIVING

Pile size and type	Hammer type	Source level (at 10 m)			Literature source
		Peak (dB re 1 µPa)	RMS (dB re 1 µPa)	SEL (dB re 1 µPa2 sec)	
11.5-inch (29.2 cm) H-Pile.	Impact	200	183	170	Caltrans (2015) (12-inch (30 cm) H-Pile).
14-inch (122 cm) H-Pile.	Impact	200	183	170	Caltrans (2015) (12-inch (30 cm) H-Pile).
	Vibratory	165	150	150	Caltrans (2015) (12- to 16-inch (30 to 40 cm) H-Pile).
48-Inch (122 cm) Pipe Pile.	Impact	213	192	179	Caltrans (2020) (40–48-inch (102 to 122 cm) Steel Pipe Pile).
Sheet Piles (19.69 and 25-inch (50.01 and 64 cm).	Vibratory	175	160	160	Caltrans (2015) (AZ Steel Sheet).

—Transmission loss (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 topography. The general formula for underwater TL is:

$TL = B * Log10 (R_1/R_2)$,

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 transmission loss, a practical spreading value of 15 is used as the transmission loss coefficient in the above formula. Project and site-specific transmission loss data for the Prudhoe Bay portion of AGDC's AK LNG project are not available; therefore, the default coefficient of 15 is used to determine the distances to the Level A and Level B harassment thresholds. However, as discussed in the Proposed Monitoring and Reporting section, AGDC would conduct SSV for pile driving. Following the analysis of SSV results, AGDC may propose adjusted shutdown zones and revised Level A and Level B harassment zones (for the purpose of monitoring and reporting) for NMFS review and approval. All Level B harassment isopleths are reported in table 10. The maximum (underwater) area ensonified above the thresholds for behavioral harassment is 67.7 km^2 (42 mi^2).

The ensonified 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 are provided in table 9, and the resulting estimated isopleths, are reported in table 10.

TABLE 9—USER SPREADSHEET INPUT PARAMETERS USED FOR CALCULATING LEVEL A HARASSMENT ISOPLETHS

[Source levels provided in table 8]

Pile size	Piles per day [a]	Strikes per pile	Duration to drive pile (min)	Weighting factor adjustment
Impact				
11.5-inch (29.2 cm) H-Pile	[b] 26.09	1,000	N/A	2
14-inch (36 cm) H-Pile	4	1,000	N/A	2
48-inch (122 cm) Pipe Pile	1.25	1,000	N/A	2
Vibratory				
14-inch (36 cm) H-Pile	8	N/A	15	2.5
19.69-inch (50.01 cm) Sheet Pile	[b] 15.24	N/A	18.9	2.5
25-inch (64 cm) Sheet Pile	12	N/A	24	2.5

[a] These estimates include contingencies for weather, equipment, workflow, and other factors that affect the number of piles per day, and are assumed to be a maximum anticipated per day. Given that AGDC plans to pile drive up to 24 hours per day, it is appropriate to assume that the number of piles installed within the 24-hour period may not be a whole number.

[b] These averages assume that AGDC will drive 11.5-inch (29.2-cm) H-piles and sheet piles at a rate of 25 ft (7.6 m) per day.

TABLE 10—CALCULATED DISTANCES TO LEVEL A AND LEVEL B HARASSMENT ISOPLETHS

Pile type	Hammer type	Level A harassment zone (m)			Level B harassment zone (m)
		LF cetaceans	HF cetaceans	Phocids	
11.5-Inch (29.2 cm) H-Pile	Impact	1,190	152	1,057	342
14-Inch (36 cm) H-Pile	Impact	341	44	303	341
	Vibratory	3	1	4	1,000
48-Inch (122 cm) Pipe Pile	Impact	625	80	555	1,359
19.69-Inch (50.01 cm) Sheet Pile	Vibratory	23	9	29	4,642
25-Inch (64 cm) Sheet Pile	Vibratory	23	9	29	4,642

Level A harassment zones are typically smaller than Level B harassment zones. However, in rare cases such as the impact pile driving of the 11.5-inch (29.2 cm) H-piles herein, the calculated Level A harassment isopleth is greater than the calculated Level B harassment isopleth for LF cetaceans and phocids. Calculation of Level A harassment isopleths include a duration component, which in the case of impact pile driving, is estimated through the total number of daily strikes and the associated pulse duration. For a stationary sound source such as impact pile driving, we assume here that an animal is exposed to all of the strikes expected within a 24-hour period. Calculation of a Level B harassment zone does not include a duration component. Depending on the duration included in the calculation, the calculated Level A harassment isopleths can be larger than the calculated Level B harassment isopleth for the same activity.

Marine Mammal Occurrence

In this section, we provide information about the occurrence of marine mammals, including density or other relevant information which will inform the take calculations.

From 2011–2019, each fall and summer, NMFS and BOEM conducted aerial surveys in the Arctic, the ASAMM surveys (Clarke *et al.,* 2012, 2013, 2014, 2015a, 2017a, 2017b, 2018, 2019, and 2020). The goal of these surveys was to document the distribution and relative abundance of bowhead, gray, right, fin, and beluga whales and other marine mammals in area of potential oil and natural gas exploration, development, and production activities in the Alaskan Beaufort and northeastern Chukchi Seas. In 2020 and 2021, NMFS conducted aerial surveys during the fall in the western Beaufort Sea focusing on Point Barrow to Prudhoe Bay (Brower *et al.,* 2022a, Brower *et al.,* 2022b). These surveys were conducted within blocks that overlay the Beaufort and Chukchi Seas oil and gas lease sale areas offshore of Alaska (Figure 16 in AGDC's application), and provide sighting data for bowhead, gray, and beluga whales. NMFS used data from these surveys from 2011–2021 to estimate seasonal densities of cetaceans in the project area. During the summer, NMFS observed for marine mammals on effort

for 15,127 km from 2011–2019 and 15,968 km during the fall from 2011 to 2021. We note that the proposed Prudhoe Bay portion of the AK LNG project is in ASAMM survey block 1; the inshore boundary of this block terminates at the McClure Island group. It was not until 2016 that on-effort surveys began inside the McClure Island group (including Prudhoe Bay) since bowhead whales, the focus of the surveys, are not likely to enter this area, given its shallow depth. However, no bowheads and only one beluga whale have been observed in block 1a (including Prudhoe Bay). Therefore, the density estimates provided here are likely an overestimate because they rely on offshore surveys where marine mammals are more likely to be present.

Cetaceans

AGDC calculated summer and fall density estimates for bowhead whale, gray whale, and beluga whale by dividing the average number of whales observed per km of transect effort in ASAMM Block 1 by two times the effective strip width (ESW) to encompass both sides of the transect line (whales per km/(2xESW) (table 11 and table 12). The ESW for bowhead whale, gray whale, and beluga whale from the Aero Commander aircraft are 1.15 km (0.71 mi), 1.2 km (0.75 mi), and 0.613 km (0.38 mi), respectively (Ferguson and Clarke, 2013). Fall sighting data is available from 2011–2021. Surveys were not conducted in the summer of 2020 and 2021, and therefore sighting data for the summer is only available from 2011–2019. Additionally, although beluga whale sighting data was available from 2011–2013, it was only summarized by depth zone, rather than by survey block. Therefore, and given that more recent data is available, data from 2011–2013 was excluded for beluga whales.

Table 11 and table 12, below, include calculated summer and fall densities for each species. All resulting densities are expected to be overestimates for the AK LNG analysis because the data are based on sighting effort outside of the barrier islands and these species rarely occur within the barrier islands. To estimate take of each cetacean species, AGDC used the higher density in an effort to avoid underestimating take. Therefore, NMFS estimated take of gray whale and beluga whale using the summer densities, 0.00003 and 0.009 whales/km^2 respectively, and estimated take using the fall density of 0.017 whales/km^2 for bowhead whale.

As noted in the Description of Marine Mammals in the Area of Specified Activities section, we do not expect cetaceans to be present during AGDC's winter/spring contingency pile driving period.

TABLE 11—SUMMER SIGHTING AND DENSITY DATA

Year	Transect (km)	Number sightings		
		Bowhead whale	Gray whale	Beluga whale
2011	346	1	0	[a] N/A
2012	1493	5	0	[a] N/A
2013	1582	21	0	[a] N/A
2014	1393	17	0	13
2015	1262	15	0	37
2016	1914	97	1	0
2017	3003	8	0	4
2018	2491	2	0	6
2019	1643	6	0	63
Total	15127	172	1	123
Encounter Rate (whales/km)		0.01137	0.00007	[b] 0.01051
Density (whales/km^2) [c]		0.0049	0.00003	0.009

[a] Beluga sighting data from 2011 to 2013 was only summarized by depth zone, rather than by survey block. Therefore, data from 2011–2013 was excluded for beluga whales.
[b] Encounter rate for beluga whales was calculated using total transect from 2014–2019, which was 11,706 km.
[c] Density was calculated with the formula of Encounter rate/(2xESW). ESW for each species are as follows: Bowhead whale: 1.15, Gray whale: 1.201, Beluga whale: 0.614 (Ferguson and Clarke, 2013).

TABLE 12—FALL SIGHTING AND DENSITY DATA

Year	Transect (km)	Number sightings		
		Bowhead whale	Gray whale	Beluga whale
2011	1130	24	0	[a] N/A
2012	1696	17	0	[a] N/A
2013	1121	21	0	[a] N/A
2014	1538	79	1	9
2015	1663	17	0	3
2016	2360	23	0	1
2017	1803	255	0	0
2018	1535	69	0	0
2019	2055	45	0	1
2020	379	54	0	0
2021	668	15	0	3

TABLE 12—FALL SIGHTING AND DENSITY DATA—Continued

Year	Transect (km)	Number sightings		
		Bowhead whale	Gray whale	Beluga whale
Total	15968	619	1	17
Encounter Rate (whales/km)		0.03877	0.00006	[b] 0.00141
Density (whales/km^2) [c]		0.017	0.00002	0.00115

[a] Beluga sighting data from 2011 to 2013 was only summarized by depth zone, rather than by survey block. Therefore, data from 2011–2013 was excluded for beluga whales.
[b] Encounter rate for beluga whales was calculated using total transect from 2014–2021, which was 12,021 km.
[c] Density was calculated with the formula of Encounter rate/(2xESW). ESW for each species are as follows: Bowhead whale—1.15, Gray whale—1.201, Beluga whale—0.614 (Ferguson and Clarke, 2013).

Ringed Seal

Ringed seals are the most abundant species in the project area. They haul out on the ice to molt between late May and early June, and spring aerial surveys provide the most comprehensive density estimates available. Spring surveys are expected to provide the best ringed seal density information, as the greatest percentage of seals have abandoned their lairs and are hauled out on the ice (Kelly *et al.,* 2010). Spring aerial surveys conducted in the central Beaufort Sea from 1996–1999 (Frost *et al.,* 2004) and around the West Dock area as part of industry monitoring programs for the construction of the Northstar production facility from 1997–2002 (Richardson and Williams, 2003, Richardson and Williams, 2002) were considered the best data available to determine spring density in the area of the project. The yearly densities from these spring aerial surveys were averaged to determine spring ringed seal density. The average observed spring ringed seal density from this monitoring effort was 0.634 seals/km^2 (table 13). While more recent ASAMM surveys have been conducted in the project area, these surveys did not identify observed pinnipeds to species, and therefore these data are not included.

TABLE 13—RINGED SEAL DENSITIES ESTIMATED USING SPRING AERIAL SURVEYS CONDUCTED FROM 1996 TO 2002

Survey year	Density (seals/km^2)	Reference
1996	0.81	Frost *et al.* (2004).
1997	0.73	Frost *et al.* (2004).
1997	0.43	Richardson and Williams (2002).
1998	0.64	Frost *et al.* (2004).
1998	0.39	Richardson and Williams (2002).
1999	0.87	Frost *et al.* (2004).
1999	0.63	Richardson and Williams (2002).
2000	0.47	Richardson and Williams (2002).
2001	0.54	Richardson and Williams (2002).
2002	0.83	Richardson and Williams (2003).
Average	0.634	

In order to generate a summer density, as AGDC expects that the majority of their work will occur during the summer, we first begin with the spring density. Summer densities in the project area are expected to significantly decrease as ringed seals range considerable distances during the open water season. Summer density was estimated to be 50 percent of the spring density (0.634 seals/km^2), resulting in a summer density of 0.317 seals/km^2. Given that AGDC will only pile drive during the winter if they are unable to complete the work during the summer and fall open water season, NMFS estimated ringed seal takes using the summer density of 0.317 seals/km^2 rather than winter.

Spotted Seal

The spotted seal occurs in the Beaufort Sea in small numbers during the summer open water period. At the onset of freeze-up in the fall, spotted seals return to the Chukchi Sea and then Bering Sea to spend the winter and spring. As such, AGDC does not expect spotted seals to occur in the project area during AGDC's winter/spring contingency period, and NMFS concurs.

Only a few of the studies referenced in calculating the ringed seal densities also include data for spotted seals. Given the limited spotted seal data, NMFS expects that relying on this data may result in an underestimate, and that it is more appropriate to calculate the spotted seal density as a percentage of ringed seal density. Therefore, summer spotted seal density was estimated as a percentage of ringed seal sightings observed during monitoring during seismic exploration in this area from 2006–2008 (Funk *et al.,* 2010). Spotted seals comprised 34.8 percent of ringed seal sightings during these monitoring efforts. Therefore, summer spotted seal density was calculated as 34.8 percent of the ringed seal density of 0.317 seals/km^2, which results in an estimated spotted seal summer density of 0.11 seals/km^2. This density will be used to estimate take of spotted seal.

Bearded Seal

The majority of bearded seals spend the winter and spring in the Chukchi and Bering Seas; however, some remain in the Beaufort Sea year-round. A reliable population estimate for the bearded seal stock is not available, and occurrence in the Beaufort Sea is less known than in the Bering Sea. Spring

aerial surveys conducted as part of industry monitoring for the Northstar production facility provide limited sighting numbers from 1999–2002 (Richardson and Williams, 2002, 2003).

Bearded seals occur in the Beaufort Sea more frequently during the open water season, rather than other parts of the year. They prefer water farther offshore. Only a few of the studies referenced in calculating the ringed seal densities also include data for bearded seals. Given the limited bearded seal data, NMFS expects that relying on this data may result in an underestimate, and that it is more appropriate to calculate the bearded seal density as a proportion of the ringed seal density. Therefore, summer bearded seal density was estimated as a percentage of ringed seal sightings observed during seismic exploration in this area from 2006–2008 (Funk *et al.,* 2010). Bearded seals comprised 21.3 percent of ringed seal sightings during these monitoring efforts. Therefore, summer bearded seal density was calculated as 21.3 percent of the summer ringed seal density of 0.317 seals/km^2, which results in an estimated bearded seal density of 0.068 seals/km^2. NMFS used this density to estimate take of bearded seal.

As noted in the Description of Marine Mammals in the Area of Specified Activities section, bearded seals could potentially occur in the project area during AGDC's winter/spring contingency period. However, we would expect very few, if any bearded seals to be present during this time. In consideration of this species presence information and AGDC's plan to conduct most construction during the open-water season, NMFS estimated take of bearded seal using the summer density.

Take Estimation

Here we describe how the information provided above is synthesized to produce a quantitative estimate of the take that is reasonably likely to occur and proposed for authorization.

To estimate take by Level A and Level B harassment, AGDC multiplied the area (km^2) estimated to be ensonified above the Level A or Level B harassment (table 14 and table 15) thresholds for each species, respectively, for pile driving (and removal) of each pile size and hammer type by the duration (days) of that activity in that season by the seasonal density for each species (number of animals/km^2). NMFS generally concurs with, and has adopted this method, with the exception of the estimated duration of the activity (described below). NMFS also used updated densities as described in the *Marine Mammal Occurrence* section.

TABLE 14—LEVEL B HARASSMENT ZONES

Pile type	Area (km^2)
Impact	
11.5-Inch (29.2 cm) H-Pile ...	0.37
14-Inch (36 cm) H-Pile	0.37
48-Inch (122 cm) Pipe Pile ...	5.8
Vibratory	
14-Inch (36 cm) H-Pile	3.14
Sheet Piles (19.69- and 25-Inch (50.01 and 64 cm)) ...	67.7

TABLE 15—LEVEL A HARASSMENT ZONES

Pile type	Area (km^2)		
	LF cetacean	HF cetacean	Phocids
Impact			
11.5-Inch (29.2 cm) H-Pile	4.45	0.073	3.51
14-Inch (36 cm) H-Pile	0.37	0.006	0.29
48-Inch (122 cm) Pipe Pile	1.23	0.020	0.97
Vibratory			
14-Inch (36 cm) H-Pile	0.00	0.00	0.00
19.69-Inch (50.01 cm) Sheet Pile	0.00	0.00	0.00
25-Inch (64 cm) Sheet Pile	0.00	0.00	0.00

NMFS calculated take using summer densities for all species except for bowhead whale (tables 16, 17, 18, and 19). For bowhead whales, NMFS conservatively calculated take using the fall density.

TABLE 16—MARINE MAMMAL DENSITIES USED TO ESTIMATE TAKE

Species	Density (animals/km^2)	Season
Bowhead whale	0.017	Fall (September–October).
Gray whale	0.00003	Summer (July–August).
Beluga whale	0.009	Summer (July–August).
Ringed seal	0.317	Summer (July–August).
Spotted seal	0.11	Summer (July–August).
Bearded seal	0.068	Summer (July–August).

TABLE 17—ESTIMATED TAKE BY LEVEL B HARASSMENT BY SPECIES, PILE SIZE AND TYPE, AND INSTALLATION/REMOVAL METHOD

Activity	Estimated duration (days)	Bowhead whale	Gray whale	Beluga whale	Ringed seal	Spotted seal	Bearded seal
DH4							
Anchor Pile (11.5-inch (29.2 cm) H-Pile) (impact)	9	0.06	0.00	0.03	1.04	0.36	0.22
25-inch (64 cm) Sheet Pile (Vibratory)	36	41.43	0.07	21.93	772.54	268.07	165.72
Mooring Dolphins (48-inch (122 cm) Pipe Pile) (Impact)	10	0.99	0.00	0.52	18.39	6.38	3.95
Spud Piles (14-inch (36 cm) H-Pile) (vibratory)	12	0.64	0.00	0.34	11.95	4.15	2.56
South Bridge Abutment							
Dock Face (19.69-inch (50.01 cm) Sheet Pile) (Vibratory)	23	26.47	0.05	14.01	493.57	171.27	105.88
Tailwall (19.69-inch (50.01 cm) Sheet Pile) (Vibratory)	23	26.47	0.05	14.01	493.57	171.27	105.88
Anchor Pile (14-inch (36 cm) H-Pile) (Impact)	1	0.01	0.00	0.00	0.12	0.04	0.02
North Bridge Abutment							
Dock Face (19.69-inch (50.01 cm) Sheet Pile) (Vibratory)	24	27.62	0.05	14.62	515.03	178.72	110.48
Tailwall (19.69-inch (50.01 cm) Sheet Pile) (Vibratory)	17	19.56	0.03	10.36	364.81	126.59	78.26
Anchor Pile (14-inch (36 cm) H-Pile (Impact)	1	0.01	0.00	0.00	0.12	0.04	0.02
Barge Bridge							
Mooring Dolphins (48-inch (122 cm) Pipe Pile) (Impact)	4	0.39	0.00	0.21	7.36	2.55	1.58
Spud Pile (14-inch (36 cm) H-Pile) (vibratory)	4	0.21	0.00	0.11	3.98	1.38	0.85
Total	164	143.86	0.25	76.16	2,682.48	930.83	575.42
75 percent of Total	123	107.89	0.19	57.12	2,011.86	698.12	431.57
Proposed take by Level B Harassment	.....	108	*2	57	2,012	698	432

*Although 75 percent of the calculated total is 0.2, in order to account for group size (Clarke *et al.,* 2017b), NMFS is proposing to authorize two takes by Level B harassment of gray whale.

AGDC expects that construction will likely be completed during the open-water construction season. AGDC calculated that the construction would require approximately 164 days of in-water work; however, this estimate does not take into account that different pile types would be installed on the same day, therefore reducing the total number of pile driving days. Therefore, NMFS expects that the take calculation using the method described above overestimates take. Taking into consideration the number of calendar days, construction occurring 6 days per week, and no work occurring on days during the whaling season, there are 123 days in the months of July through October on which the work is expected to occur (75 percent of the 164 days estimated by AGDC). As such, for each species, NMFS is proposing to authorize 75 percent of the take estimate calculated using the estimated 164 work days (except for Level A harassment take of bowhead whales and beluga whales, and Level B harassment of gray whales as noted below).

NMFS recognizes that AGDC may work outside of this period in their February to April contingency period; however, we expect that if AGDC works during the contingency period, it would be because of construction delays (and therefore, days on which they did not work) during their planned open water work season. Additionally, we recognize that ringed seals may be present in ice lairs during the contingency period. However, AGDC must initiate pile driving prior to March 1, as described in the Proposed Mitigation section. Initiating pile driving before March 1 is expected to discourage seals from establishing birthing lairs near pile driving. As such, we expect that this measure will eliminate the potential for physical injury to ringed seals during this period. Therefore, NMFS expects that the take estimates described herein are reasonable even if AGDC must pile drive during their contingency period.

TABLE 18—ESTIMATED TAKE BY LEVEL A HARASSMENT BY SPECIES, PILE SIZE AND TYPE, AND INSTALLATION/REMOVAL METHOD

Activity	Estimated duration (days)	Bowhead whale	Gray whale	Beluga whale	Ringed seal	Spotted seal	Bearded seal
DH4							
Anchor Pile (11.5-inch (29.2 cm) H-Pile) (impact)	9	0.68	0.00	0.01	10.01	3.47	2.15
25-inch (64 cm) Sheet Pile (Vibratory)	36	0.00	0.00	0.00	0.03	0.01	0.01

TABLE 18—ESTIMATED TAKE BY LEVEL A HARASSMENT BY SPECIES, PILE SIZE AND TYPE, AND INSTALLATION/REMOVAL METHOD—Continued

Activity	Estimated duration (days)	Bowhead whale	Gray whale	Beluga whale	Ringed seal	Spotted seal	Bearded seal
Mooring Dolphins (48-inch (122 cm) Pipe Pile) (Impact)	10	0.21	0.00	0.00	3.07	1.06	0.66
Spud Piles (14-inch (36 cm) H-Pile) (vibratory)	12	0.00	0.00	0.00	0.00	0.00	0.00
South Bridge Abutment							
Dock Face (19.69-inch (50.01 cm) Sheet Pile) (Vibratory)	23	0.00	0.00	0.00	0.02	0.01	0.00
Tailwall (19.69-inch (50.01 cm) Sheet Pile) (Vibratory)	23	0.00	0.00	0.00	0.02	0.01	0.00
Anchor Pile (14-inch (36 cm) H-Pile) (Impact)	1	0.01	0.00	0.00	0.09	0.03	0.02
North Bridge Abutment							
Dock Face (19.69-inch (50.01 cm) Sheet Pile) (Vibratory)	24	0.00	0.00	0.00	0.02	0.01	0.00
Tailwall (19.69-inch (50.01 cm) Sheet Pile) (Vibratory)	17	0.00	0.00	0.00	0.01	0.00	0.00
Anchor Pile (14-inch (36 cm) H-Pile (Impact)	1	0.01	0.00	0.00	0.09	0.03	0.02
Barge Bridge							
Mooring Dolphins (48-inch (122 cm) Pipe Pile) (Impact)	4	0.08	0.00	0.00	1.23	0.43	0.26
Spud Pile (14-inch (36 cm) H-Pile) (vibratory)	4	0.00	0.00	0.00	0.00	0.00	0.00
Total	164	0.99	0.00	0.01	14.59	5.06	3.13
75 percent of Total	123	0.74	0.00	0.01	10.95	3.8	2.35
Proposed Take by Level A Harassment	.....	*0	0	0	11	4	2

*NMFS does not expect bowhead whales to occur within the Level A harassment zone, and therefore NMFS does not propose to authorize take by Level A harassment of bowhead whales.

NMFS does not expect bowhead whales to occur within the Level A harassment zones due to the shallow waters (approximately 19ft in depth at the isopleth), lack of historic sightings, and required mitigation. Waters less than 15 ft deep are considered too shallow to support these whales, and in three decades of aerial surveys by BOEM (ASAMM), no bowhead whale has been recorded in waters less than 16.4 ft (5 m) deep (Clarke and Ferguson 2010). Further, no bowhead whales have been observed during ASAMM surveys in Block 1a (which encompasses the Level A harassment zone) when surveys were conducted in Block 1a (Clarke *et al.,* 2017b, 2018, 2019, 2020). Shutdown requirements within designated shutdown zones for LF cetaceans (which includes bowhead whales) are expected to prevent take by Level A harassment given the large size and visibility of bowhead whales. Additionally, Level A harassment zones are calculated with an associated duration component based on the amount of pile driving expected to occur within one day. Therefore, a marine mammal is not taken by Level A harassment instantaneously when it enters the Level A harassment zone, and given the shallow depths, even if a bowhead did enter the Level A harassment zone, we would not expect it to remain within the zone for a long enough period to incur AUD INJ. Therefore, we do not expect Level A harassment of bowhead whales to occur, and are not proposing to authorize Level A harassment take of bowheads.

The likelihood of gray whales occurring in the Level A harassment zone is extremely low, as evidenced by the very low densities included in the *Marine Mammal Occurrence* section and the lack of modeled takes in table 18. Further, shutdown requirements within designated shutdown zones for LF cetaceans (which include gray whales) are expected to prevent take by Level A harassment given the large size and visibility of gray whales, and the duration component associated with the Level A harassment zones. Even if a gray whale did enter the Level A harassment zone, NMFS would not expect it to remain within the zone for a long enough period to incur AUD INJ, given the mitigation and visibility. Therefore, NMFS does not expect Level A harassment of gray whales to occur, and is not proposing to authorize Level A harassment take of the gray whale.

The largest Level A harassment zone for high-frequency cetaceans (including the beluga whale) extends 152 m from the source during impact driving of the 11.5-inch (29.2 cm) H pile (table 10). Considering the small size of the Level A harassment zones, and the low likelihood that a beluga whale will occur in this area, as evidenced by the estimated values in table 18, Level A harassment is unlikely to occur. Additionally, AGDC is planning to implement a 150 m shutdown zone during this activity. NMFS expects shutdown zones (table 20) will eliminate the potential for Level A harassment take of the beluga whale. Therefore, NMFS is not proposing to authorize takes of beluga whale by Level A harassment.

TABLE 19—TAKE BY LEVEL A AND LEVEL B HARASSMENT, BY SPECIES AND STOCK, PROPOSED FOR AUTHORIZATION

Species	Stock	Level A harassment	Level B harassment	Total instances of take	Stock abundance	Percent of stock
Bowhead Whale	Western Arctic	0	108	108	15,227	0.7
Gray Whale	Eastern North Pacific	0	2	2	26,960	0.01
Beluga Whale*	Beaufort Sea	0	57	57	39,258	0.145
	Eastern Chukchi	0	57	57	13,305	0.43
Ringed Seal	Arctic	11	2,012	2,023	UND	N/A
Spotted Seal	Bering	4	698	702	461,625	0.15
Bearded Seal	Beringia	2	432	434	UND	N/A

*Beluga whales in the project area are likely to be from the Beaufort Sea stock. However, NMFS has conservatively attributed all takes to each stock for their analysis.

Effects of Specified Activities on Subsistence Uses of Marine Mammals

The availability of the affected marine mammal stocks or species for subsistence uses may be impacted by this activity. The subsistence uses that may be affected and the potential impacts of the activity on those uses are described below. Measures included in this IHA to reduce the impacts of the activity on subsistence uses are described in the Proposed Mitigation section. Last, the information from this section and the Proposed Mitigation section is analyzed to determine whether the necessary findings may be made in the Unmitigable Adverse Impact Analysis and Determination section.

The communities of Nuiqsut, Utqiaġvik and Kaktovik engage in subsistence harvests off the North Slope of Alaska. Alaska Native communities have harvested bowhead whales for subsistence and cultural purposes with oversight and quotas regulated by the International Whaling Commission (IWC). The North Slope Borough (NSB) Department of Wildlife Management has been conducting bowhead whale subsistence harvest research since the early 1980's to collect the data needed by the IWC to set harvest quotas. Bowhead whale harvest (percent of total marine mammal harvest), harvest weight, and percent of households using bowhead whale are presented in table 25 of AGDC's application.

Due to ongoing oil and gas activities in the North Slope, the Department of the Interior funded a subsistence mapping study conducted in 2004 (Stephen R. Braund & Associates, 2010) and the Alaska LNG Project funded a study, conducted by the Alaska Department of Fish & Game in 2014 (Brown *et al.,* 2016), to characterize and describe the harvests and uses of wild foods by subsistence communities on the North Slope. These are the most recent and applicable studies that NMFS is aware of and will be used to describe the harvests of Utqiaġvik, Kaktovik, and Nuiqsut below.

Most of the Beaufort Sea population of beluga whales migrate from the Bering Sea into the Beaufort Sea in April or May. The spring migration routes through ice leads are similar to those of the bowhead whale. Fall migration through the western Beaufort Sea occurs in September or October. Surveys of the fall distribution strongly indicate that most belugas migrate offshore along the pack ice front beyond the reach of subsistence harvesters. Beluga whales are harvested opportunistically during the bowhead harvest and throughout ice-free months. No beluga whale harvests were reported in 2006 survey interviews conducted by Stephen R. Braund & Associates in any community (Stephen R. Braund & Associates, 2010). Beluga harvests were also not reported in Nuiqsut and Kaktovik, although households did report using beluga whale, likely through sharing from other communities (Brown *et al.,* 2016). We do not expect the planned activities at the AK LNG project site to affect beluga whale subsistence harvests, as none are expected.

Gray whale harvests were not reported by any of the communities surveyed by Stephen R. Braund & Associates (2010) or Brown *et al.* (2016) in any of the survey years, and therefore are not included as an important subsistence species and are not further discussed.

Utqiaġvik

Utqiaġvik (formerly known as Barrow) is the northernmost community on the North Slope and the United States, and is approximately 320 km (200 mi) northwest of Prudhoe Bay. According to Brown *et al.* (2016), 71 percent of households reported using marine mammals as a resource. Of the marine mammals harvested, bowhead whale made up the largest composition of marine mammals harvested at 54 percent by weight, while bearded seals represented 30 percent, ringed seals 2 percent, and beluga whale 2 percent of total marine mammal weight harvested (Brown *et al.,* 2016). Bowhead whale was reported as a resource used in 70 percent of households, bearded seal in 44 percent of households, ringed seal in 19 percent of households, beluga whale in 15 percent of households, and spotted seals in 5 percent.

The spring hunt of bowhead whales occurs while bowheads are making their migration east toward the eastern Beaufort Sea. Crews begin to camp on the ice in mid- to late-April and stay out on the edge of the ice for about 2–6 weeks, depending on the condition of the ice (Brown *et al.,* 2016). During the fall bowhead migration west, crews travel on open boat, making day trips from the community. During the summer months of July and August, bearded seals and ringed seals are targeted offshore near ice floes (Brown *et al.,* 2016).

The community of Utqiaġvik's subsistence activities occur outside of the area impacted by activities considered in this authorization. We do not expect impacts to Utqiaġvik's subsistence activities, and they are not discussed further beyond the explanation provided here. Impacts to marine mammals from the planned construction would mostly include limited, temporary behavioral disturbances of seals, however, some slight AUD INJ within the lower frequencies associated with pile driving is possible. Additionally a small number of takes of bowhead whales, by Level B harassment only, are predicted to occur in the vicinity of AGDC's activity. Even if some subset of taken individuals deflected farther offshore near the project site, it is reasonable to predict that most individuals would likely resume a more typical migration path by the time they reach the Utqiaġvik hunting area, and therefore, significant impacts to the Utqiaġvik hunt would be unlikely.

The planned activities and associated harassment of marine mammals are not expected to impact marine mammals in numbers or locations sufficient to render them unavailable for Utqiaġvik subsistence harvest given the short-term, temporary, and localized nature of construction activities, and the planned mitigation measures. Additionally, no serious injury or mortality of marine mammals is expected or proposed for authorization, and the activities are not expected to have any impacts on reproductive or survival rates of any marine mammal species.

Kaktovik

Kaktovik is the easternmost village in the NSB. Kaktovik is located on the north shore of Barter Island, situated between the Okpilak and Jago rivers on the Beaufort Sea coast. Kaktovik's subsistence-harvest areas are to the east of the project area and target marine mammal species migrating eastward during spring and summer occur seaward of the project area and westward in the fall.

Bowhead whale hunters report traveling between Camden Bay to the west and Nuvagapak Lagoon to the east. This range does not include the project area impacted by the activities analyzed for this IHA. The small number of takes of bowhead whales, by Level B harassment only, predicted to occur in the vicinity of AGDC's activity are not expected to have any impacts on the fitness of any bowhead whales. Further, we do not expect construction activities to deflect the bowhead whale migration offshore in the Kaktovik hunting area, given the distance from the western extent of the hunting area (Camden Bay) to the predicted Level B harassment isopleths. Even if some subset of taken individuals deflected farther offshore near the project site, it is reasonable to predict that most individuals would likely resume a more typical migration path by the time they reach the Kaktovik hunting area during the eastbound migration, and during the westbound migration, a bowhead exposed to construction noise would have already passed the hunting area prior to exposure. Significant impacts to the Kaktovik hunt would be unlikely, and Kaktovik bowhead whale hunting is not discussed further. Please refer to AGDC's application for additional information.

Ringed, spotted and bearded seals are harvested by the community of Kaktovik. Residents hunt seals in rivers during ice-free months, primarily July–August. Ringed seals are an important subsistence resource for Native Alaskans living in communities along the Beaufort Sea coast. Kaktovik hunters travel by boat to look for ringed seals on floating ice (often while also hunting for bearded seal) or sometimes along the ice edge by snow machine before break-up, during the spring (Stephen R. Braund & Associates 2010). In 2006, 7 people (18 percent of survey respondents) indicated that they had recently hunted for ringed seals in Kaktovik (Stephen R. Braund & Associates, 2010). Residents reported looking for ringed seal, usually while also searching for bearded seal, offshore between Prudhoe Bay to the west and Demarcation Bay to the east (Stephen R. Braund & Associates, 2010). Ringed seal hunting typically peaks between March and August but continues into September, as well (Stephen R. Braund & Associates. 2010). Although residents reported hunting ringed seals up to approximately 30 mi (48 km) from shore, the highest numbers of overlapping use areas generally occur within a few miles from shore (Stephen R. Braund & Associates, 2010). The total use area for ringed seal from 1995–2006 encompassed approximately 2,139 mi^2 (5540 km^2). Harvest of ringed seals by Kaktovik hunters does not typically occur to the west of Camden Bay. Additionally, impacts to ringed seals are expected to include temporary behavioral disturbances and some slight PTS within the lower frequencies associated with pile driving. Serious injury or mortality of ringed seals is not anticipated from the planned activities, and the activities are not expected to have any impacts on ringed seal reproductive or survival rates, or to impact availability of ringed seals. Therefore, AK LNG project activities are not expected to impact Kaktovik ringed seal harvests.

Kaktovik hunters harvested 126 pounds of spotted seals in 1992 (ADF&G Community Subsistence Information System (CSIS); retrieved and analyzed August 15, 2018). Spotted seals were not reported harvested in 2006 survey interviews conducted in Nuiqsut (Stephen R. Braund & Associates, 2010).

Hunting of bearded seals is more common than that of ringed seals by Kaktovik residents, with 68 percent of respondents reporting the hunting of bearded seals over the previous 10 years (Stephen R. Braund & Associates, 2010). Kaktovik bearded seal hunting occurs along the coast as far west as Prudhoe Bay and as far east as the United States/Canada border (Stephen R. Braund & Associates, 2010). Residents reported looking for bearded seal as far as approximately 30 mi (48 km) from shore, but generally hunt them closer to shore, up to 5 mi (8 km; Stephen R. Braund & Associates 2010). Between 1994–2003, 29 bearded seals were taken in Kaktovik. Bearded seal hunting activities, like ringed seal, begin in March, peaking in July and August, and then conclude in September (Stephen R. Braund & Associate, 2010).

The community of Kaktovik is approximately 100 (direct) mi (161 km) from the planned project at Prudhoe Bay; subsistence activities for these communities primarily occur outside of the project construction area and the associated Level A and Level B harassment zones. The planned construction and use of improvements to West Dock would occur in Prudhoe Bay, adjacent to existing oil and gas infrastructures, and in an area that is not typically used for subsistence other than extremely limited bearded seal hunting by residents of Kaktovik.

Because of the distance from Kaktovik, and Kaktovik's very limited use of waters offshore of Prudhoe Bay, and because the planned activities would occur in an already-developed area, it is unlikely that the planned activities would have any effects on the use of marine mammals for subsistence by residents of Kaktovik. Further, the planned activities are not expected to impact marine mammals in numbers or locations sufficient to render them unavailable for subsistence harvest given the short-term, temporary, and localized nature of construction activities, and the planned mitigation measures. Impacts to marine mammals would mostly include limited, temporary behavioral disturbances of seals, with limited AUD INJ associated with pile driving. Serious injury or mortality of marine mammals is not anticipated from the planned activities, and the activities are not expected to have any impacts on reproductive or survival rates of any marine mammal species. Therefore, we do not discuss Kaktovik's subsistence activities further.

Nuiqsut

The proposed construction activities would occur closest to the marine subsistence use area used by the Native Village of Nuiqsut. Nuiqsut is located on the west bank of the Nechelik Channel on the lower Colville River, about 25 mi (40 km) from the Arctic Ocean and approximately 150 mi (242 km) southeast of Utqiaġvik. Nuiqsut subsistence hunters utilize an extensive search area, spanning 16,322 mi^2 (km^2) across the central Arctic Slope (see Figure 19 of AGDC's application, Brown *et al.,* 2016). Marine mammal hunting is primarily concentrated in two areas: (1) Harrison Bay, between Atigaru Point and Oliktok Point, including a northward extent of approximately 50

mi (80 km) beyond the Colville River Delta (Brown *et al.,* 2016); and (2) east of the Colville River Delta between Prudhoe and Foggy Island bays, which includes an area of approximately 100 square mi surrounding the Midway Islands, McClure Island and Cross Island (Brown *et al.,* 2016). The community of Nuiqsut uses subsistence-harvest areas adjacent to the proposed construction area; however, West Dock is not a common hunting area, nor is it visited regularly by Nuiqsut subsistence hunters primarily because of its industrial history.

The most important seal hunting area for Nuiqsut hunters is off the Colville Delta, an area extending as far west as Fish Creek and as far east as Pingok Island. Seal hunting search areas by Nuiqsut hunters also included Harrison Bay, and a 30-mi (48-km) stretch northeast of Nuiqsut between the Colville and Kuparuk rivers, near Simpson Lagoon and Jones Islands (Brown *et al.,* 2016). Cross Island is a productive area for seals, but is too far from Nuiqsut to be used on a regular basis. Seal subsistence use areas of Nuiqsut from 1995 through 2006 are depicted in Figure 21 of AGDC's application.

Ringed seals are an important subsistence resource for Native Alaskans living in communities along the Beaufort Sea coast. Nuiqsut residents commonly harvest ringed seal in the Beaufort Sea during the summer months (Stephen R. Braund & Associates, 2010). There are a higher number of use areas extending east and west of the Colville River delta. Residents reported traveling as far as Cape Halkett to the west and Camden Bay to the east in search of ringed seal. Survey respondents reported traveling offshore up to 30 mi (48 km; Stephen R. Braund & Associates, 2010). Residents reported hunting ringed seals throughout the late spring, summer, and early fall with a higher number of use areas reported in June, July, and August (Stephen R. Braund & Associates, 2010). In 2006, 12 people (36 percent of survey respondents) indicated that they had recently hunted for ringed seals in Nuiqsut (Stephen R. Braund & Associates, 2010).

Nuiqsut bearded seal use areas extend as far west as Cape Halkett, as far east as Camden Bay, and offshore up to 40 mi (64 km). In 2006, 12 people (69 percent of survey respondents) indicated that they had recently hunted for bearded seals in Nuiqsut (SRBA 2010). Nuiqsut hunters reported hunting bearded seal during the summer season in open water as the seals are following the ice pack. Residents reported hunting bearded seal between June and September, although a small number of use areas were reportedly used in May and October (SRBA 2010). The number of reported bearded seal use areas peak in July and August, when the majority of seals are available along the ice pack (SRBA 2010).

Nuiqsut's bowhead whale hunt occurs in the fall at Cross Island, a barrier island located approximately 12 mi (19 km) northwest of West Dock. Nuiqsut whalers base their activities from Cross Island (Galginaitis 2014), and the whaling search and the harvest areas typically are concentrated north of the island. Hunting activities between 1997 and 2006 occurred almost as far west as Thetis Island, as far east as Barter Island (Kaktovik), and up to approximately 50 mi (80 km) offshore (Stephen R Braund & Associates, 2010). Harvest locations in 1973–2011 and GPS tracks of 2001–2011 whaling efforts are shown in Figure 19 of AGDC's application.

Bowhead whales are harvested by Nuiqsut whalers during the fall whaling season. Nuiqsut residents typically hunt bowhead whales in September, although a small number of use areas were reported in August and extending into October (Stephen R. Braund & Associates, 2010). Pile driving would not occur during Nuiqsut whaling.

Nuiqsut subsistence hunting crews operating from Cross Island have harvested three to four bowhead whales per year (Bacon *et al.,* 2009; Galginaitis 2014). In 2014, the Alaska Eskimo Whaling Commission (AEWC) allocated Nuiqsut a quota of four bowhead whales each year; however, through transfers of quota from other communities, in 2015 Nuiqsut was able to harvest five whales (Brown *et al.,* 2016). In 2006, 10 people (30 percent of survey respondents) in Nuiqsut indicated that they had recently hunted for bowhead whales (Stephen R. Braund & Associates, 2010). In 2016, Nuiqsut whaling crews harvested four bowhead whales (Suydam *et al.,* 2017).

Nuiqsut is 70 mi (112 km) away from the proposed project, and is likely to be the community that has the greatest potential to experience any impacts to subsistence practices. The primary potential for AK LNG project impacts to Nuiqsut's subsistence use of marine mammals is associated with barge activity, which could interfere with summer seal and fall bowhead whale hunting (Alaska LNG 2016). Barge activity is beyond the scope of this IHA, but noise associated with barging could deflect bowhead whales as they migrate through Nuiqsut's fall whaling grounds or cause temporary disturbances of seals, making successful harvests more difficult. Barge traffic would occur from July through September. Although barging activities would not cease during Nuiqsut's fall bowhead whale hunting activities, the AGDC plans to keep vessels landward of Cross Island during the August 25–September 15 period, avoiding the high use areas offshore of the island during the entire whaling season in most years and greatly reducing the impact to the whale hunt (Alaska LNG 2016, 2017).

Pile driving associated with construction at West Dock could also affect subsistence hunting of bowhead whales, as the Level B harassment zones extend up to 4.6 km from the pile driving site for some pile and hammer type combinations. As such, AGDC will not pile drive during the Nuiqsut whaling season (see Proposed Mitigation). AGDC has consulted with AEWC and NSB on mitigation measures to limit impacts (Alaska LNG 2016), and has continued to provide formal and informal project updates to these groups, as recently as July 2023.

The proposed activities are not expected to impact marine mammals in numbers or locations sufficient to render them unavailable for subsistence harvest given the short-term, temporary, and localized nature of construction activities, and the proposed mitigation measures. Impacts to marine mammals would mostly include limited, temporary behavioral disturbances of seals, however, some PTS is possible. Serious injury or mortality of marine mammals is not anticipated from the proposed activities, and the activities are not expected to have any impacts on reproductive or survival rates of any marine mammal species.

In summary, impacts to subsistence hunting are not expected due to the distance between West Dock construction and primary seal hunting areas, and proposed mitigation during the Nuiqsut bowhead whale hunt.

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.

Mitigation for Marine Mammals and Their Habitat

In addition to the measures described later in this section, AGDC will employ the following mitigation measures:

- Conduct briefings between construction supervisors and crews and the marine mammal monitoring team prior to the start of all pile driving activity and when new personnel join the work, to explain responsibilities, communication procedures, marine mammal monitoring protocol, and operational procedures;
- For in-water construction, heavy machinery activities other than pile driving, if a marine mammal comes within 10 m (33 ft), operations shall cease and vessels shall reduce speed to the minimum level required to maintain steerage and safe working conditions;
- For those marine mammals for which take by Level B harassment has not been requested, in-water pile installation/removal will shut down immediately when it is safe to do so if such species are observed within or entering the Level B harassment zones; and
- If take reaches the authorized limit for an authorized species, pile installation will be stopped as these species approach the Level B harassment zone to avoid additional take.

Aircraft

Aircraft will transit at an altitude of 457 m (1,500 ft) or higher, to the extent practicable, while maintaining Federal Aviation Administration flight rules (*e.g.,* avoidance of cloud ceiling, *etc.*), excluding takeoffs and landing. If flights must occur at altitudes less than 457 m (1,500 ft) due to environmental conditions, aircraft must make course adjustments, as needed, to maintain at least a 457 m (1,500 ft) separation from all observed marine mammals. Helicopters (if used) must not hover or circle above marine mammals. A minimum transit altitude is expected to reduce the potential for disturbance to marine mammals from transiting aircraft.

The following mitigation measures would apply to AGDC's in-water construction activities. In addition, AGDC would be required to implement all mitigation measures described in the reinitiated biological opinion.

Establishment of Shutdown Zones

AGDC will establish shutdown zones for all pile driving and removal activities. The purpose of a shutdown zone is generally to define an area within which shutdown of the activity would occur upon sighting of a marine mammal (or in anticipation of an animal entering the defined area). Shutdown zones will vary based on the activity type and marine mammal hearing group (see table 20). A minimum shutdown zone of 10 m will be required for all in-water construction activities to avoid physical interaction with marine mammals. The largest shutdown zones are generally for low frequency cetaceans as shown in table 20. In this instance, the largest shutdown zone for low frequency cetaceans is 1,200 m. AGDC expects that they will be able to effectively observe phocids at distance up to 500 m, large cetaceans at 2–4 km, and belugas at 2–3 km.

TABLE 20—SHUTDOWN ZONES DURING PILE INSTALLATION AND REMOVAL

Pile size	Hammer type	LF cetaceans	HF cetaceans	Phocids
11.5-inch (29.2 cm) H-Pile	Impact	1,200	150	500
14-inch (36 cm) H-Pile	Impact	350	50	300
	Vibratory	10	10	10
48-inch (122 cm) Pipe Pile	Impact	650	100	500
Sheet Piles	Vibratory	20	10	30
Screeding		215		

The placement of protected species observers (PSOs) during all pile driving and removal activities (described in detail in the Proposed Monitoring and Reporting section) will ensure that the entire shutdown zone is visible during pile installation. If visibility degrades to where the PSO determines that they cannot effectively monitor the entire shutdown zone during pile driving, the applicant may continue to drive the pile section that was being driven to its target depth when visibility degraded to unobservable conditions, but will not drive additional sections of pile until conditions improve. Pile driving may continue during low light conditions to allow for the evaluation of night vision devices (NVDs) and infrared (IR) sensing devices, as described in the Proposed Monitoring and Reporting section, below.

If marine mammals are observed within the shutdown zone, pile driving will be delayed until the animal has moved out of the shutdown zone, either verified by an observer or after 15 minutes (small cetaceans and pinnipeds) or 30 minutes (large cetaceans) has elapsed without redetection of the animal. If a marine mammal approaches or enters the shutdown zone during pile driving, the activity will be halted. If a species for which authorization has not been granted, or a species which has been granted but the authorized takes are met, is observed approaching or within the Level B harassment zone during pile driving or tension anchoring, the activity will be halted. Pile driving may resume after the animal has moved out of and is moving away from the shutdown zone or after at least 15 or 30 minutes (described above) has passed since the last observation of the animal.

Pre- and Post-Activity Monitoring

Monitoring must take place from 30 minutes prior to initiation of pile

driving activities (*i.e.,* pre-clearance monitoring) through 30 minutes post-completion of pile driving. Prior to the start of daily in-water construction activity, or whenever a break in pile driving of 30 minutes or longer occurs, PSOs must observe the shutdown and monitoring zones for a period of 30 minutes. If a marine mammal is observed within the shutdown zone, a soft-start (described below) cannot proceed until the animal has left the zone or has not been observed for 15 minutes (pinnipeds) or 30 minutes (cetaceans). When a marine mammal for which Level B harassment take is authorized is present in the Level B harassment zone, activities may begin and Level B harassment take will be recorded. Pile driving or removal activities can begin if the entire Level B harassment zone is not visible at the start of construction, as long as the shutdown zone may be effectively monitored, as described above.

Monitoring for Level A and Level B Harassment

AGDC will monitor for marine mammals in the Level B harassment zones and Level A harassment zones, to the extent practicable, and throughout the area as far as visual monitoring can occur. Monitoring enables observers to be aware of, and communicate the presence of marine mammals in the project area outside the shutdown zone and thus prepare for a potential shutdown of activity should the animal enter the shutdown zone. Placement of PSOs on elevated structures on West Dock will allow PSOs to observe phocids within the Level A and Level B harassment zones, to an estimated distance of 500 m. Due to the large Level A and Level B harassment zones (table 10), PSOs will not be able to effectively observe the entire zones during all activities for all species. All marine mammals observed within the visible portion of the harassment zones will be recorded. AGDC will also conduct acoustic monitoring as described in the Proposed Monitoring and Reporting section, below.

Nighttime Monitoring

PSOs will use NVDs and IR for nighttime and low visibility monitoring. AGDC will select devices for monitoring, and will test the devices to determine the efficacy of the monitoring equipment and technique. For a detailed explanation of AGDC's plan to test the NVDs and IR equipment, please see AGDC's Marine Mammal Monitoring and Mitigation Plan, available online at *https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-other-energy-activities-renewable.* (Please note that AGDC will not assess object detection at distance intervals using buoys as stated in the Marine Mammal Monitoring and Mitigation Plan. Rather, they will test object detection on land using existing landmarks at known distances from PSOs, such as road signs.)

Soft Start

Soft-start procedures provide additional protection to marine mammals by providing warning and/or giving marine mammals a chance to leave the area prior to the hammer operating at full capacity. For impact pile driving, contractors will be required to provide an initial set of three strikes from the hammer at reduced energy, followed by a 30-second waiting period, then two subsequent three-strike sets before initiating continuous driving. Soft start will 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.

Pile Driving During Contingency Period

In the event that AGDC must continue pile driving or removal during their contingency period (February–April), AGDC must begin pile driving before March 1, the approximate onset of ice seal lairing season. Initiating pile driving before March 1 is expected to discourage seals from establishing birthing lairs near pile driving. Discouraging seals from establishing birthing lairs near pile driving will likely reduce potential instances of take by Level B harassment by reducing the likelihood of an individual seal occurring within the Level B harassment zone on multiple occasions, which would be far more likely if seals established lairs within the zone. Additionally, a subsistence advisor would survey areas within a buffer zone of DH4 where water depth is greater than 10 ft (3 m) to identify potential ringed seal structures before activity begins. Construction crews must avoid identified ice seal structures by a minimum of 500 ft (150 m). NMFS expects these measures to prevent physical interaction between seals and construction equipment.

AGDC does not plan to use a bubble curtain or other sound attenuation devices, and NMFS concurs that sound attenuation devices are not appropriate for this project. Conditions in the project area mean that the common practice of using bubble curtains for attenuation is not appropriate, as the water is shallow and therefore sound source level reductions are likely to be minimal (Caltrans, 2020), effective deployment of a bubble curtain system is logistically challenging in shallow water, and there is potential for sea ice. Sound attenuation devices have not been used for pile driving in this area during past projects.

Mitigation for Subsistence Uses of Marine Mammals or Plan of Cooperation

Regulations at 50 CFR 216.104(a)(12) further require IHA applicants conducting activities in or near a traditional Arctic subsistence hunting area and/or that may affect the availability of a species or stock of marine mammals for Arctic subsistence uses to provide a Plan of Cooperation or information that identifies what measures have been taken and/or will be taken to minimize adverse effects on the availability of marine mammals for subsistence purposes. A plan must include the following:

- A statement that the applicant has notified and provided the affected subsistence community with a draft plan of cooperation;
- A schedule for meeting with the affected subsistence communities to discuss proposed activities and to resolve potential conflicts regarding any aspects of either the operation or the plan of cooperation;
- A description of what measures the applicant has taken and/or will take to ensure that proposed activities will not interfere with subsistence whaling or sealing; and
- What plans the applicant has to continue to meet with the affected communities, both prior to and while conducting the activity, to resolve conflicts and to notify the communities of any changes in the operation.

AGDC provided a draft Plan of Cooperation to NMFS on March 27, 2019 and submitted revised versions on February 7, 2020, November 16, 2020, December 21, 2020, January 4, 2021, and, most recently, June 20, 2024. The POC outlines AGDC's extensive coordination with subsistence communities that may be affected by the AK LNG project. It includes a brief description of the project, community outreach that has already been conducted, as well as the concerns raised in those discussions and how they were addressed, and project mitigation measures. AGDC will continue coordination with subsistence communities throughout the project duration, and will develop a Communications Plan in coordination with subsistence groups, as described below and in the POC. The POC is a

living document and has been updated throughout the project review and permitting process. The proposed IHA includes a requirement stating that AGDC must conduct the communication and coordination as described in the POC, which is available on our website at *https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-other-energy-activities-renewable.*

AGDC continues to document its communications with the North Slope subsistence communities, as well as the substance of its communications with subsistence stakeholder groups, and has developed mitigation measures that include measures suggested by community members as well as industry standard measures. AGDC will continue to routinely engage with local communities and subsistence groups. Multiple user groups are often consulted simultaneously as part of larger coalition meetings such as the Arctic Safety Waterways Committee meetings. Local communities and subsistence groups identified by AGDC are listed in the POC. AGDC will develop a Communication Plan and will implement this plan before initiating construction operations to coordinate activities with local subsistence users, as well as Village Whaling Captains' Associations, to minimize the risk of interfering with subsistence hunting activities, and keep current as to the timing and status of the bowhead whale hunt and other subsistence hunts. A project informational mailer with a request for community feedback (traditional mail, email, phone) will be sent to community members prior to construction. Following the construction season, AGDC intends to have a post-season co-management meeting with the commissioners and committee heads to discuss results of mitigation measures and outcomes of the preceding season. The goal of the post-season meeting is to build upon the knowledge base, discuss successful or unsuccessful outcomes of mitigation measures, and possibly refine plans or mitigation measures if necessary.

The AEWC works annually with industry partners to develop a Conflict Avoidance Agreement (CAA). This agreement implements mitigation measures that allow industry to conduct their work in or transiting the vicinity of active subsistence hunters, in areas where subsistence hunters anticipate hunting, or in areas that are in sufficient proximity to areas expected to be used for subsistence hunting where the planned activities could potentially adversely affect the subsistence bowhead whale hunt through effects on bowhead whales, while maintaining the availability of bowheads for subsistence hunters. AGDC is required to enter the CAA for the construction year by an order from the FERC.

AGDC will not conduct pile driving during the Nuiqsut whaling season in an effort to eliminate effects on the availability of bowhead whales for subsistence hunting that could occur as a result of project noise. Nuiqsut whaling is approximately August 25–September 15, though the exact dates may change.

Barging activities could potentially impact Nuiqsut's fall bowhead whale hunt and possibly other marine mammal harvest activities in the Beaufort Sea. As mentioned previously, barging activities are beyond the scope of this proposed IHA, and no take is expected to occur as a result of barging activities. However, NMFS proposes to require AGDC to limit barges to waters landward of Cross Island during the Nuiqsut whaling season (approximately August 25–September 15, though the exact dates may change) in an effort to avoid any potential impacts on subsistence uses. AGDC has consulted with AEWC and NSB on mitigation measures to limit impacts and has continued to provide formal and informal project updates to these groups.

As described above in the Effects of Specified Activities on Subsistence Uses of Marine Mammals section, AGDC's construction activities at West Dock do not overlap with the areas where subsistence hunters typically harvest ice seals, and given the extent of impacts to seals described in that section, these activities are not expected to impact subsistence hunts of ice seals. Therefore, NMFS does not propose to include mitigation measures for subsistence harvest of ice seals; however, AGDC will continue to meet with subsistence groups, including the Ice Seal Committee, as described in the POC.

Based on our evaluation of the applicant's proposed measures, NMFS has preliminarily determined that the proposed mitigation measures provide the means of effecting the least practicable impact on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, areas of similar significance, and on the availability of such species or stock for subsistence uses.

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 Marine Mammal Monitoring Plan, available online at: *https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-other-energy-activities-renewable.* Marine mammal monitoring during pile driving and removal must be conducted by NMFS-

approved PSOs in a manner consistent with the following:

- 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 other 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. PSOs may also substitute Alaska native traditional knowledge for experience (NMFS recognizes that PSOs with traditional knowledge may also have prior experience, and therefore be eligible to serve as the lead PSO).
- Where a team of three or more PSOs is required, a lead observer or monitoring coordinator must be designated. The lead observer must have prior experience performing the duties of a PSO during construction activity pursuant to a NMFS-issued incidental take authorization; and
- PSOs must be approved by NMFS prior to beginning any activity subject to this IHA.

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 mammal 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.

At least two PSOs will be present during all pile driving/removal activities. PSOs will have an unobstructed view of all water within the shutdown zones. PSOs will observe as much of the Level A and Level B harassment zone as possible. PSO locations are as follows:

- Dock Head 4—During impact pile driving at DH4, two PSOs must be stationed to view toward the east, north, and west of the sweater treatment plan. During vibratory pile driving at DH4, two PSOs must monitor from each PSO location (four PSOs); and
- Barge Bridge—During work at the barge bridge, two PSOs must be stationed at the north end of the bridge.

PSOs will be stationed on elevated platforms at DH4, and on the elevated bridge during work at the barge bridge. They will possess the equipment described in the Marine Mammal Monitoring and Mitigation Plan, including NVDs during nighttime monitoring. However, during the primary construction season, nighttime on the North Slope will be brief. Given the elevated PSO sites and equipment, AGDC expects that they will be able to effectively observe phocids at distances up to 500 m, large cetaceans at 2–4 km, and belugas at 2–3 km, however, PSOs will not be able to effectively observe the entire area of the Level A harassment (seals only) or Level B harassment zones during all pile driving activities.

PSOs will begin monitoring three days prior to the onset of pile driving and removal activities and continue through three days after completion of the pile driving and removal activities. PSOs will monitor 24 hours per day, even during periods when construction is not occurring. In addition, observers shall record all incidents of marine mammal occurrence, regardless of distance from activity, and shall 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 elapsed between uses of the pile driving equipment is no more than 30 minutes.

Acoustic Monitoring

Acoustic monitoring, to be conducted for purposes of measuring sound source levels and sound propagation, must be conducted in accordance with accepted methodology as described in an Acoustic Monitoring Plan, which AGDC must develop after its contractor is selected. The plan must be reviewed by NMFS, the NSB, and the AEWC, and approved by NMFS. AGDC must conduct acoustic monitoring for the number of each pile type and size indicated in the approved plan. AGDC may request that NMFS adjust the shutdown zones and revise the Level A and Level B harassment zones, as appropriate, pending NMFS' review and approval of the results of acoustic monitoring.

AGDC will also conduct passive acoustic monitoring (PAM) for marine mammals. AGDC will deploy three hydrophones during the open-water season to monitor for marine mammals, in accordance with a Marine Mammal Monitoring and Mitigation Plan and Acoustic Monitoring Plan. This PAM is intended to inform the estimate of marine mammals in the Level B harassment zone, given that PSOs are not able to observe the entire zone for all species and activities.

AGDC would deploy the hydrophones as recommended by the Peer Review Panel (PRP), located between the 1,400 m and 4,700 m zones (noting that the 1,400 m zone was updated since the Peer Review Panel report to reflect an updated acoustic analysis (formerly 2,200 m)), as described below, and would adjust the locations as appropriate if the Level B harassment zones are adjusted following sound source verification (SSV) results. AGDC will deploy the PAM recorders three days prior to the start of pile driving and will retrieve them three days after completion of pile driving during the open-water season.

Should construction be required during the contingency period when there will be ice-cover, AGDC will deploy one hydrophone at the end of the open-water season located in between the 1,400 m and 4,700 m zones, perpendicular to the pile driving site. The location must be reviewed by NMFS, the NSB, and the AEWC, and approved by NMFS prior to deployment. Additional hydrophones during the contingency period are not warranted, as we do not expect cetaceans to be present in the area during this time (Citta *et al.,* 2017, Quakenbush *et al.,* 2018), and while ringed seals likely will be present, few, if any, spotted or bearded seals are likely to be present during that time (Bengtson *et al.,* 2005, Lowry *et al.,* 1998, Simpkins *et al.,* 2003).

Reporting

A draft marine mammal monitoring report will be submitted to NMFS within 90 days after the completion of marine mammal and acoustic monitoring or 60 days prior to the issuance of any subsequent IHA for this project, whichever comes first. The report will include an overall description of work completed, a narrative regarding marine mammal sightings, and associated PSO data

sheets. Specifically, the report must include:

- Dates and times (begin and end) of all marine mammal monitoring;
- Construction activities occurring during each daily observation period, including precise start and stop time of each type of construction operation mode, how many and what types of piles were driven or removed and by what method (*i.e.,* impact or vibratory);
- Total number of hours during which each construction activity type occurred;
- Total number of hours that PSOs were on duty during each construction activity, and total number of hours that PSOs were on duty during periods of no construction activity;
- Weather parameters and water conditions during each monitoring period (*e.g.,* wind speed, percent cover, visibility, sea state), and number of hours of observation that occurred during various visibility and sea state conditions;
- The number of marine mammals observed, by species and operation mode, relative to the pile location, and if pile driving or removal was occurring at time of sighting;
- The number of marine mammals observed (including periods with no construction);
- Age and sex class, if possible, of all marine mammals observed;
- PSO locations during marine mammal monitoring, including elevation above sea level;
- Distances and bearings of each marine mammal observed to the pile being driven or removed for each sighting (if pile driving or removal was occurring at time of sighting);
- Description of any marine mammal behavior patterns during observation, including direction of travel and estimated time spent within the Level A and Level B harassment zones while the source was active;
- Number of individuals of each species (differentiated by month as appropriate) detected within the Level A and Level B harassment zones;
- Histograms of perpendicular distances to PSO sightings, by species (or species group if sample sizes are small);
- Sighting rates summarized into daily or weekly periods for the before, during, and after construction periods;
- Maps showing visual detections by species and construction activity type.
- Detailed information about any implementation of any mitigation triggered (*e.g.,* shutdowns and delays), a description of specific actions that ensued, and resulting behavior of the animal, if any;
- Description of attempts to distinguish between the number of individual animals taken and the number of incidences of take, such as ability to track groups of individuals;
- An estimation of potential takes, by species, by Level A and Level B harassment based on the number of observed exposures within the Level A and Level B harassment zones and the percentages of the Level A and Level B harassment zones that were not visible;
- Submit all PSO datasheets and/or raw sighting data (in a separate file from the Final Report referenced immediately above).

If no comments are received from NMFS within 30 days, the draft 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.

For the SSV, AGDC's acoustic monitoring report must, at minimum, include the following:

- Hydrophone equipment and methods: Recording device, sampling rate, distance (m) from the pile where recordings were made, depth of recording device(s);
- Type and size of pile being driven, substrate type, method of driving during recordings;
- For impact pile driving: Pulse duration and mean, median, and maximum sound levels (dB re: 1µPa): Cumulative sound exposure level (SELcum), peak sound pressure level (SPLpeak), root-mean-square sound pressure level (SPLrms), and single-strike sound exposure level (SELs-s).
- For vibratory driving/removal: Mean, median, and maximum sound levels (dB re: 1µPa): SPL_{rms}, SELcum, and timeframe over which the sound is averaged.
- Number of strikes (impact) or duration (vibratory) per pile measured, one-third octave band spectrum, power spectral density plot;
- Estimated source levels referenced to 10 m, transmission loss coefficients, and estimated Level A and Level B harassment zones.

For the PAM for marine mammals, AGDC's acoustic monitoring report must, at minimum, include the following:

- Number of marine mammal detections (including species, date and time of detections, and type of pile driving underway during each detection, if applicable);
- Detection rates summarized into daily or weekly periods for the before, during, and after construction periods;
- Received sound levels from pile driving activity;
- The following hydrophone equipment and method information: Recording devices, sampling rate, sensitivity of the PAM equipment, locations of the hydrophones, duty cycle, distance (m) from the pile where recordings were made, depth of recording devices, and depth of water in area of recording devices.

In the event that personnel involved in the construction activities discover an injured or dead marine mammal, the IHA-holder shall report the incident to the Office of Protected Resources, NMFS and to the Alaska Regional Stranding Coordinator as soon as feasible. If the death or injury was clearly caused by the specified activity, the IHA-holder 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 IHA-holder 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.

Monitoring Plan Peer Review

The MMPA requires that monitoring plans be independently peer reviewed where the proposed activity may affect the availability of a species or stock for taking for subsistence uses (16 U.S.C. 1371(a)(5)(D)(ii)(III)). Regarding this requirement, NMFS' implementing regulations state that upon receipt of a complete monitoring plan, and at its discretion, NMFS will either submit the plan to members of a PRP for review or within 60 days of receipt of the proposed monitoring plan, schedule a workshop to review the plan (50 CFR 216.108(d)).

NMFS established an independent PRP to review AGDC's Monitoring Plan for the planned project in Prudhoe Bay. NMFS provided AGDC's monitoring plan to the PRP and asked them to answer the following questions:

1. Will the applicant's stated objectives effectively further the understanding of the impacts of their

activities on marine mammals and otherwise accomplish the goals stated below? If not, how should the objectives be modified to better accomplish the goals below?

2. Can the applicant achieve the stated objectives based on the methods described in the plan?

3. Are there technical modifications to the proposed monitoring techniques and methodologies proposed by the applicant that should be considered to better accomplish the objectives?

4. Are there techniques not proposed by the applicant (*i.e.,* additional monitoring techniques or methodologies) that should be considered for inclusion in the applicant's monitoring program to better accomplish the objectives?

5. What is the best way for an applicant to present their data and results (formatting, metrics, graphics, *etc.*) in the required reports that are to be submitted to NMFS (*i.e.,* 90-day report)?

The PRP met in March 2020 and subsequently provided a final report to NMFS containing recommendations that the panel members felt were applicable to AGDC's monitoring plan. The panel concluded that the objectives are appropriate; however, they provided some recommendations to improve AGDC's ability to achieve their stated objectives. The PRP's primary recommendations and comments are summarized and addressed below. The PRP's full report is available on our website at *https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-other-energy-activities-renewable.* Given that AGDC's proposed activities have not changed since the PRP reviewed the Monitoring Plan, an additional peer review was not necessary. However, where changes in best available science since the peer review (such as the publication of NMFS 2024) affect aspects of the monitoring plan and NMFS' analysis herein, we have noted those changes, and modified the monitoring requirements that resulted from PRP recommendations, as appropriate, and as described below.

The PRP recommended that AGDC station PSOs on elevated platforms to increase sighting distance. NMFS agrees and proposes to require AGDC to provide elevated monitoring locations for PSOs. The structures would vary depending on the construction location.

The PRP recommended that PSOs focus on scanning the shoreline and water, alternately with visual scans and using binoculars, to detect as many animals as possible rather than following individual animals for any length of time to collect detailed behavioral information. NMFS requires PSOs to document and report the behavior of marine mammals observed within the Level A and Level B harassment zones. While NMFS agrees that PSOs should not document behavior at the expense of detecting other marine mammals, particularly within the shutdown zone, we are asking PSOs to record an estimate of the amount of time that an animal spends in the harassment zone, which is important to help understand the likelihood of incurring AUD INJ (given the duration component of the thresholds) and the severity of behavioral disturbance.

The PRP recommended that the PSOs record visibility conditions at regular intervals (*e.g.,* every five minutes) and as conditions change throughout the day. The panel recommended using either laser range finders or a series of ''landmarks'' at varying distances from each observer. The PRP notes that if AGDC uses landmarks, AGDC could measure the distance to the landmarks on the ground before pile driving or removal begins, and reference these landmarks throughout the season to record visibility. The landmarks could be buildings, signs, or other stationary objects on land that are located at increasing distances from each observation platform. PSOs should record visibility according to the farthest landmark the laser range finder can detect or that the PSO can clearly see. NMFS proposes to require AGDC to record visibility conditions throughout construction; however, NMFS proposes to require PSOs to record visibility every 30 minutes, rather than every 5 minutes, in an effort to minimize distraction from observing marine mammals. PSOs would be equipped with range finders, and will establish reference landmarks on land.

The PRP recommended that AGDC have a designated person on site keeping an activity log that includes the precise start and stop dates and times of each type of construction operation mode. AGDC's field lead PSO would record this information during construction.

The PRP commended AGDC's proposed use and experimentation with NVD and IR technology. The panel noted that there are many devices with a broad range of capabilities that should be thoroughly understood before the experiment is conducted. As described in the *Mitigation for Marine Mammals and their Habitat,* AGDC plans to use and test NVD and IR technology, and AGDC will select the most effective devices based on surveys of experienced PSOs and literature provided by the panel.

The PRP expressed concern about the limited effective visual detection range of the PSOs in comparison with the estimated size of the Level A and Level B harassment zones, including AGDC's ability to shut down at the proposed distances, and AGDC's ability to estimate actual Level A and Level B harassment takes. The panel noted that effective sighting distances are likely 200 m for seals, and 1 km for mysticetes, based on ship-based PSO observations in the Chukchi Sea (LGL *et al.,* 2011). They noted that the effective sighting distance for beluga whales may be greater than 200 m, although visibility would likely decrease in windy conditions with white caps (DeMaster *et al.,* 2001). The panel recommended that AGDC implement real-time PAM to verify the harassment zone sizes, and to improve detection of marine mammals at distances where visual detection probability is limited or not possible. The panel recommended that AGDC begin PAM two to three weeks prior to the start of construction and continue through two to three weeks after construction activities conclude for the season. They recommended archival bottom mounted recorders as an alternative to real-time PAM, but noted that these setups are not as easy to relocate and that data can only be accessed after recovery.

In a related comment, the panel recommended that AGDC report total estimated Level A and Level B harassment takes using two methods. First, the panel recommended that AGDC assume that animal density is uniform throughout the Level B harassment zone and use distance sampling methods, such as Burt *et al.* (2014), based only on the shore-based PSO observations to estimate actual takes by Level B harassment. Second, the PRP recommended that AGDC also use real-time PAM to estimate takes by Level B harassment only in the far field, assuming that each acoustic detection that occurs during pile driving or removal is a Level B harassment take.

NMFS has acknowledged the shorter likely sighting distances (via the potential takes by Level A harassment considered in the analysis) and has included a shutdown zone for phocids during impact pile driving of 500 m, as stated herein (and included in the proposed IHA), which is expected to be visible to PSOs. While this distance is greater than the 200 m estimated by the PRP, shore-based PSOs typically have greater visibility. Additionally, AGDC's

PSOs will observe from elevated locations.

In consideration of the effective sighting distances included in the PRP report, and estimated effective sighting distances from the applicant, NMFS has acknowledged the shorter likely sighting distances (via the potential takes by Level A harassment considered in the analysis) and has included a shutdown zone for phocids of 500 m during impact pile driving of 11.5-in H–Piles 48-inch pile piles, and of (29.2 cm) (122 cm) 300 m for impact pile driving of 14-inch (36 cm) H–piles, both of which are expected to be visible to PSOs. While these distances are greater than the 200 m estimated by the PRP, shore-based PSOs typically have greater visibility. Additionally, AGDC's PSOs will observe from elevated locations.

NMFS does not propose to require AGDC to report Level A and Level B harassment takes using distance sampling methods, as NMFS does not believe that it is appropriate to apply precise distance sampling methods intended for systematic surveys to estimating take numbers in this situation. As noted by the panel, the assumption of uniform density throughout the Level A and Level B harassment zones is not likely appropriate for this project, given varying habitat attributes throughout the zones such as distance from the shore and water depth. The pile driving and removal activities are likely to further affect the distribution within the zones. However, as a simpler alternative to help understand the potential exposures within the unseen area, NMFS proposes to require AGDC to include an estimation of potential takes by Level A and Level B harassment based on the number of observed exposures within the Level A or Level B harassment zone and the percentage of the Level A or Level B harassment zone that was not visible in their final report.

NMFS does not propose to require AGDC to implement real-time PAM (as described below). However, NMFS proposes to require AGDC to conduct SSV at the start of construction, and as appropriate, NMFS may update the Level A and Level B harassment zones and shutdown zones based on the SSV results. Additionally, NMFS proposes to require AGDC to deploy three archival PAM receivers during the open water season to collect data that indicates the presence of marine mammals. As stated previously, the PRP recommended archival bottom mounted recorders as an alternative to real-time PAM, although NMFS proposes to require AGDC to deploy these in stationary locations, rather than relocating the receivers for various construction activities as recommended by the PRP. If NMFS updates the Level B harassment zones following review of the SSV results, the hydrophones may be relocated, as described in AGDC's monitoring plan. AGDC will implement the majority, if not all, of the proposed pile driving and removal during the open water season. Since AGDC would need to deploy the PAM system after ice melt, deploying it two to three weeks before and after the construction period would narrow AGDC's open water work window by at least one month. Additionally, while AGDC's construction is occurring within a limited timeframe, other companies have operations in the area also, which may interfere with the ability to gather baseline data regarding marine mammal presence without interference from other industrial activities. Marine mammals in the project area are migratory, so presence within the work area would change throughout the suggested monitoring period, even if AGDC was not conducting the activity. As such, NMFS proposes to require AGDC to deploy the three archival PAM receivers for three days prior to the start of construction, through construction, and for three days after completion of construction activities. AGDC would deploy the hydrophones in the general locations suggested by the PRP (noting that some zones have been updated since the PRP report) and as described in the *Acoustic Monitoring* section above. If the Level A and Level B harassment zones are updated based on SSV results, the hydrophones may be relocated, as appropriate.

If construction during the contingency period is necessary, AGDC would deploy one overwintering hydrophone at the end of the open-water season for monitoring during the contingency period. Additional hydrophones during the contingency period are not warranted, as we do not expect cetaceans to be present in the area during this time (Quakenbush *et al.,* 2018, Citta *et al.,* 2017) and while ringed seals likely will be present, few, if any, spotted or bearded seals are likely to be present during that time (Bengtson *et al.,* 2005, Lowry *et al.,* 1998, Simpkins *et al.,* 2003). A location for the contingency period hydrophone would be selected closer to construction, and must be reviewed by NMFS, the NSB, and the AEWC, and approved by NMFS prior to deployment.

Real-time PAM might be helpful if there were a limited ability to detect animals using other methods as required to support the implementation of mitigation action, such as shutting down operations at the time that a detection occurs. However, in this instance, visual monitoring by PSOs can adequately detect marine mammals and minimize take by Level A harassment, and the proposed authorization includes take by Level A harassment of ice seals. Further, the operation of real-time PAM is significantly more costly than collecting PAM data for later analyses, as someone would need to monitor the data in real-time, and the PAM buoys would need to be relocated for changes in Level A and Level B harassment zone sizes between various pile sizes and installation or removal methods. Given the limitations described above, and the limited additional detection value added by the addition of real-time PAM in these circumstances, implementation of real-time PAM is not warranted in light of the associated cost and effort.

The PRP also recommended that PSOs observations begin 2–3 weeks prior to construction, continue through the construction season, and continue for 2–3 weeks after the construction season ends. Given that ice conditions in the weeks leading up to the construction period will differ from that during construction (as will ice seal presence), NMFS is proposing to require PSOs to observe from shore during the three days before construction begins, and for three additional days after the construction season ends, rather than 2–3 weeks. During the construction season, NMFS proposes to require PSOs to monitor 24 hours per day, even during periods without construction.

The PRP also made recommendations regarding how AGDC should present their monitoring data and results. Please refer to part V of the report for those suggestions. AGDC would implement the reporting recommendations that do not require PAM as stated in the recommendations. NMFS proposes to require AGDC to conduct the reporting in recommendations i and j (report received sound levels, propagation loss, isopleth distances and sound source levels, as well as sighting and acoustic detection rates summarized into daily or weekly periods for the before, during, and after construction periods). However, NMFS does not propose to require AGDC to include maps showing acoustic detections by species and construction activity type (part of recommendation h), as AGDC does not intend to set the hydrophones up as a localization array, and therefore, the data would not be appropriate for reporting specific locations of marine mammal detections.

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 19, 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 in the analysis below.

Pile driving and removal activities associated with the project, as outlined previously, have the potential to disturb or temporarily displace marine mammals or, in limited cases, cause auditory injury. Specifically, the specified activities may result in take, in the form of Level A and Level B harassment, from underwater sounds generated from pile driving and removal. Potential takes could occur if individuals of these species are present in zones ensonified above the thresholds for Level A or Level B harassment, identified above, when these activities are underway. While AGDC may pile drive at any time of day (24 hours per day), we do not expect noise-producing pile driving will actually occur at all times during a 24-hour period, given the general construction process, including time for setting up piles for installation.

The takes by Level A and Level B harassment would be due to potential behavioral disturbance, TTS, and AUD INJ. No mortality or serious injury is anticipated given the nature of the activity. Level A harassment is only anticipated for ringed seal, spotted seal, and bearded seal. The potential for Level A harassment is minimized through the construction method and the implementation of the required mitigation (see Proposed Mitigation).

Effects on individuals that are taken by Level B harassment, on the basis of reports in the literature as well as monitoring from other similar activities, will likely be limited to reactions such as increased swimming speeds, increased surfacing time, or decreased foraging (if such activity were occurring) (*e.g.,* Thorson and Reyff, 2006, HDR Inc., 2012, Lerma, 2014, ABR, 2016). Most likely for pile driving, individuals will move away from the sound source and be temporarily displaced from the areas of pile driving, although even this reaction has been observed primarily only in association with impact pile driving, which is just a portion of AGDC's construction. Level B harassment will be reduced to the level of least practicable adverse impact through use of mitigation measures described herein. If sound produced by project activities is sufficiently disturbing, animals are likely to avoid the area while the activity is occurring. While vibratory driving associated with the project may produce sound at distances of many km from the project site, the project site itself is located in an active industrial area, as previously described. Therefore, we expect that animals disturbed by project sound will avoid the area and use more-preferred habitats.

In addition to the expected effects resulting from proposed Level B harassment, we anticipate that ringed seals, spotted seals, and bearded seals may sustain limited Level A harassment in the form of AUD INJ. However, animals that experience AUD INJ will likely only receive minor degradation of hearing capabilities within regions of hearing that align most completely with the frequency range of the energy produced by pile driving, *i.e.* the low-frequency region below 2 kHz, not severe hearing impairment or impairment in the regions of greatest hearing sensitivity. If hearing impairment occurs, it is most likely that the affected animal will lose no more than a few dB in its hearing sensitivity, which in most cases is not likely to meaningfully affect its ability to forage and communicate with conspecifics.

Habitat disturbance and alteration resulting from project activities could have a few highly localized, short-term effects for a few marine mammals; however, the area of affected habitat would be small compared to that available to marine mammal species. The activities may cause some fish to leave the area of disturbance, thus temporarily impacting marine mammals' foraging opportunities in a limited portion of the foraging range. We do not expect pile driving activities to have significant, long-term consequences to marine invertebrate populations. Given the relatively short duration of the activities and the relatively small area of the habitat that may be affected, the impacts to marine mammal habitat, including fish and invertebrates, are not expected to cause significant or long-term negative consequences to marine mammals or to populations of fish or invertebrate species.

A small portion of the project area overlaps with habitat that was previously designated as ringed seal critical habitat, but subsequently vacated by the U.S. District Court for the District of Alaska. Although this portion of habitat located within the project area contains features necessary for ringed seal formation and maintenance of subnivean birth lairs, basking and molting, and foraging, these features also exist outside of the project area and should be available to ringed seals. AGDC's February to April pile driving contingency period overlaps with the period when ringed seals are constructing subnivean lairs, giving birth, and nursing pups. As discussed in the Proposed Mitigation section, in the unlikely event that they need to work during the contingency period, AGDC would be required to begin construction prior to March 1 when ringed seals are known to begin constructing lairs. As such, we expect that ringed seals would construct their lairs away from the pile driving operations, therefore minimizing disturbance and avoiding any potential for physical injury to seals in lairs. We expect that AGDC would complete the majority, if not all of the pile driving during the open water

season, so any pile driving that did remain could likely be completed in the earlier portion of the contingency period, further reducing the potential for impacts to ringed seals while lairing or pupping.

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 proposed for authorization;
- The relatively small number of takes by Level A harassment, for seals only, are anticipated to result only in slight AUD INJ within the lower frequencies associated with pile driving;
- The intensity of anticipated takes by Level B harassment would be minimized through implementation of the mitigation measures described above. While some instances of TTS could occur, the majority of Level B harassment takes would likely be in the form of avoidance of the project area, temporary cessation of foraging and vocalizing, or changes in dive behavior;
- The area impacted by the specified activity is very small relative to the overall habitat ranges of all species;
- The project area has minimal overlap with ringed seal critical habitat;
- Impacts to critical behaviors such as lairing and pupping by ringed seals would be avoided and minimized through implementation of mitigation measures described above;
- AGDC would cease pile driving during the Nuiqsut whaling season, therefore minimizing the amount or severity of take of bowhead whale during a time when animals are expected to migrate by in relatively higher density.

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 proposed monitoring and mitigation measures, NMFS preliminarily finds that the total marine mammal take from the proposed activity 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.

The number of instances of take for each species or stock proposed for authorization is included in table 19. Our analysis shows that less than one-third of the best available population abundance estimate of each stock could be taken by harassment (in fact, take of individuals no more than 0.7 percent of the abundance for all affected stocks). The number of animals proposed to be taken for each stock would be considered small relative to the relevant stock's abundances.

For beluga whale, the percentages in table 19 conservatively assumes that all takes of beluga whale would be accrued to each stock; however, we expect that most, if not all, beluga whales taken by this project would be from the Beaufort Sea stock.

For the Beringia stock of bearded seals, a complete stock abundance value is not available. As noted in the 2023 Alaska SAR (Young *et al.,* 2024), an abundance estimate is currently only available for the portion of bearded seals in the Bering Sea. This abundance estimate for the Bering Sea is 301,836 bearded seals (Conn *et al.,* 2014). Given the proposed 432 takes by Level B harassment and 2 takes by Level A harassment for the stock, comparison to the Bering Sea estimate, which is only a portion of the Beringia stock (which also includes animals in the Chukchi and Beaufort Seas), shows that, at most, less than one percent of the stock would be expected to be impacted.

A complete stock abundance value is also not available for the Arctic stock of ringed seals. As noted in the 2023 Alaska SAR (Young *et al.,* 2024), the abundance estimate available, 171,418 animals, is only a partial estimate of the Bering Sea portion of the population (Conn *et al.,* 2014). As noted in the SAR, this estimate does not include animals in the shore fast ice zone, and the authors did not account for availability bias. Young *et al.* (2024) expect that the Bering Sea portion of the population is actually much higher. Given the proposed 2,012 takes by Level B harassment and 11 takes by Level A harassment takes for the stock, comparison to the Bering Sea partial estimate, which is only a portion of the Arctic stock (which also includes animals in the Chukchi and Beaufort Seas) represents only 1.2 percent of the 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.

Given the nature of the activity, and the required mitigation measures, serious injury and mortality of marine mammals is not expected to occur. Impacts to marine mammals would mostly include limited, temporary behavioral disturbances of seals, however, some slight AUD INJ in seals within the lower frequencies associated with pile driving is possible. Additionally, a small number of takes of bowhead whales, by Level B harassment only, are predicted to occur in the vicinity of AGDC's activity. As described above, the required mitigation measures, such as implementation of shutdown zones, are expected to reduce the frequency and severity of takes of marine mammals.

Project activities could deter target species from Prudhoe Bay and the area ensonified above the relevant harassment thresholds. However, as described in the Effects of Specified Activities on Subsistence Uses of Marine Mammals section, subsistence use of seals and beluga whales is extremely limited in this area, as it is not within the preferred and frequented

hunting areas. Bowhead whales typically remain outside of the area between the barrier islands and Prudhoe Bay, minimizing the likelihood of impacts from AGDC's project. The proposed takes are not expected to affect the fitness of any bowhead whales, or cause significant deflection outside of the typical migratory path in areas where subsistence hunts occur, and nor are the activities otherwise expected to interfere with the hunt. Additionally, during the Nuiqsut whaling season, NMFS proposes to require AGDC to cease pile driving and project vessels must transit landward of Cross Island, therefore minimizing the potential impact to the Nuiqsut hunt. AGDC will continue to coordinate with local communities and subsistence groups to minimize impacts of the project, as described in the POC.

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 other proposed mitigation and monitoring measures, NMFS has preliminarily determined that AGDC's proposed activities will not have an unmitigable adverse impact on subsistence uses of marine mammals.

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 bowhead whale, bearded seal (Beringia DPS), and ringed seal (Arctic subspecies) which are listed under the ESA.

NMFS issued a Biological Opinion on June 3, 2020, concluding that the issuance of an IHA for the same project activities in Prudhoe Bay was not likely to jeopardize the continued existence of the threatened and endangered species under NMFS' jurisdiction.

The Permits and Conservation Division intends to initiate section 7 consultation with the Alaska Regional Office 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 AGDC for construction of the AK LNG Project in Prudhoe Bay, Alaska for one year, beginning June 1, 2027 or June 1, 2028, 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-other-energy-activities-renewable.*

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 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: April 14, 2025.

Kimberly Damon-Randall,

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

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